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No. 121

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
September 11, 2012.

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

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

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

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

9-11-01—11 YEARS

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

Mr. POE of Texas. Mr. Speaker, on a cool September morning in Texas, I was driving my Jeep to the courthouse where I was a judge for a long time. I was listening to KILT radio, a country western station. Willie Nelson was singing "Blue Eyes Crying in the Rain." All of the sudden, Robert B. McEntire, the newscaster for KILT radio, comes on and interrupts the program. He said that an airplane had crashed into the north tower of the

World Trade Center, and that's about all we knew at that time. It was 8:46 a.m. eastern time, 7:46 a.m. in Texas.

Continuing my daily journey to the courthouse, a few minutes later he comes back on the radio and says that a second airplane had crashed into the second south tower of the World Trade Center in New York City. The world understood at that time this was serious. This was an attack on our Nation, on our country.

After I got to the courthouse, we learned that a third airplane flying over Washington, D.C., very close to the building we're in, the United States Capitol, went down the street less than a mile, and crashed into the Pentagon. That was at 9:37 eastern time. Then a fourth airplane we remember as Flight 93 was flying toward Washington, D.C., probably headed to the Capitol or the White House, where some good, right-thinking folks took control of the plane from hijackers, and they crashed in Pennsylvania in a field at 10:07 eastern standard time.

Mr. Speaker, on September 11, 2001, this Nation was attacked. Three thousand people were killed that day. It's interesting that the attackers decided to attack the World Trade Center because people from 90 nationalities were in the World Trade Center buildings, the south and the north. So it was more than an attack on America; it was an attack on the people of the world, freedom-loving people, people who believed in living life and liberty.

The murder was done by 19 radicals who murdered in the name of religion. Of the 3,000 people that were killed, 411 of them were emergency workers and 341 were members of the New York Fire Department. There were also two fire department members of New York who were paramedics that were killed that day, 23 officers from NYPD, 37 Port Authority officers from New York and New Jersey, and eight emergency medical technicians and paramedics killed that day.

In the aftermath of that morning, first responders from all over the United States later that week went to New York to help in the recovery and help restore what had happened at Ground Zero. Many of those first responders still suffer from toxins that they acquired while working Ground Zero, as many members of first responders from New York and New Jersey are still suffering. But today we remember all of those people that were killed that day on September 11.

Later that evening, I, like most Americans, was watching television, and saw the horror on video of what had occurred. I, like you, Mr. Speaker, saw those thousands of people in New York. When those planes crashed into the World Trade Center buildings, they were fleeing as fast as they could from the terror that came from the sky.

There was another group of people. Like the fire horses of old that charged to the smell of smoke and the roar of fire, those individuals charged to that terror from the sky. There weren't very many. There were a handful, but yet they were there. Who were they? They were the first responders. They were the firefighters. They were the emergency medical technicians. They were the paramedics. They were the peace officers. And many of them died that day.

While it's important that we remember those that were killed, it's equally important that we remember those that got to live, Mr. Speaker, because those first responders charged to that terror from the sky. Many of them gave up their lives so others could live on that infamous day of September 11, 2001.

And that's just the way it is.

IN HONOR OF TROOPER BOBBY  
GENE DEMUTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise on this solemn day in the history of our Nation, the 11th anniversary of the terror attacks on 9/11, to honor and pay tribute to a North Carolina State Trooper who was killed in the line of duty this past Saturday morning. It was a tragic incident.

Trooper Bobby Gene DeMuth served the State of North Carolina proudly and honorably for 12 years. He was assigned to the Rocky Mount Troop C, District One Highway Patrol.

Trooper DeMuth loved his work. He loved his work as a law enforcement officer. He protected the good of our society from the bad, and he fought to make North Carolina a safer place. Trooper DeMuth's life was tragically cut short, and he was killed while in the line of duty. He was pursuing an individual suspected of some very serious crime. He was serving and protecting.

Following a 20-mile, 30-minute high-speed pursuit that began in our capital city of Raleigh, and ended by the heroic effort of Trooper Bobby Gene DeMuth, the suspect was apprehended.

Tomorrow, Trooper DeMuth will be laid to rest at Inglewood Baptist Church in Rocky Mount, North Carolina. It is a sad day indeed. Trooper DeMuth, like so many of the first responders who passed away 11 years ago, deserves our heartfelt thanks and appreciation for doing what only a select few can do, and that is to protect and defend the public against those who do it harm.

May God bless Trooper Bobby Gene DeMuth, his family, and each and every person that puts himself in harm's way to protect the greater good.

#### IN MEMORY OF THOSE WHO LOST THEIR LIVES SEPTEMBER 11, 2001

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACK) for 5 minutes.

Mrs. BLACK. Mr. Speaker, 11 years ago today, our way of life, our freedom, and our fellow citizens came under attack in a series of ruthless and deliberate attacks. Today, we pause to remember and honor some 3,000 people—moms and dads, friends and neighbors—who lost their lives on that fateful day.

□ 1010

We honor the first responders who chose to run into the burning World Trade towers, putting their own lives at risk to save others, and we honor the lives of the heroes who fought the terrorists on board Flight 97 and successfully prevented the plane from hitting the White House or the U.S. Capitol.

None of us will ever forget that day. None of us will ever forget where we were the moment that we heard that a plane had hit the first World Trade tower, and none of us will ever forget

seeing the second hit. America was shaken but not broken. In those dark hours ahead, Americans came together and responded with one voice.

Today we remember and reflect upon a day that brought us all together as Americans, a day that was our generation's Pearl Harbor, a day that made all of us stop and ask ourselves what's important in our own lives. While many of our Nation's leaders do not agree on how best to run our country, we are all in agreement with pausing to honor and remember those who gave their lives in this senseless attack.

Where there is freedom, there is strength. Terrorism will never triumph. September 11, 2001, reminded all of us of that, and this is a day that we will never forget.

#### SEPTEMBER 11, 2001

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

Ms. JACKSON LEE of Texas. Mr. Speaker, "My country, 'tis of thee, sweet land of liberty." God bless America.

I'm glad that we have songs that can capture our spirits and the love that we have for our Nation. I'm reminded of being a child, singing the words, "My country, 'tis of thee." I'm reminded of that day, 9/11, when Members of Congress gathered to stand on the steps of the United States Capitol to sing "God Bless America."

I rise today to pay tribute to Americans and a myriad of persons whose lives remain forever changed because of 9/11. We honor and mourn still those who fell on that day. It was the world, a potpourri of personalities, nationalities, languages, different descriptions, and life stories. It was the world that was in America, a country that welcomes all.

Then, of course, there are those of us who are reminded of the rushing in of heroes and "sheroes," NYPD, civilian volunteers, firefighters, Park Police, Federal workers, all in some way helping to save someone's life, fellow office workers, dishwashers, restaurant workers. Some died so that others might live.

I remember very clearly where I was here in the United States Capitol, having a meeting with one of the Cabinet members of the President at that time, deeply involved in work regarding small businesses, going on with the normal daily responsibilities, Members who work on legislation, constituency issues, and oversight over the government.

There was a rattling outside and, of course, phones started ringing, with the technology of that time. We indicated that we were still in the meeting and did not answer until someone banged on the door and said, I don't know what is happening, but you must get out.

Without panic, but certainly with great concern, as you entered the hall-

ways, people were rushing, rushing to come out of this building. As the rumors began to fly or the words began to fly about the White House, the State Department, then, of course, there was the billowing smoke that one could see from the Pentagon. It was real. It was something that we had never, ever seen. Maybe for those who had been in wars preceding us in far-away lands, but not in the 20th century on the soil of the United States of America, or the 21st century.

I stand today with great honor for those who died, those who died in trying to save others and those who did. I am grateful today that we have the opportunity to be able to say thank you, though sadly, to families who remain, to those who now stand in New York reading names, to those who are at the Pentagon who still have the piercing feeling of loss, and certainly those in Pennsylvania, the family members, the surrounding community.

I am grateful that in the last couple of days we finally acknowledged that there is something to those who breathed the smoke, and they are now going to be included for the entity that provides health care for those who were impacted by 9/11 toxic smoke. It took us too long. I'm glad we passed legislation to help the first responders, firefighters, police, and others who suffered catastrophic illnesses after they went in to help those who could not help themselves.

I remember drafting legislation and introducing legislation for the latchkey children, for many of us don't remember that so many children were left at home and no one came home to see them on that fateful day, 9/11. Children now read the names of their parents or loved ones, grandparents. Children grew up without a family member because of the heinous horror, hatred, contempt, and violence.

I hope this Nation on this day comes closer together, that we come together as independents, Republicans, Democrats, and nothing, that we stand as one Nation being able to be reminded of the greatest Nation in the world.

God bless America, for I will say that throughout my life whatever the ups and downs that we may have, this country is great. As I travel around on behalf of the United States of America, visiting those who fought in Iraq and who fought in Afghanistan, I see that they are great because they were willing to sacrifice at the call of the Commander in Chief and the call of their Nation.

Today I come on this floor to honor all of those who were touched by 9/11, and to remind all of us as Members of Congress and the Nation, never yield to the weakness that we are not great. Always our democracy, our love of God, makes us that.

God bless America.

#### SEPTEMBER 11, 2001

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we return to Capitol Hill, ending the summer recess with strong conflicting emotions. Today is the 11th anniversary of 9/11, the horrific attacks that rocked the Nation and were especially poignant for us on Capitol Hill.

As representatives of the government we had sworn to uphold and defend, these senseless, despicable acts exposed a real vulnerability. We all remember what we felt as we were watching the Twin Towers collapse, the plane crashing into the Pentagon, and then yet another plane going down in a lonely field in Pennsylvania, destined for us here on Capitol Hill.

People came together in an outpouring of support for one another and for our Nation. There was a sense of resolve, unparalleled at any time since the cowardly attacks on Pearl Harbor.

The response of the government since then, however, has been somewhat mixed. We have protected the United States so far against any repeat attack, but at great cost. We have thrown money at the problem. We have had significant bureaucratic overreach, particularly in terms of personal liberties. We will be paying the costs of the horribly misguided war in Iraq for generations to come.

After an original, terrific response routing the Taliban in Afghanistan, we took our eye off the ball. We allowed Osama bin Laden almost another decade of life and mischief. Later, we were sucked back into Afghanistan on the terms of the Taliban and al Qaeda, not on our terms.

Now, this is not merely a Republican problem, although George Bush and Republicans were in charge and made some of the worst mistakes. There was much bipartisan support for the excesses.

□ 1020

To this day, there is bipartisan confusion about the best path forward to protect the Nation while protecting civil liberties and the budget for the situation today and not the conditions of September 10, 2001. My wish for Congress and for the candidates span out on the campaign trails, is that we mark this anniversary with a commitment to allow a little common sense and good will to enter into the political discourse.

This can be an emotional job. I was thinking about the emotions that I expressed, having a chance 15 years ago to go through the hectoring and interfering military on Aung San Suu Kyi's compound in Burma, where she was held under house arrest by the dictatorship. My son, daughter, and I spent an amazing afternoon with this extraordinary woman. I could scarcely imagine then, what will happen next week when we will be awarding that courageous woman the Congressional Medal of Honor here in the Capitol and then she will return to Burma as a member of their nation's parliament.

The success of this woman, together with the steely resolve of the American public after 9/11, ought to give us all pause and, hopefully, a renewed commitment to do our job right. Since 9/11, the challenges and circumstances have evolved. We have greater challenges in terms of security, climate instability, natural disaster, and our own economic vulnerability. It's a tall order to deal with them; but, hopefully, we will all be inspired by the example of Aung San Suu Kyi standing up to the Burmese dictatorship and ultimately gaining a measure of success—and, of course, by the American public in their response to horrific attacks of 9/11.

It's time today, for the politicians to do their job: to listen, to speak the truth, and to lead.

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**SMART SECURITY: LEADING WITH OUR COMPASSION, NOT OUR MILITARY FIREPOWER**

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

Ms. WOOLSEY. Mr. Speaker, a few minutes from now, Members of the House and the Senate will head to the Capitol steps. We're going to the Capitol steps for a moment of remembrance to honor those who were killed in the attacks on September 11, 2001—September 11, 2001, a day that will forever be seared into the memory of American citizens and the world.

Eleven years later, Mr. Speaker, spouses still grieve; children still feel the void; parents are still devastated by the loss of their children. It was a tragedy for individual families and for the entire Nation. One of the lingering tragedies of that day is that it led to policy decisions with terrible consequences that we're still living with today. Over the last decade-plus, violence and mayhem have just led to more violence and mayhem.

Our continued military occupation of Afghanistan has not brought the stability. It has not brought security. It has not brought a strong democracy to that country. Afghanistan remains one of the poorest and most dangerous places on Earth. The Taliban has not been driven into oblivion. The terrorist threats continue. And according to a New York Times article this past weekend, even U.S. commanders are admitting that the Taliban remains "resilient" while al Qaeda is "evolving" and "adapting."

Mr. Speaker, while we in the House adjourned for the month of August, there was no recess for our troops. In fact, since we were last in session, another 60 U.S. servicemembers died in Afghanistan. Countless more suffered wounds to the body and to the brain. And then there are the Afghan civilians, many of them children, who are being killed every single day. How do we tell the families of these children that this is all for a good and just cause? We can't.

Mr. Speaker, it's time to stop conducting national security policy on the principles of revenge and retaliation and on the false hope that we are making it better. The right way to secure and ensure security is to put America's best foot forward, to lead with our compassion and not our military power.

That's what my SMART Security platform is all about. It puts development and diplomacy front and center, and it makes war a last resort. It is based on a commitment to improving the lives of Afghan people, alleviating power, creating economic opportunity, rebuilding infrastructure, improving education, and attacking public health problems in that area.

We can't do this with the military surge. We can only do it with a civilian surge—a surge of experts, of aid workers, of technical experts, from engineers to midwives. Of course, our development agencies are doing this kind of work, and they're doing the best they can possibly do, but not nearly the scale that's necessary to make this possible. Compared to billions of dollars every month that we spend on the war, we're investing just a tiny fraction of that on humanitarian work that is so badly needed.

Public opinion has turned dramatically against this war, and yet our most visible leaders continue to lag behind the people that elected them. The President of the United States says he will end this war in 2014, which is a good goal, but it is not nearly soon enough. His opponent, on the other hand, in the most important speech of his life a few weeks ago, didn't see fit to even mention Afghanistan—not even once.

So, Mr. Speaker, when we gather on the steps of the Capitol, as I bow my head, it will be in remembrance of those who died 11 years ago today, and it will also be with a fervent prayer of hope that we can honor their memory by finally ending the war in Afghanistan and finally bringing our troops home.

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**REMEMBERING 9/11**

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

Mr. YODER. Mr. Speaker, 11 years ago today, Americans found themselves under attack. We watched with shock and horror as hijacked passenger airplanes were flown both into the World Trade Center towers and the Pentagon. We all remember what we were doing that Tuesday morning when 2,996 innocent Americans were killed in those tragic and unthinkable acts. We also remember the heroic actions of the passengers aboard United Flight 93, who courageously fought the hijackers on their plane and, sacrificing their own lives, ultimately saved countless others. Courage and bravery have long been traits demonstrated by our fellow

Americans, from declaring our country's independence to fighting alongside our allies abroad in the name of freedom and liberty. Americans, though, are also resilient. We band together, we pick each other up when we're knocked down, and we endure.

In Kansas, we are extremely proud of the men and women in our military that serve our country and defend our freedom and liberty around the globe. Their willingness to pay the ultimate sacrifice for their country—their true heroism—is known firsthand only to a small number, but is yet, sadly, far, far too common.

The 3rd District of Kansas lost two such heroes this summer as a result of combat operations in Afghanistan. Army Sergeant Mike Knapp was deployed out of Joint Base Lewis-McChord out of Washington State. He was killed in mid-May while bravely serving his country, only 3 days before he was scheduled to return home to Overland Park, Kansas.

Also, Private First Class Cale Miller, deployed out of Joint Base Lewis-McChord, lost his life in early June when an improvised explosive device detonated near his vehicle. He was a 2007 graduate of Olathe Northwest, where he was a member of both the football and track teams. It breaks my heart each and every time I learn the news of a soldier who has lost his life so our country can continue to live in freedom.

As we remember this day, the 11th anniversary of September 11, Mr. Speaker, we remember it by honoring all those innocent lives lost on that tragic day. We also remember the first responders, the firefighters, and the policemen who charged the burning buildings to save lives, ultimately giving up their own in the process.

□ 1030

Let us also recall the steely resolve of American patriotism and unity as our country courageously responded against the terrorists responsible for this tragedy.

On this day, let us also honor and support all veterans who have served our country. We pay tribute to those fellow Americans who serve in our military, protecting us and ensuring acts, such as those of 11 years ago, never happen again. Our message of thanks is one that cannot be spoken strongly enough. To those who serve, those who lose their lives defending our country, and the families and friends who support them, we are eternally grateful.

#### RECESS

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

Accordingly (at 10 o'clock and 31 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

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

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day and for a safe return to Washington.

Bless the Members of this assembly as they set upon the important work that faces them. Help them to make wise decisions in a good manner and to carry their responsibilities steadily, with high hopes for a better future for our great Nation.

May they be empowered by what they have heard during their home district visits to work together. May the energy they have derived from respective party conventions be merged into a common sense of hope for our great Nation.

On this day, which has become a day of national mourning, help us to remember as well the renewed sense of national courage and resolve that we need to work toward a better future. May we all be inspired by the heroism of so many 11 years ago to be the best that we can be this day.

May all that is done today in the people's House be for Your greater honor and glory.

Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### SARA ELIZABETH LOW 9/11 TRIBUTE

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

Mr. CRAWFORD. Mr. Speaker, September 11, 2001, is a day that will for-

ever be etched in our Nation's memory. Today marks the 11th anniversary of the tragic terrorist attacks on the World Trade Center, Pentagon, and the crash of Flight 93 in Pennsylvania. Nearly 3,000 innocent people lost their lives that day.

For one family in my district, the tragedy of September 11 hits close to home. Batesville native Sara Elizabeth Low was a flight attendant on American Airlines Flight 11, the plane that hit the north tower of the World Trade Center 11 years ago today. Sara was just 29 years old, and she loved her job as a flight attendant.

The community of Batesville, Arkansas, may be small in population, but today they are enormous in heart and in remembrance of the life Sara Low lived. For 6 years now, the Batesville community has held a 5K run to remember Sara, and a memorial now stands in her honor at the junior high school.

Today, my thoughts and prayers are with Sara's parents, Mike and Bobbie Low, and all those in Batesville who were blessed to know her. May God bless the memory of Sara Low and all those who lost their lives on September 11, 2001.

#### IN REMEMBRANCE OF SEPTEMBER 11, 2001, TRAGEDY

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

Mr. CROWLEY. Madam Speaker, I rise today in remembrance of those who lost their lives on September 11, 2001, 11 years ago today.

For the Nation, September 11 marks the day that the course of history in the United States was changed forever. For New Yorkers, 9/11 was the day our great city suffered a grievous blow, leaving behind a hole in the heart of lower Manhattan, and an even bigger hole in all of our hearts.

While many of the structures destroyed or damaged by the attacks are being rebuilt or renewed, the families who lost their loved ones can never replace the husbands, the wives, the fathers, the mothers, the brothers, the sisters, and the children who perished. We can also never replace the brave first responders who rushed in to the burning buildings, giving their lives for others.

Not one single day goes by that families don't think of their loved ones who were lost, and we must ensure that 9/11's sacrifices are never, ever forgotten. Today, we stand together in honoring their memory and saluting their courage, which they so richly deserve.

Johnny, we miss you.

#### WE WILL NEVER FORGET SEPTEMBER 11, 2001

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

Mr. WILSON of South Carolina. Madam Speaker, 11 years ago today, our Nation was attacked by a group of Islamic terrorists who declared war on our country and the freedoms we cherish. The innocent civilians who were murdered by this act of terrorism will never be forgotten.

In order to protect American families, our country's military capabilities must remain the strongest in the world. Sadly, due to the President's policies and the looming threat of sequestration, our national security stands at risk. The budget reductions to defense will reduce the Navy to the smallest fleet since 1916, the smallest Army and Marine Corps since 1939, and the smallest Air Force since it was created.

House Republicans have passed legislation to save 2.14 million jobs by offering a replacement for sequestration. Unfortunately, the President has failed to show leadership and refused to act. It is my hope the liberal-controlled Senate will put aside party politics and work to prevent the weakening of our defense capabilities.

In conclusion, we will never forget the cowardly attacks of September the 11th on innocent civilians.

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#### WELCOMING HOME SERGEANT MAJOR MARVIN L. HILL

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

Mr. COHEN. Madam Speaker, as we commemorate the 11th anniversary of the attacks on our country, we should recognize the men and women who have fought so bravely for our country over the last decade.

This weekend, I had the honor of holding a welcome home ceremony in my office for Sergeant Major Marvin L. Hill. Sergeant Major Hill enlisted in the Army on January 18, 1978, and served this country in a wide variety of roles for 35 years. Most recently, he was selected by General David Petraeus to serve as Command Senior Enlisted Leader for the International Security Assistance Force (ISAF) and United States forces in Afghanistan—a great honor and a very important job.

Command Sergeant Major Hill's numerous awards and decorations include the Bronze Star Medal, the Meritorious Service Medal, and the Joint Service Commendation Medal for Valor, among many others.

Our city is proud of Sergeant Major Hill and all the men and women who serve in our Armed Forces. I want to particularly express appreciation for all the noncommissioned officers who put their lives on the line every day and defend this Nation.

As we bring the operations in Iraq and Afghanistan to an end, I look forward to welcoming home all of our brave men and women serving to protect our freedoms.

#### SEPTEMBER 11TH—11 YEARS LATER

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

Mr. PAULSEN. Madam Speaker, we will never forget where we were on that fateful day 11 years ago on September 11. The images of two giants falling towards Earth will not only be remembered by those who lived through it, but will also be reborn anew with each generation of Americans through images of terror and countless stories of courage and sacrifice.

Today we come together to remember those who lost their lives on September 11 in New York City, at the Pentagon, and as part of Flight 93, and to reflect on more than a decade of a struggle to ensure future generations live free from terror.

We must also pay special tribute to our first responders and to those who have, since 9/11, donned the uniform of our Armed Forces and placed their own lives on the line to defend our country, and to the more than 6,500 who have paid the ultimate sacrifice.

So let us continue to keep those who've lost their loved ones in our hearts and prayers, and may we never forget September 11.

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□ 1210

#### RECOGNITION OF NATIONAL CHILDHOOD CANCER AWARENESS MONTH

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

Mr. HIGGINS. Madam Speaker, I rise today to recognize September as National Childhood Cancer Awareness Month, and I'm proud to represent the Nation's first comprehensive cancer center, Roswell Park Cancer Institute, an amazing place that continues to turn kids into survivors.

Thirty years ago, less than 50 percent of those with childhood cancer lived beyond 5 years of their diagnosis. Today it's over 80 percent. According to the Centers for Disease Control, over the past 14 years, childhood leukemia deaths fell by 3 percent in each year.

We know that cancer research saves lives. The only failure in cancer research is when you quit or you're forced to quit because of lack of funding.

Last weekend, our community held a fund-raiser, along with the St. Baldrick's Foundation, in memory of Anna Rose Leavoy, a young girl who lost her battle with cancer only 2 weeks after her second birthday.

We must recognize the urgent need to fully fund cancer research, to raise awareness for children like Anna Rose, and to find a cure.

#### HONORING THE MEMORY OF VIC- TIMS OF THE SEPTEMBER 11, 2001, ATTACKS

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

Mr. LANCE. I rise on this somber anniversary to honor the memory of those lives lost in the attacks on September 11, 2001. For 11 years, I have stood at firehouses and schools, churches and veterans halls, and heard the stories of bravery and heroism from that terrible morning that changed America.

New Jersey lost more than 700 residents in the attacks, innocent people who were targeted in an act of war upon the Nation. Brave first responders courageously initiated rescues with their lives in danger. These stories are not new but need to be retold as a new generation comes of age and is taught of the determination of our country.

The lives lost in the ensuing battles abroad have continued to try the foundation of our will. We have proven steadfast in the commitment to our values. Our freedom and liberty have been protected by brave men and women who selflessly answer the call of service.

No matter the challenges we face, we must remember that our Nation is truly blessed. I ask all Americans today to pause and reflect on the tragedy of 9/11, and please pray for the victims and honor their memory, and please pay tribute to the men and women who serve and defend us today against the dangers we still face.

May God bless them all, and may God continue to bless the United States of America.

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#### LET'S GET TO WORK

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

Mr. HOLT. Madam Speaker, on this day, as on every day, we should be working toward a better future for America. Yet, by almost any measure, days in session, committee markups held, bills voted on or signed into law, this is one of the least productive Congresses in more than half a century, by design.

Everyone knew last year times would be tough, but despite that, the House Republicans who control the schedule scheduled a year of congressional inaction. Their ideology dictates that Congress can and should do nothing.

There is work to be done. Where is the jobs agenda?

With just days left in this congressional session, let's get to work.

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#### FACT-CHECKING PRESIDENT OBAMA'S JOBS RECORD

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

Mr. STEARNS. Madam Speaker, the Obama Administration has said that they have created 4.5 million new jobs in the last 4 years. But, my colleagues, CNN, along with another group of individuals, in fact, a host of other organizations, have really fact-checked this claim. They found that, despite a surge in temporary hiring for the 2010 census, there were actually 400,000 fewer—fewer—nonfarm payroll jobs today than when the President took office in January 2009.

But our job crisis is actually much, much worse because a large chunk of Americans have simply given up looking for work, and the jobs have not come back, and aren't the same ones that we lost.

Also, according to a study released by the National Employment Law Project, low-wage fields such as retail sales and food service are adding jobs nearly three times as fast as higher-paid occupations. But we need to add these higher-paying jobs.

The sad truth is that there are fewer people working now than when President Obama took office. And Madam Speaker, these are simply the facts.

#### REMEMBERING THE TRAGIC EVENTS OF 9/11

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

Mr. BARBER. Madam Speaker, I rise today to remember the tragic events of September 11, 2001. As we honor the nearly 3,000 lives lost that day, my thoughts remain with the loved ones of those who did not return to their families.

We also remember with pride the national unity that our country showed that horrible day and in the days that followed. In tragedy, we laid our differences aside and found common purpose. The legacy of 9/11 is our ability to say with certainty that no enemy or threat can change the values of our country and that which it stands for. I remain awed by the bravery and valor shown each day by our first responders and their brothers and sisters in uniform and by ordinary Americans.

In Tucson, we have a special connection to 9/11. Christina Taylor Green was a 9/11 baby. Today would have been her 11th birthday. She died in the tragic shooting on January 8, 2011, when she came to speak with her Congresswoman.

Just as on 9/11, we saw the spirit of the American people who came together in prayer, compassion, and unity on January 8, 2011, and in the days and weeks that followed. This is who we are as a people and who we always will be.

God bless all of us and this great country in which we are privileged to live.

#### FREE DR. AFRIDI

(Mr. ROHRABACHER asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Madam Speaker, as we commemorate the monstrous crime committed against America on 9/11, let us remember the plight of a heroic figure who helped us bring justice to those who murdered our fellow citizens on this day 11 years ago. I speak of Dr. Afridi, the man who risked his life to provide the intel our forces needed to locate and eliminate Osama Bin Laden, who now languishes in a jail in Pakistan.

There has been no resolution through this Congress nor public effort by the United States government to support Dr. Afridi in this, his hour of need. He has been tortured. His family has been attacked, and he is still in a desperate situation.

It behooves us as Americans to state in a unified and loud voice to his Pakistani captors, "Dr. Afridi should be freed." The continued incarceration of Dr. Afridi affirms to all Americans that Pakistan is not our friend but instead is a partner in terrorism of especially those terrorists who are murdering our fellow Americans. Our motto today must be "Free Dr. Afridi."

Dr. Afridi was asked why he risked his life to help in the efforts to bring Bin Laden to justice. His answer was that he respects and loves us, the American people.

On this 9-11 commemoration we need to express our outrage that Pakistan has incarcerated and tortured this hero in the war against terrorists.

Certainly, not one cent should ever be given to Pakistan in American aid, now that they're exposed for their evil terrorist deeds.

Free Dr. Afridi should be our cry on this commemoration of 9-11.

#### THE 11TH ANNIVERSARY OF THE ATTACKS OF 9/11

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

Ms. CHU. It's been 11 years since blue skies over New York were blackened with soot, 11 years since the Pentagon sustained its only attack in history, and 11 years since the heroism of our countrymen over a quiet field in Pennsylvania. Today, we remember and honor all of the lives lost on this day 11 years ago.

In the aftermath of 9/11, we mourned those who lost their lives. What had seemed so far from possible just 1 day before was ever present from that moment on, and we will never forget.

From the ashes came stories of heartbreak, like twins born on September 15 who never knew their father. For them and so many others, it's not 11 years; it's every single day.

As we reflect on this anniversary of 9/11, let us remember those 3,000 people, the fathers and mothers, sons and daughters, and brave first responders, and the values of this country for which they lost their lives, our tolerance, our democracy, and our freedom.

#### HONORING THE MEMORIES OF THE VICTIMS OF 9/11

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

Mr. WALZ of Minnesota. Madam Speaker, as we reflect as a Nation on that tragic day 11 years ago, our thoughts and prayers go out to the families who lost loved ones. Out of the horror of the murders of thousands of innocent souls rose the selfless heroic spirit of America.

Thousands of first responders rushed into danger to help their fellow citizens, total strangers. Thousands of warriors have paid the ultimate price to defend us.

The sense of national unity that spontaneously arose was something none of us will ever forget. We, the living, must pledge not just in words but in deeds to never forget.

We in this body, as representatives of the American people, must work to see our colleagues first and foremost as Americans and as members of a political party a distant second. To truly honor the principles that this Nation stands for, we must see this other side of the aisle for what it truly is: a 3-foot space that's not so hard to reach across.

Let's honor the memories of those who gave so much on and after that fateful day by working together to truly create a more perfect Union.

□ 1220

#### 9/11 ANNIVERSARY

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, today we mark the 11th anniversary of 9/11. The tragedy that day still burns in our hearts, and once again, we renew our pledge to "never forget." The thousands who died and the thousands who rushed to rescue them truly deserve this moment of honor and remembrance; but today, there is also good news for those who became sick as a direct result of being exposed to the deadly toxins.

As part of the James Zadroga 9/11 Health and Compensation Act, which Speaker PELOSI and my colleagues in the House and especially the New York delegation fought so hard to pass, the World Trade Center Health Program ruled yesterday that 50 kinds of cancer will now be included under the Zadroga Act. This important step means that those who have developed cancer, often years after their exposure, will have the opportunity to receive the needed care and compensation that they justly deserve.

On 9/11, thousands lost their lives, and thousands more lost their health because of their exposure to the deadly toxins. Many are sick and dying. I am proud that the Zadroga Act can now include their needs, and I hope that they

accept, once again, the thanks of a grateful Nation.

#### IN HONOR OF NEIL ARMSTRONG

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

Mr. SCHIFF. Madam Speaker, I rise today to honor the life and legacy of a true American hero, the first human being to walk on the Moon—Neil Alden Armstrong.

I had the privilege of meeting Neil Armstrong and introducing him to my son, Eli, at an event commemorating the 40th anniversary of the Apollo 11 landing. It has been said “we are all dreamers,” but Neil Armstrong inspired generations of Americans to dream big and to reach for the stars both figuratively and literally. He believed that the yearning to explore is part of what makes us human, and his singular achievement on July 20, 1969, still inspires.

A reluctant hero, Mr. Armstrong never used his Apollo 11 achievement for personal gain. On more than one occasion he questioned his own notoriety, protesting that his walk on the Moon was the result of the dedication of more than 400,000 people—from engineers who designed the Lunar Module, to ground controllers who monitored every aspect of the mission, to seamstresses who stitched by hand the suit that kept him alive on the Moon.

The late 1960s was a time of tumult in America, when our Nation was riven by Vietnam, the struggle for civil rights and the emerging women’s movement. In the midst of this, Armstrong’s climb down the Lunar Module’s ladder and his “giant leap for mankind” united not just Americans but people of all nations as they watched. That night, countless children looked up at the Moon and dared to dream.

#### 9/11 ANNIVERSARY

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

Ms. HAHN. As we mark yet another anniversary of a September morning that dawned just as any other, we are first and foremost called to remember; but as we remember the fear and the grief of a day born of unfathomable hate, we remember, too, the impossible heroism of so many of our fellow Americans.

We remember the firefighters and the police officers who ran into the burning buildings to get others out. We remember the brave men and women of Flight 93, who, in learning of the attacks throughout the country, decided they would give their lives that others might live.

We remember those early days when we came out of our homes and joined together with our neighbors, with flags and candles, united as one American

family and when bitter political adversaries stood on the steps of this Capitol and put their arms around each other and sang “God Bless America.”

But we shouldn’t have to look back to feel that again. For the sake of those who died, for the sake of all those living and for all those yet to be born, let’s come together in this House. Let’s not be the do-nothing Congress. In honor of all Americans, let’s come together and work for the good of this country.

#### WEAKENED FROM WITHIN

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

Mr. MORAN. Madam Speaker, our governments and our people have successfully prevented the tragedy of 11 years ago from being repeated, but we need to be mindful of the fact that it does little good to protect ourselves from without if we allow ourselves to become weakened from within.

When our families aren’t adequately employed, when our government isn’t adequately funded, when our economic potential is so unfulfilled, we do a disservice to the people we were elected to serve and to protect. When the majority in this House refuses to take action on a real jobs bill or on any of the other important issues that we should be legislating, we have no business being out of business for 49 out of the next 56 days before the upcoming election.

#### AN AMERICAN JOBS ACT FOR OUR FIRST RESPONDERS

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

Ms. SCHAKOWSKY. Today, our hearts turn to the heroes and loved ones who lost their lives on 9/11.

We will never forget the sacrifices of the first responders who are appropriately receiving special honor today. Yet firefighters and police officers are being laid off around the country. Why? Because the Republicans have sabotaged all efforts to avoid those layoffs and to create jobs. It will be 1 year ago tomorrow that the President sent to Congress the American Jobs Act, which would put people to work in areas critical to our communities and our economy—cops and firefighters and teachers—and would prevent those layoffs.

Independent experts estimate that his bill would create up to 2.6 million jobs; but has the Republican do-nothing Congress even allowed a vote on the American Jobs Act? No. Instead, they’ve found time to vote repeatedly to end the Medicare guarantee, and next week, Republicans will leave town and leave America without a jobs bill. Our first responders deserve better.

#### 9/11 ANNIVERSARY

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

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to mark the 11th anniversary of the vicious attack on America. I appreciate the leadership scheduling a memorial service on the steps of the Capitol this morning, but more needs to be said as I fear time and events have dulled our memory. It was 11 years ago that our Nation changed forever as violent international extremists struck in the streets of Lower Manhattan and in the fields of Pennsylvania and at the Pentagon.

When that day was over and as we learned more about that tragedy and, yes, of the murderous attacks and the loss of nearly 3,000 Americans, including 700 New Jerseyans, who are from my home State, we witnessed neighbors and friends consoling one another, and we watched as Americans from all walks of life stood united—side by side—waving the Stars and Stripes and lighting candles to honor those lost or missing.

Today, this afternoon, I must remind our fellow Americans that we are still a Nation at war, largely because of those events. We remember those who lost their lives on that fateful day, but we also remember the sacrifices of those who serve in Iraq and Afghanistan to make sure that those responsible for those attacks pay that ultimate sacrifice.

#### IN MEMORY OF 9/11

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

Ms. HANABUSA. We all probably remember where we were when we learned about 9/11. We all probably had someone who came to mind immediately when we watched the horrific attacks on this Nation. For me, I thought of my friend General Eikenberry, who was at the Pentagon, on the side that the plane crashed into.

Though Hawaii is the State farthest away from the east coast, we were also touched. We knew of at least nine who had ties to our State who died on 9/11, and I want to honor them by reading their names: Georgine Corrigan, Richard Keane, Maile Hale, Ric Yee, Patti Colodner, David Laychak, Christine Snyder, Heather Ho. Heather is someone special to me. Her grandfather actually built the town that I grew up in.

We must also honor the brave men and women in uniform who gave their lives to this country in the wars following 9/11. Madam Speaker, we must never forget, and this country must never forget.

□ 1230

#### AMERICA NEEDS A FARM BILL

(Mr. WELCH asked and was given permission to address the House for 1



minute and to revise and extend his remarks.)

Mr. WELCH. Madam Speaker, America needs a farm bill. The Senate has passed a farm bill. The House Agriculture Committee on a bipartisan basis has passed a farm bill, and that is not being brought to the floor for a vote.

We have a drought. It's the worst that we've seen in 50 years. We've got nutrition programs that need to be funded. We have environmental and conservation programs that need to be revised and passed. We have farmers across this land whose goal is to feed America, and they need a farm bill.

Never in the history of the United States Congress has a farm bill passed by the House Agriculture Committee not been brought to the floor for a vote. There's no question that a farm bill is contentious. It always is. But with FRANK LUCAS and COLLIN PETERSON, Republican leader and Democratic leader, and the Agriculture Committee working together, we got a bipartisan vote. Why is this not being brought to the floor?

That it's difficult is not a reason not to do it. Bring a farm bill and pass it.

#### WORLD WAR II VETERAN WILLIAM "BILL" KLING

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

Mr. DEUTCH. Madam Speaker, the south Florida community recently lost a hero when World War II veteran William Kling passed away at the age of 84.

Bill Kling, a native New Yorker, served in the Navy during World War II. Throughout his life, he was an active member of the American Legion, Veterans of Foreign Wars, Jewish War Veterans, and the Disabled American Veterans. For me, he was an inspiration and a friend.

However, Bill is best known for his role as the president of the Broward County Veterans Council for 27 years. Bill's activism led to building of an outpatient VA clinic in Broward County, a veterans nursing home in Pembroke Pines, and the opening of the South Florida National Cemetery in 2007.

So even as we mourn the loss of an incredible advocate, we know that Bill Kling's contributions live on in every veteran cared for at the outpatient clinic he helped to build, in every family who visits an elderly veteran residing at the nursing home he helped to establish, and in every prayer spoken at the national cemetery that he helped make possible.

I join with Bill's family in mourning his loss; but on this anniversary of the 9/11 attacks, I express the gratitude of our entire south Florida community that will long benefit from Bill Kling's tireless efforts to honor those who so bravely served our Nation.

#### ACT TOMORROW TO PASS FISA AMENDMENTS

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, today, September 11, 2012, is a beautiful day outside. The sun's in the cloudless sky, much like it was 11 years ago.

We remember those tragic criminal terrorist acts. We remember the heroism of those who responded. But there's something we can do more than just remember. There's something we can do in addition to the prayers that we offer. We can act tomorrow to pass the Foreign Intelligence Surveillance Act amendments which allow us to respond to the criticism rendered by the 9/11 Commission, that is, that we did not do enough to connect the dots of intelligence to warn us about that attack and future attacks.

The FISA amendments allow us to connect the dots so we can analyze those dots, so we can bring the intelligence to bear, so that we can protect our people with the courage and the bravery of those men and women who are in uniform, guided by the intelligence that we collect and that we apply. It is as strong a statement as we can make this week to ensure that we do not blind our eyes to that which is out there that may threaten us.

Let us work together in a bipartisan basis to pass that, and let us give those tools that are necessary to protect us.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Brian Pate, one of his secretaries.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

#### GOVERNMENT SPENDING ACCOUNTABILITY ACT OF 2012

Mr. WALSH of Illinois. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4631) to amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4631

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Spending Accountability Act of 2012" or the "GSA Act of 2012".

#### SEC. 2. LIMITS AND TRANSPARENCY FOR CONFERENCE AND TRAVEL SPENDING.

(a) AMENDMENT.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

##### "§ 5712. Limits and transparency for conference and travel spending

"(a) CONFERENCE TRANSPARENCY AND SPENDING LIMITS.—

"(1) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the public website of that agency detailed information on any presentation made by any employee of that agency at a conference (except to the extent the head of an agency excludes such information for reasons of national security) including—

"(A) the prepared text of any verbal presentation made; and

"(B) any visual, digital, video, or audio materials presented, including photographs, slides, and audio-visual recordings.

"(2) LIMITS ON AMOUNT EXPENDED ON A CONFERENCE.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), an agency may not expend more than \$500,000 to support a single conference.

"(B) EXCEPTION.—The head of an agency may waive the limitation in subparagraph (A) for a specific conference after making a determination that the expenditure is justified as the most cost-effective option to achieve a compelling purpose. The head of an agency shall submit to the appropriate congressional committees a report on any waiver granted under this subparagraph, including the justification for such waiver.

"(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a private entity to pay or defray the costs of a conference the total cost of which exceeds \$500,000.

"(b) INTERNATIONAL CONFERENCE RULE.—An agency may not pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference, unless the Secretary of State determines that attendance for such employees is in the national interest.

"(c) REPORT ON TRAVEL EXPENSES REQUIRED.—At the beginning of each quarter of each fiscal year, each agency shall post on the public website of that agency a report on each conference for which the agency paid travel expenses during the preceding 3 months that includes—

"(1) the itemized expenses paid by the agency, including travel expenses, and any agency expenditures to otherwise support the conference;

"(2) the primary sponsor of the conference;

"(3) the location of the conference;

"(4) the date of the conference;

"(5) a brief explanation of how the participation of employees from such agency at the conference advanced the mission of the agency;

"(6) the title of any employee, or any individual who is not a Federal employee, whose travel expenses or other conference expenses were paid by the agency;

"(7) the total number of individuals whose travel expenses or other conference expenses were paid by the agency; and

"(8) in the case of a conference for which that agency was the primary sponsor, a statement that—

"(A) describes the cost to the agency of selecting the specific conference venue;



“(B) describes why the location was selected, including a justification for such selection;

“(C) demonstrates the cost efficiency of the location;

“(D) provides a cost benefit analysis of holding a conference rather than conducting a teleconference; and

“(E) describes any financial support or other assistance from a private entity used to pay or defray the costs of the conference, and for each case where such support or assistance was used, the head of the agency shall include a certification that there is no conflict of interest resulting from such support or assistance.

“(d) **FORMAT AND PUBLICATION OF REPORT.**—Each report posted on the public website under subsection (c) shall—

“(1) be in a searchable electronic format; and

“(2) remain on that website for at least 5 years after the date of posting.

“(e) **DEFINITIONS.**—In this section:

“(1) **AGENCY.**—The term ‘agency’ has the meaning given that term under section 5701, but does not include the government of the District of Columbia.

“(2) **CONFERENCE.**—The term ‘conference’ means a meeting, retreat, seminar, symposium, or event to which an employee travels 25 miles or more to attend, that—

“(A) is held for consultation, education, discussion, or training; and

“(B) is not held entirely at a Government facility.

“(3) **INTERNATIONAL CONFERENCE.**—The term ‘international conference’ means a conference occurring outside the United States attended by representatives of—

“(A) the Government of the United States; and

“(B) any foreign government, international organization, or foreign nongovernmental organization.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

“5712. Limits and transparency for conference and travel spending.”.

(c) **ANNUAL TRAVEL EXPENSE LIMITS.**—

(1) **IN GENERAL.**—In the case of each of fiscal years 2013 through 2017, an agency (as defined under section 5712(e) of title 5, United States Code, as added by subsection (a)) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount greater than 70 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) **IDENTIFICATION OF TRAVEL EXPENSES.**—

(A) **RESPONSIBILITIES.**—Not later than December 31, 2012, and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(B) **EXEMPTION FOR MILITARY TRAVEL.**—The guidelines required under subparagraph (A) shall exclude military travel expenses in determining what expenses constitute travel expenses. Military travel expenses shall include travel expenses involving military combat, the training or deployment of uniformed military personnel, and such other travel expenses as determined by the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. WALSH) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

#### GENERAL LEAVE

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

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

There was no objection.

Mr. WALSH of Illinois. Madam Speaker, I yield myself such time as I may consume.

The Government Spending Accountability Act, or GSA Act, will end the days of unnecessary boondoggles and lavish trips for Federal bureaucrats.

I think we're all aware of GSA's recent escapades in Las Vegas where the agency paid more than \$44 a head for breakfast, \$7,000 in sushi at a networking reception, and \$75,000 to build bicycles.

I think we can all agree that all of this spending is outrageous and unacceptable. We can't continue to ask hardworking taxpayers to tighten their belts and make tough decisions when for years the GSA and other Federal agencies have thrown away those taxpayer dollars on lavish conferences like this.

The days of wasting taxpayer dollars on fancy junkets for government bureaucrats should soon be over. I introduced the GSA Act because, as stewards of taxpayer dollars, it is our responsibility to ensure that they are not wasted on lavish conferences and posh junkets.

The GSA Act requires that every quarter Federal agencies publish an open report that details every conference for which the agency paid travel and expenses. The bill also limits the amount that an agency can spend on any one conference to \$500,000 and on travel annually to 70 percent of the amount the agency spent on travel in 2010.

I would like to thank Chairman ISSA, Ranking Member CUMMINGS, and my friends across the aisle for joining me in this effort. The bipartisanship displayed here shows what Congress can accomplish when both parties come together to tackle reckless spending.

We need to come together to fix Washington and start cultivating some respect for hard-earned taxpayer dollars. The GSA Act will help change the culture of waste in Washington and put us on a path to a sustainable future for our children and grandchildren.

Please join me in standing up for taxpayers. I support this measure and urge its adoption.

With that, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 4631, the Government Spending Accountability Act, as amended.

This legislation will improve congressional oversight of Federal Government spending on meetings and conferences. It is modeled on similar reporting requirements contained in the DATA Act, which passed the House of Representatives earlier this year with bipartisan support.

This legislation will help rein in the type of wasteful spending of taxpayer dollars that we have witnessed over the past several months. In April, the committee held a hearing to examine the GSA's expenditure of \$800,000 on a single conference in Las Vegas in 2010.

The gross abuse of Federal funds must not be repeated, and one way to avoid that is to monitor more closely how Federal agencies use their funds on such activities.

We are all aware that conferences are an important part of staff development and can help improve the quality of Federal Government work; however, we must make sure that they do not turn into resort vacations funded by taxpayers, many of whom are continuing to struggle to make ends meet.

□ 1240

Madam Speaker, the GSA incident tarnished the reputation of government workers who dedicate their lives to public service, which I believe is unfair. This legislation, as amended, would prevent a few reckless and selfish individuals from engaging in activities that discredit the entire Federal workforce.

Madam Speaker, I urge support for this bill, and I reserve the balance of my time.

Mr. WALSH. I continue to reserve the balance of my time.

Mr. CLAY. Madam Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my friend from Missouri.

Madam Speaker, I rise in opposition to H.R. 4631. I oppose this bill because it would make significant changes to Federal employees' ability to travel to conferences and meetings.

Although I appreciate the sponsors' efforts to ensure oversight on travel expenditures, I'm not sure they realize the impact that this legislation would have on science and technology, which is the engine of American innovation.

This bill institutes prohibitions and impediments that would hinder American scientists' ability to collaborate and communicate with scientists at other institutions and laboratories. Now, to be sure, they can probably get around these prohibitions and impediments, but we should not be putting these in place in the first matter.

As a scientist, I know firsthand how important scientific conferences and

meetings are. The informal conversations, as well as the formal presentations and poster sessions and everything else that goes into it between scientists from different institutions, lead to new collaborations that have the promise of new discoveries. These are not fancy junkets.

Now, people often ask students, well, what is science. What's so special about science? Why does it work? Well, it works because one of its fundamental tenets is communication.

To be sure, there are various ways to have communication, but scientific conferences are critically important. In a recent op-ed by the presidents of the American Chemical Society and the president of the American Physical Society, they discuss, for example, an anticancer drug that was the result of collaboration between a team of scientists from three laboratories that took place at conferences.

This bill would hinder that kind of collaboration. Just about any scientific society in this country can give you examples where large numbers of federally sponsored researchers go off to conferences. It happens in plasma physics. It happens in microbiology. It happens in AIDS policy and AIDS research.

In a time when the Federal Government should be making science a priority, passing a bill that would make scientists jump through hurdles and get around impediments would, in fact, weaken American scientists, and impede the ability of American scientists to innovate.

That is not wise. This is not the way to build our economy. We should be investing more in research and development, which means, of course, investing in scientists, but also investing in their ability to pursue science.

We should be spending more on international conferences. We should be spending more on national conferences. We should be spending more on national laboratories. We should be spending more on public and private research and development for the sake of jobs, for the sake of our economic vitality, for the sake of the quality of life of Americans. This is not the way to build our economy and to foster innovation.

I urge my colleagues to vote "no."

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

I appreciate the concerns of my colleague, and I would only note that new technology, I think, has made it easier to teleconference and communicate remotely. This not only would save money, which is important, but it has already and will continue to increase the amount of collaboration.

Mr. HOLT. Will the gentleman yield?

Mr. WALSH. I yield to the gentleman.

Mr. HOLT. Do you think that the Congress of the United States might do better if we don't meet in person, if we stay home and get on conference calls every once in a while and phone in?

I don't think so. I think the gains that are made in good legislation that come from conferences, as we gather here for votes, on the side between votes, is invaluable. The same can be said many times over for microbiology, for plasma physics, for—let's go through a long list.

Mr. WALSH. Reclaiming my time, again, I would say Congress, in today's day and age, where we hit \$16 trillion in debt last week, Congress, like all institutions in this country, needs to figure out how to work more efficiently and save hard-earned taxpayer dollars.

Madam Speaker, I reserve the balance of my time.

Mr. CLAY. Madam Speaker, I also urge my colleagues to vote in favor of H.R. 4631, and I yield back the balance of my time.

Mr. WALSH. Madam Speaker, I urge all Members to join me in support of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 4631, as amended.

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

A motion to reconsider was laid on the table.

#### GOVERNMENT CUSTOMER SERVICE IMPROVEMENT ACT

Mr. WALSH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 538) to require the establishment of customer service standards for Federal agencies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 538

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

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Customer Service Improvement Act".

##### SEC. 2. DEVELOPMENT OF PERFORMANCE MEASURES AND STANDARDS FOR CUSTOMER SERVICE PROVIDED BY FEDERAL AGENCIES.

###### (a) REQUIREMENT.—

(1) PERFORMANCE MEASURES AND STANDARDS.—The Director of the Office of Management and Budget shall develop—

(A) performance measures to determine whether Federal agencies are providing high-quality customer service and improving service delivery to their customers; and

(B) standards to be met by Federal agencies in order to provide high-quality customer service and improve service delivery to their customers.

(2) REQUIREMENT TO TAKE INTO ACCOUNT CERTAIN INFORMATION.—The standards under paragraph (1) shall be developed after taking into account the information collected by Federal agencies under subsection (b).

(b) CUSTOMER SERVICE INPUT.—The head of each Federal agency shall collect information from its customers regarding the quality of customer services provided by the agency. Each Federal agency shall include

this information in its performance report submitted under section 1116 of title 31, United States Code.

(c) ANNUAL PERFORMANCE UPDATE.—The Director of the Office of Management and Budget shall include achievements by Federal agencies in meeting customer service performance measures and standards developed under subsection (a) in each update on agency performance required under section 1116 of title 31, United States Code.

##### SEC. 3. IMPLEMENTATION OF CUSTOMER SERVICE STANDARDS.

(a) CUSTOMER RELATIONS REPRESENTATIVE.—The head of each Federal agency shall designate an employee to be the customer relations representative of the agency. Such representative shall be responsible for implementing the customer service standards developed under section 2 and the agency requirements under subsection (b).

###### (b) AGENCY REQUIREMENTS.—

(1) GUIDELINES AND CONTACT INFORMATION.—The head of each Federal agency, acting through its customer relations representative, shall—

(A) issue guidelines to implement the customer service standards developed under section 2 within the agency, including specific principles of customer service applicable to that agency; and

(B) publish customer service contact information, including a mailing address, telephone number, and e-mail address.

(2) AVAILABILITY.—The guidelines and the customer service contact information required under this subsection shall be available on the agency's public website.

##### SEC. 4. PERFORMANCE APPRAISAL.

Compliance with customer service standards developed under this Act shall be included in the performance appraisal systems referred to in sections 4302(a) and 4312 of title 5, United States Code.

##### SEC. 5. DEFINITIONS.

In this Act:

(1) The term "customer", with respect to a Federal agency, means any individual or entity, including a business, State or local government, other Federal agency, or Congress, to which the agency provides services or information.

(2) The term "Federal agency" has the meaning given the term "Executive agency" by section 105 of title 5, United States Code, except that the term does not include an agency if the President determines that this Act should not apply to the agency for national security reasons.

##### SEC. 6. DEFICIT REDUCTION.

Any savings or reductions in expenditures resulting from this Act shall be used to offset the costs of implementation of this Act, and any additional savings shall be used to reduce the deficit.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. WALSH) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

###### GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, the private sector has raised the bar for customer service, and citizens expect the same from their government.

The American people rely on Federal agencies to provide important services and information, but these agencies often fall short of providing the customer service taxpayers deserve. H.R. 538 ensures the Federal Government keeps pace with the public's expectations and delivers better value to the taxpayers.

Agencies currently have discretionary authority to include "courtesy demonstrated to the public" in employee performance appraisals and to reward superior performance. While some agencies have incorporated customer service standards in employee performance expectations, they do not always require good customer service to the public.

Under this bill, OMB and agencies will develop performance measures and standards for agency customer service, with employees at all levels held accountable for achieving results.

Taxpayers should have high expectations of government. Agencies must deliver services efficiently and at low cost. Federal employees must provide effective service to customers. H.R. 538 will help ensure agencies streamline service delivery and improve the customer experience.

CBO has said there are no costs associated with this bill and, in fact, any savings incurred are due to be put toward paying down the Federal deficit. The Oversight and Government Reform Committee worked on a bipartisan basis to advance this legislation. I supported it when it passed by voice vote in committee, and I urge its adoption today.

I reserve the balance of my time.

□ 1250

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

I rise in support of H.R. 538, the Government Customer Service Improvement Act. This is a good-government bill that will improve the way Federal agencies interact with the people they serve.

I yield 5 minutes to my friend, the gentleman from Texas, the author of the bill, Mr. CUELLAR.

Mr. CUELLAR. Again, the gentleman from Missouri, I thank you so much for the leadership. And I certainly want to thank also Mr. WALSH from Illinois, who actually called me before this, which it is rare to have somebody from the other side call and say, How can I help you on this bill? So I find that refreshing and I want to say thank you for working with us and folks on this side of the aisle.

This bill, the Customer Service Improvement Act, is a bipartisan bill that has folks like MCCAUL, DUNCAN, GOODLATTE, and other folks supporting this particular bill. I certainly want to thank Chairman ISSA and Ranking Member CUMMINGS for their work, as

well as the members of the committee, and for passing it from the Oversight and Government Reform Committee unanimously in April.

The primary goal of the Federal Government is to serve the taxpayers. This commonsense, bipartisan bill seeks to establish, monitor, and improve customer service across Federal agencies. It ensures that taxpayers get the quality of service that they deserve when interacting with Federal agencies. Too often we hear that veterans are waiting for months to get critical medical services or that seniors are waiting for months to get their retirement benefits. These are just two examples where millions of Americans that rely on Federal agencies have to wait on vital services, which is why we must usher in a new chapter to accelerate response time and overall performance for a better customer experience. With a sweeping 79 percent of Americans dissatisfied with Federal Government service, according to the 2011 Federal Customer Service Experience Study, we must all work together to make sure that Uncle Sam and Americans work together.

This bill is simple and necessary. First, H.R. 538 improves customer service standards across the board. It does this by requiring the Office of Management and Budget to develop performance standards to determine whether Federal agencies are providing high-quality customer service and improving service delivery to agency customers. According to a 2010 GAO report, Federal agency customer service standards were often not made easily available for customers to find and access or were not made available to the public at all. In other words, we provide customer service; and if somebody wants to know how that agency is providing the service and the standards, it must be made available.

Second, the bill raises the bar for enhancing quality and access to customer service. This is accomplished by requiring agencies to collect information from the customers regarding the quality of the service. Again, this must be a way that we raise that standard.

Third, it puts a face on accountability. The bill requires that each agency designate an employee to be its customer relations representative. So when somebody is dealing with a Federal agency, we must know who they can complain to, who they must talk to in order to provide that customer service. Just like in the private sector that strives to provide excellent customer service that they bring in order to get more business, the Federal Government must do the same thing.

As the gentleman from Illinois said, there's no cost on this according to the nonpartisan Congressional Budget Office. And, again, I would ask that we all work together to provide better service.

Mr. WALSH of Illinois. Madam Speaker, I urge all Members to support me in support of this bill, and I yield back the balance of my time.

Mr. CLAY. Madam Speaker, again, I urge the House to adopt H.R. 538, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 538, as amended.

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

A motion to reconsider was laid on the table.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO CERTAIN TERRORIST ATTACKS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-138)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2012, the national emergency with respect to the terrorist threat.

BARACK OBAMA.  
THE WHITE HOUSE, September 11, 2012.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-139)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides

for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the national emergency with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2012.

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism, and maintain in force the comprehensive sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, September 11, 2012.

□ 1300

PROVIDING FOR CONSIDERATION OF H.R. 5544, MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 5949, FISA AMENDMENTS ACT REAUTHORIZATION ACT OF 2012

Mr. NUGENT. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 773 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 773

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of

the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-30, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit with or without instructions.

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

Mr. NUGENT. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Madam Speaker, I ask unanimous consent that all Members

have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. NUGENT. Madam Speaker, I rise today in support of this rule, which provides for consideration of two different pieces of legislation.

The first of these bills transfers lands within the State of Minnesota to the benefit of the State's public school system. The rule provides for consideration of each and every amendment offered by Members to the Rules Committee by the amendment deadline.

The next measure this rule allows for consideration of is H.R. 5949, the FISA Amendments Act Reauthorization Act of 2012. Also called the FAA Reauthorization, this legislation would reauthorize programs that are critically important to our national security.

First passed in 2008, FAA has enjoyed a history of strong bipartisan support. Now, President Obama and his administration have made it clear that a clean, long-term extension of FAA is their number one intelligence priority. That's exactly what H.R. 5949 does.

Recognizing that our Nation's security cannot and should not wait until an emergency, the 11th hour, or rushed reauthorization, the Select Intelligence and Judiciary Committees have had hearings on the FAA's reauthorization, they've marked up the bill, and they've sent it to us months ahead of the expiration deadline. I congratulate both of these committees on their timely and dedicated work for the sake of our own safety.

It is with the tools that the FAA provides to our intelligence community that we're able to monitor our Nation's enemies overseas. Without this authority, the ability to track those individuals who aren't American citizens and want to do harm to this country would return to the state it was in before September 11 of 2001.

I really want to stress that the FISA Amendments Act applies to targeting non-U.S. citizens living outside of the United States.

The FAA also enhances civil liberty protections for Americans. The government cannot target an American overseas without first obtaining an individualized court order from the FISA Court. Prior to FAA, the government was not required to obtain an individualized court order to target U.S. persons outside of the United States. This is an expansion of the civil liberties made possible by the FISA Amendments Act.

As a former law enforcement officer, I know how important it is to get the information that we need to work on a case. Without good, reliable information, you can't do your job and protect the citizens, but the information must be obtained in the right way.

□ 1310

FAA is a critical tool at our international community's disposal in our war against terrorism.

I encourage my colleagues to join me in supporting our national security by voting for the FISA Amendments Act Reauthorization Act.

With that, I reserve the balance of my time.

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to the rule and the underlying bills—H.R. 5544, the Minnesota Education Investment and Employment Act, and H.R. 5949, the FISA Amendments Act Reauthorization Act. There are significant problems in both pieces of legislation. However, both bills are, nevertheless, being brought forward under a restrictive process, despite the efforts of my colleague, Mr. MCGOVERN, to amend the rule to allow for an open rule on amendments on both debates. Unfortunately, that motion failed in the Rules Committee. Instead, this rule is a restrictive process that limits debate and discussion that can improve this legislation.

Let me briefly address the lands law before getting to the FISA bill, which is of great concern to our civil liberties.

We have before us a bill that allows for the exchange of 86,000 acres of Minnesota's school trust lands within the Boundary Waters Canoe Area Wilderness for unidentified Forest Service lands. The wilderness is a critical asset for northeastern Minnesota's tourism and recreation industry, as well as the most popular wilderness area in our Nation's wilderness system. But since the bill doesn't even give details about what public land would be lost, we can't even say how bad a deal this is for the American people. It is simply bad policy to push through a controversial land swap bill without adequate public involvement and participation.

I strike that in contrast to a bill that I recently introduced, H.R. 6370, the Conveyance of the Forest Service Lake Hill Administrative Site. This bill does have accompanying maps that will be made available to the committee so that people can see where the land in question is. It is land that no longer fits the characteristics of forest land, having been deforested near the highway, about 40 acres, and it should not be a controversial bill.

In direct contrast to this bill, the bill I introduced today has support from the counties, towns, and local environmental community, and no local opposition to that bill. On the other hand, Mr. CRAVAACK's bill doesn't even identify what Forest Service parcels would be sold by the Federal Government and acquired by Minnesota. This kind of ambiguity in a land exchange bill is unprecedented for a land exchange bill and is not providing the adequate information to the Members of this body to make an informed decision on the underlying bill.

Now, let me address FISA—I take issue with a number of elements of

FISA—which extends the sweeping electronic surveillance network established under the FISA Amendments Act of 2008 for 5 years. I did not support the bill when it came before the House Judiciary Committee on which I serve, and I do not support this bill now.

Now, of course everybody in our country understands the serious threat our Nation faces from terrorist organizations and foreign nations, but we can't give up what makes it special for us to be Americans in the name of defending our country. Our privacy rights should not be eviscerated in the name of national security.

Many of these concerns are addressable, but unfortunately the bill fails to strike an appropriate balance between protecting our liberties and security. Some of its many shortcomings include giving the U.S. Government the ability to intercept U.S. residents' international phone calls and email communications without having to even name the people or groups it's monitoring or show its targets who are suspected of wrongdoing or terrorism. The target could even be a human rights activist, a media organization, a country, a region, an ethnicity. Nothing requires the government to identify its surveillance targets at all, nor are there sufficient parameters around making sure that they are narrowly tailored to our national security needs.

In addition, this bill unfortunately allows the U.S. to intercept communications without having to identify the location, the phone lines, the email addresses to be monitored. In essence, the government can use this new law to collect all phone calls between the U.S. and abroad simply by saying to the FISA court that it was targeting someone abroad and that a purpose of the new surveillance program is to collect foreign intelligence information.

The lack of judicial oversight is also startling. While the FISA courts have a limited role, it's limited to overseeing the government surveillance activities rather than reviewing individualized surveillance applications, including whether they are sufficiently broad or not.

Yesterday, the chair of our committee, Mr. DREIER, also mentioned that Congress itself has an oversight role in making sure that the broad powers given to the Federal Government under FISA are not abused. However, this Congress—and myself, personally—have not had any briefing with regard to the use of FISA.

Now, yesterday, representatives of the Intelligence Committee offered to make those briefings available, but I think the proper order to go about things, if Members of Congress are to make an informed decision about whether these vast powers given to the Federal Government are being used appropriately, would be to have the classified briefing first before bringing a 5-year extension bill to the floor so that Members of Congress, in a classified setting, have access to the information

that we need—the information that I need, the information my colleagues need—to make an informed decision about whether the proper controls are in place and the extent of the use and/or abuse of the vast powers given under FISA.

In addition, there are no real limits on how the government uses, keeps, or disseminates the information it collects. The law doesn't say what government can keep and has to get rid of. Potentially, this could lead to the archiving of material over decades. It fails to place real limits on how and to whom information can be disseminated. Whether it's our U.S. intelligence partners in other countries, whether it's contractors to our own government, we need to have the right controls around where private information is shared.

Finally, I want to address another element of the bill in my initial remarks, and that is the indemnity that is given to companies that violate their own terms of service and allow the government to trample the privacy rights of thousands of Americans.

Effectively, telecom companies and others that provide the government with enormous amounts of information are effectively completely indemnified, so there is no way to hold any of these companies accountable for their activities in violation of their own user agreement signed by two parties, themselves and their customer. There remains no way to enforce the violation of that user agreement because there is complete indemnity for those organizations.

I think there needs to be a way, through the regular court system, to hold companies accountable for their activities. Letting them off the hook entirely only invites widespread abuse and disregard of their own customer agreements. Why bother even having to post or have a privacy policy if, at the whim of the company—not the government, the whim of the company—it can be completely shared with the government in disregard to their own privacy policy because that is the most effective way for the company to receive a blanket indemnification to any civil liability that might arise from violating privacy laws and/or its own terms of use.

Again, national security is a critical imperative. We need to make sure that our agencies charged with keeping us safe have the right tools at their disposal to do so. But in the process of making sure that Americans are safe, we need to make sure we don't give up what makes it special to be an American.

I reserve the balance of my time.

Mr. NUGENT. Madam Speaker, a number of issues that my good friend from Colorado brought up cover both bills, actually. One, obviously, is the Minnesota bill as relates to public education. That was passed by the Minnesota State Legislature in a bipartisan way, and it was also signed by the

Democratic Governor of Minnesota in regards to this particular issue on this particular bill as it relates to Minnesota.

With that, I'm going to yield 7 minutes to the gentleman from Minnesota (Mr. CRAVAACK).

Mr. CRAVAACK. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of the rule and the underlying bill, H.R. 5544, the Minnesota Education Investment and Employment Act. This bill will support the teachers and schoolchildren in the State of Minnesota, create well-paying jobs in northern Minnesota, and make the Boundary Waters Canoe Area, for the first time in its existence, whole.

We have to have a bit of context here.

When Minnesota became a State in 1858, sections 16 and 36 of every township in Minnesota were set aside in trust for the benefit of schools. The State could use, lease, or sell the land to raise money for education.

In the beginning, the State leaders decided to sell the more valuable parcels of the school trust lands, but around the turn of the century they realized they needed a more sustainable plan and began putting the school trust lands to productive use for timber and mining. This has been the goal of the State for over 100 years, and it has produced dividends for generations for our school kids.

As DFL State Representative Denise Ditrach has so ably educated me on, these lands are not so much owned by the State as held in trust by the State and owned by the schoolchildren of Minnesota. It is the responsibility of the school trust fund trustees to maximize the return on these lands for the benefit of this fund. This is a critical point. This is part of the Minnesota Constitution.

But in the 1970s, the Federal Government created the Boundary Waters Canoe Area Wilderness. These lands within the Boundary Waters cannot be logged, leased, or mined in order to preserve the unique wilderness character of this pristine land. Thousands of visitors from around the country come to enjoy this beautiful area. But as a result of its creation, Minnesota and its students have been faced with an 86,000-acre problem for over 30 years.

□ 1320

Eighty-six thousand acres of State-owned school trust lands have been locked within the borders of the Boundary Waters Canoe Area, unable to produce critical funding for Minnesota public education. It is imperative we resolve this longstanding problem. Our goal is to preserve and protect the Boundary Waters and allow State-owned school trust lands to raise revenue for Minnesota education.

Unfortunately, Minnesota school kids have been cheated out of public education funding for over 34 years

now. In the past, there have been a number of working groups, studies, and resolutions. Finally, after years of inaction, stalling and dilatory tactics by special interest groups, Republicans and Democrats together in Minnesota said enough is enough.

It's been referred to as Mr. CRAVAACK's bill. That is not, in fact, the case. This is Minnesota's bill.

On March 22 of this year, an overwhelming majority of Democrats and Republicans from the State senate passed senate file 1750 on a vote of 53-11. On April 3, the house followed suit, passing a bipartisan bill 90-41. On April 27, our Democratic Governor, Governor Mark Dayton, signed the bill into law.

H.R. 5544 executes a bipartisan State plan that Governor Dayton signed into law earlier this year. H.R. 5544 would exchange State-owned school trust lands trapped in the Boundary Waters Canoe Area Wilderness to the Federal Government in exchange for Federal Government-owned land outside the Boundary Waters Canoe Area Wilderness.

This bill includes important provisions that would ensure Minnesotans can maintain their existing hunting and fishing rights within the Boundary Waters. In addition, the bill exempts the land exchange process from NEPA.

The land exchange itself would have no environmental impact on any future development and would still be subject to strict State and Federal regulations.

Intuitively, a land swap is merely a redrawing of maps and has no environmental impact in and of itself. The mentioned activities, mining and logging, do, in fact, have environmental impact and would be subject to the full Federal and State review. Not one environmental protection is lost in the execution of this bill.

I want to be very transparent here. One of the hopes of my constituents is to have a bill to create good-paying jobs in the timber and mining industries. The lands listed in S.F. 1750 are rich in natural resources. Many of them lie in portions of the Superior National Forest that are already being successfully mined for iron ore and harvested for timber. It's a working and managed forest.

These activities employ thousands of workers and support tens of thousands of other ancillary jobs in the region. Northern Minnesotans want these and need these opportunities, and every American benefits from the steel and lumber that goes into our cars and into our homes.

While I generally support the aims of NEPA, the State of Minnesota has some of the strictest environmental standards in the country and a track record of successful regulation of mining and logging.

On the other hand, obstructionist special interest groups have a track record of abusing the NEPA process to sue and delay. I do not want these groups to continue to delay this land exchange, preventing Minnesota

schools from receiving the funding that they need and, quite frankly, they deserve.

The State of Minnesota cannot afford to be sued by environmental groups for years. Some of those arguing for NEPA are, in fact, arguing that defending lawsuits is an appropriate use of the taxpayer dollars and that it's okay to transfer wealth from State coffers to special interest groups. Interesting to note, many of these special groups aren't even from Minnesota.

Make no mistake. This will be passed and a bipartisan land exchange is going to get done. I will not allow special interest groups, acting in bad faith, to abuse the NEPA process and use frivolous lawsuits to block and derail a land exchange. If I could trust special interest groups to act in good faith and if I could trust the Federal bureaucracy to act promptly, I would include NEPA in this legislation.

The teachers and schoolkids in Minnesota can't wait years, if not decades. Currently, some of the schools in Minnesota have classrooms with over 40 kids, and some school districts, like mine in North Branch, have been reduced to a 4-day school week. I ask, is that progress?

This legislation will generate a lot of funding for our schools and create good-paying jobs. Importantly, the Minnesota Education Investment Employment Act will not eliminate a single acre of Boundary Waters land. In fact, it would include wilderness acres to the existing Boundary Waters Canoe Area Wilderness boundaries while giving Minnesota's children land that rightfully and constitutionally belongs to them.

I urge my colleagues to support this rule and the underlying bill.

Mr. POLIS. Remarkably, the underlying bill produced by Mr. CRAVAACK actually uncovered a permanent earmark that the CBO found provides \$6 million a year to three Minnesota counties. I think that in a Congress that is supposed to move past earmarks it's not a good precedent to include that earmark in the transition.

I'd also like to clarify that Governor Dayton, while, of course, asking for the land to be exchanged—and there doesn't seem to be disagreement about that—did not ask for NEPA to be short-circuited, nor do they ask to bypass the normal appraisal process.

With that, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Judiciary Committee Subcommittee on Crime, Terrorism, and Homeland Security.

Mr. SCOTT of Virginia. Madam Speaker, I oppose this rule because it does not allow consideration of amendments to the FISA bill that would strengthen the underlying bill by providing for greater accountability to the public of an otherwise wholly secretive process.

Operations of the government must be held accountable to the people. The problem with holding operations under



the existing FISA law is that most of the activities under it are conducted in secrecy. The fact that I or other Members of Congress have access to classified information regarding those secret activities is not sufficient for public accountability.

Even if I were satisfied by my access to classified information, that only reasonable and constitutionally justified actions are being taken by officials in secret, I would still feel the need to give greater assurances to the public other than simply, trust me, I'm satisfied, so should you. Curiously, if I'm not satisfied, there's nothing I could say because it's classified information.

The Foreign Intelligence Surveillance Act was passed in 1978 to curb abuses in collection and use of intelligence information, foreign and domestic. Under the original provisions of FISA, procedures for collection of foreign intelligence required the government to show not only that there was probable cause to believe that the target of the intelligence surveillance is an agent of a foreign power, but also that foreign intelligence-gathering is the primary purpose of the collection.

Under the USA PATRIOT Act of 2002 and beyond, the government now only needs to show the probable cause of the target is an agent of the Federal government, and that the foreign intelligence-gathering is merely a significant purpose of that collection. When foreign intelligence collection is not the primary purpose for the collection of information, we are left to wonder what the primary purpose of that action might be.

The FISA Act of 2008 went a step further, authorizing the collection of massive amounts of information about foreign persons reasonably believed to be outside of the United States without a warrant. With such massive amounts of information being collected, invariably information involving U.S. persons in the United States whose information may not be the target is also being collected.

The FAA of 2008 requires the executive branch to design targeting procedures which limit the scope of the collection before the government acts and minimization procedures which limit the use of information before the government collects it, and the FISA court reviews these procedures for legal sufficiency. However, with nearly all of this oversight being conducted in secret, the public has no choice but to take the government at its word.

We can do better. My amendment would simply require the executive branch to provide at least some documentation that it uses this authority narrowly, responsibly, and exclusively for foreign intelligence-gathering purposes, while protecting the material that would be classified. So we should reject this rule in favor of one that allows amendments to strengthen public accountability over the surveillance of Americans.

Mr. NUGENT. Madam Speaker, I certainly do appreciate the gentleman's

comments because, as a former law enforcement officer, I want to make sure that we protect Americans. But I'm not so sure I want to protect those in foreign countries that are not Americans, those in foreign countries that would do harm to America, like they did on this day 11 years ago.

You know, FISA—our good friend mentioned about 2008, but prior to 2008, Americans could be entrapped within the FISA context.

□ 1330

In 2008, that changed. What it said is that, if Americans become involved in a FISA investigation in which their names come up, the information comes up, it has to be minimized. Then they have to go to a Federal judge and to the FISA court to get an authorization to do what they need to do as it relates to a warrant in order to receive and recover that information. That's what 2008 did. What the President has asked is that we just continue to do what we did since 2008. The protections that were put in place for American citizens that were not there prior to 2008 are to be extended. That's the intent of the reauthorization act of the FAA.

I reserve the balance of my time.

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

Madam Speaker, Congress will soon leave town again for a long district work period. We believe it is essential that before we go home we must extend tax cuts for the middle class. If we defeat the previous question here today, we will amend the rule to say that Congress needs to stay here to vote on the Middle Class Tax Cut Act and not go home until we've made sure the middle class tax cut extension becomes law and that tax rates do not increase for millions of American families.

To speak about the previous question, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman. There is agreement in this Congress that we've got to create jobs in this economy. There is 100 percent agreement that we should extend tax cuts for 98 percent of the American people. If there is 100 percent agreement among the 435 Members of Congress to provide a continuing benefit to 98 percent of the people, why don't we do it? That's pretty good. The election will allow each side to make its argument about the tax cuts for the 2 percent. Incidentally, that 2 percent would be included. They'd get their tax cuts on the first \$250,000 of income. So what we really have is 100 percent agreement that 100 percent of the people will get a tax cut, and we have a disagreement about whether 2 percent of the people will have their tax cuts stopped at \$250,000.

We know that extending those Clinton-era tax rates is very important in order to maintain what is a fragile recovery. If we can step back from our political posturing and acknowledge that, in fact, we do agree that it is es-

sential to the economy to extend those Clinton-era tax rates, why not do it sooner rather than later? Number one, there is no guarantee after the election that it will be easier to do than than it will be now. It's a roll of the dice on both sides.

It would be one thing if the only thing at stake were our political futures, our political careers. That's not a big deal. Yet what's at stake is the American economy. It's about whether people have jobs, whether they have security, whether they can depend on what they need to raise their families. Some of those provisions are really important to students—a tax credit if you have a kid in college. Some of those are important as to whether you're going to be able to continue to itemize your deductions if you're a middle class family. Some of those are about the rates of tax that you pay.

We agree on all of this, but it is solely within the power of the majority to decide whether to bring this bill to the floor for a vote. We are asking that it be done on behalf of the American people.

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

Madam Speaker, we have heard a lot, particularly as it relates to FISA. I want to clarify and make sure everyone understands that the FAA authorizes the targeting of non-U.S. citizens who are overseas. They are not citizens of the United States. Thus, they don't have the protections under the United States Constitution—nor should they.

If an American becomes a target during the investigation, just as in a criminal investigation when I was sheriff and someone became a target during a wiretap, we then have to identify that person. If we want to go after him, if we want to eavesdrop on his conversations, we have to get a separate order to allow us to do that. Back in 1978, when this was first put in place—guess what?—if an American were picked up in one of these wiretap operations, there was no requirement to go back and get a separate authorization to go after that American citizen. But 2008 changed that. 2008 put in a particular protection for American citizens who may get caught up in a FISA investigation in regards to the collection of data or voice transmissions. That's the difference.

So, when people start talking about it as it relates to civil liberties, if you live in a foreign country, you don't have civil liberties with us if you're plotting against the United States. That's the whole identification reference to this: that it's a foreign country and a non-U.S. citizen.

With that, I reserve the balance of my time.

Mr. POLIS. I would like to inquire of the gentleman from Florida how many speakers he has remaining.

Mr. NUGENT. I have none.

Mr. POLIS. Then I am prepared to close, and I yield myself the balance of my time.



Madam Speaker, at a time when millions of Americans continue to struggle to find work, our Federal deficit continues to mount. Here we are in Congress after a 5-week recess—doing what?—considering, one, a faulty land swap deal that is a bad deal for the general public, that contains a hidden earmark and is controversial among local communities in Minnesota, and, two, a major reauthorization bill under a closed process that significantly curtails our liberties as Americans without there being any opportunities for Members of either party to offer suggestions about how to reconcile liberty with security.

Look, Congress' "to do" list remains long, and it's steadily growing. The American public is upset that Congress isn't tackling the deficit or the debt. Congress isn't tackling jobs, infrastructure, moving forward and investing in our future economic growth. Among Congress' unfinished business is a tax increase that will hit the middle class unless Congress acts.

If we defeat the previous question, we will make sure that Congress does not go home before making sure that middle class taxes do not go up. In fact, according to the House Clerk's Office, only 61 bills have become law in 2012. That's the fewest number of bills in 60 years. We only have 7 days that this House of Representatives is working here in Washington in September, yet this Congress continues to refuse to make the hard choices needed to get our economy moving.

It's time to roll up our sleeves and get to work in making sure that we have the ability to protect Americans from threats. Let's do so in an open way that encourages ideas from both sides and that has a classified briefing at which Members of Congress can receive the information we need to suggest how or if FISA needs to be changed before it's authorized for a carte blanche 5 additional years.

It is important to reject both of these underlying rules and these underlying bills. It is time to focus on job creation, deficit reduction, and tax reform, not on trying to rush to the floor an earmark land swap with no map for Minnesota, for what can only be taken to be purely political reasons, as well as there being under a closed process a bill about which many of us have grave concerns and that undermines our right to privacy as Americans.

I urge a "no" vote on the rule and the two flawed underlying bills, and I ask unanimous consent to insert into the RECORD the text of my amendment to the rule, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Madam Speaker, I urge my colleagues to cast a thoughtful vote and to vote "no" on the rule and the bills and to defeat the previous question.

I yield back the balance of my time. Mr. NUGENT. I yield myself the balance of my time.

Madam Speaker, I've heard my good friend from Colorado. Maybe he wasn't serving on the Judiciary Committee this summer, but prior to this being vetted within the Judiciary Committee, all the members there were offered a classified briefing as it relates to FISA. Every member had the opportunity to attend that. As I said, I'm not sure if Mr. POLIS was a member of that Judiciary Committee at the time it was offered to all. As a matter of fact, yesterday, at the Rules Committee, the ranking Democratic member of the Intelligence Committee, Mr. RUPPERSBERGER, pointed out to the Rules Committee that, at any time, any Member of this House can request a classified briefing—any Member.

□ 1340

He wanted to make sure that this didn't become a political football. He admonished all of us not to make this a political statement, but to do what's right for this country.

I hear time and time again from my good friend as this relates to civil liberties of Americans. If you look back to 2008, that was rectified. Prior to that I would tell you that the civil liberties of Americans were in jeopardy, but in 2008, that was corrected, and it's continued on in this reauthorization of 2012.

Once again, the FISA court is comprised of U.S. District Federal judges, and they also have a right to appeal to a court of review made up of Federal judges. The information, as Mr. RUPPERSBERGER said, is if you want a briefing requested, if you want additional information in a classified setting requested, every Member has that opportunity. As a matter of fact, in the Intelligence Committee, there wasn't one opposing vote. Democrats and Republicans alike came together and said this is what's important to keep America safe. They don't want to have another 9/11 on their watch. At the same time, we want to protect all Americans.

When people start throwing this around and saying this is an assault on American civil liberties, that's just not right, it's not correct, and it's wrong because this bill does everything to protect Americans from intrusion into their private lives. It forces the Federal Government to go back to court if it uncovers through these surveillance techniques activities by an American citizen who's doing something wrong as it relates to terrorism against this country. It gives them a process to do it because, prior to 2008, they could do it without abandon. They could wind up collecting any information on U.S. citizens. In 2008, that changed and rightfully so. There should be constraints on the Federal Government.

I heard also there's no checks and balances. That's just not true. Every 60 days there's a report done in reference

to FISA in regards to the intercepts. Twice a year, there's an automatic report that has to be generated that goes to Congress. And at any time, the Judiciary Committee and the Intelligence Committee can hold hearings—and they do—as it relates to classified information, as it relates to FISA. That's oversight. That's what we're supposed to do.

And the reason they say this is secret—well, guess what, it's not secret, but it's kept under wraps because of this: if we tell our techniques to our enemies, then guess what? They'll figure out a way to circumvent so they can get the information, pass the information, and conspire against this country. That's the reason in law enforcement we don't give up our techniques because the bad guys will figure it out. They're pretty smart folks. They have time on their hands. What we don't want to do is give them time on their hands to assault the United States of America, kill our citizens, kill and injure those first responders, and then put our military at risk.

This is directed to those that live outside of this country, those that are not American citizens. Let me make this perfectly clear. Besides all the rhetoric of those who would love to inflame different people as it relates to this, this has nothing do with American citizens, except if they do get caught up in a conversation with someone who is a foreign national that it does have to go back to court to get that specific authorization to record or transmit that information as it relates to them.

Madam Speaker, I encourage my colleagues on both sides of the aisle to support this rule and bring these two very important pieces of legislation to the House floor for a vote. If there's one duty that is inherently part of our Federal Government's core mission, it's to provide for our national security. None is more important than making sure that this Republic survives.

The FISA Amendments Act Reauthorization is a key tool in keeping our Nation safe. We heard it from both sides of the aisle who testified in front of the Rules Committee yesterday. As we continue to fight terrorists around the world who want nothing more than to harm our Nation, the FAA gives our intelligence community the tools they need to track these enemies overseas. That's the important word, "overseas." We can't give up that fight, which is why we need to keep using the information we have access to. The FISA Amendments Act Reauthorization balances this need for security with civil liberty protections for Americans living abroad. It keeps us safe at home while protecting Americans living around the world.

I encourage my colleagues on both sides of the aisle to continue the bipartisan tradition of supporting the FAA and to vote for this bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 773 OFFERED BY  
MR. POLIS OF COLORADO

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

Sec. 3. Upon completion of consideration of House Resolution 746 the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 15) to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 3 of this resolution.

Sec. 5. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 746) prohibiting the consideration of a concurrent resolution providing for adjournment or adjournment sine die unless a law is enacted to provide for the extension of certain expired or expiring tax provisions that apply to middle-income taxpayers if called up by Representative Slaughter of New York or her designee. All points of order against the resolution and against its consideration are waived.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

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

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

Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

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

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

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

Mr. NUGENT. With that, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. POLIS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 46 minutes p.m.), the House stood in recess.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WESTMORELAND) at 2 p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 773; adopting House Resolution 773, if ordered; and suspending the rules and passing H.R. 4264.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### PROVIDING FOR CONSIDERATION OF H.R. 5544, MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 5949, FISA AMENDMENTS ACT RE-AUTHORIZATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 773) providing for consideration of the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, and providing for consideration of the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 232, nays 177, not voting 20, as follows:

[Roll No. 560]

YEAS—232

Adams	Benishek	Brady (TX)
Aderholt	Berg	Brooks
Alexander	Biggert	Buchanan
Amash	Bilbray	Bucshon
Amodel	Bilirakis	Buerkle
Austria	Bishop (UT)	Burgess
Bachmann	Black	Burton (IN)
Bachus	Blackburn	Calvert
Barletta	Bonner	Camp
Bartlett	Bono Mack	Campbell
Barton (TX)	Boren	Canseco
Bass (NH)	Boustany	Cantor

Capito Hunter Price (GA) Larson (CT) Pascrell Schwartz Garamendi Luetkemeyer Rohrabacher  
 Carter Hurt Quayle Lee (CA) Pastor (AZ) Scott (VA) Gardner Lummis Rokita  
 Cassidy Issa Reed Levin Paul Scott, David Garret Lungren, Daniel Rooney  
 Chabot Jenkins Rehberg Lewis (GA) Pelosi Serrano Gerlach E. Ros-Lehtinen  
 Chaffetz Johnson (IL) Reichert Lipinski Perlmutter Gibbs Mack Roskam  
 Coble Johnson (OH) Renacci Loeb sack Peters Sherman Gibson Manzullo Ross (FL)  
 Coffman (CO) Johnson, Sam Ribble Lofgren, Zoe Peterson Sires Gingrey (GA) Marchant Royce  
 Cole Jordan Rigell Luján Pingree (ME) Slaughte Gohmert Marino  
 Conaway Kelly Rivera Lynch Poliss Smith (WA) Goodlatte McCarthy (CA)  
 Cravaack King (IA) Roby Malone y Price (NC) Stark McCaul Schilling  
 Crawford Kingston Roe (TN) Markey Quigley Sutton Gowdy McClintock Schmidt  
 Crenshaw Kinzinger (IL) Rogers (AL) Matsui Rahall Thompson (CA) McHenry Schock  
 Culberson Kline Rogers (KY) McCarthy (NY) Rangel Tierney (MS) Graves (GA) McIntyre Schweikert  
 Denham Labrador Rogers (MI) McCollum Reyes Thonpsey McKeon McKee Scott (SC)  
 Dent Lamborn Rohrabacher McDermott Richardson Tonko Griffin (AR) McKinley Scott, Austin  
 DesJarlais Lance Rokita McGovern Richmond Tsongas Griffith (VA) McMorris Sensenbrenner  
 Diaz-Balart Landry Rooney McNeerly Ross (AR) Grimm Rodgers Meehan Sessions  
 Dold Lankford Ros-Lehtinen Meeks Rothman (NJ) Velázquez Visclosky Guinta Shimkus  
 Donnelly (IN) Latham Roskam Michaud Roybal-Allard Visclosky Guthrie Mica  
 Dreier LaTourette Ross (FL) Miller (NC) Ruppertsberger Walz (MN) Hall Miller (FL)  
 Duffy Latta Royce Miller, George Rush Wasserman Hanna Miller (MI)  
 Duncan (SC) LoBiondo Runyan Moore Ryan (OH) Schultz Schultz Miller, Gary  
 Duncan (TN) Long Moran Sanche z, Linda Waters Hartzler Mulvaney Smith (NE)  
 Ellmers Lucas Schilling Murphy (CT) T. Watt Hastings (WA) Murphy (PA) Smith (NJ)  
 Emerson Luetkemeyer Schmidt Nadler Sanchez, Loretta Waxman Heck Myrick Smith (TX)  
 Farenthold Lummis Schock Neal Sarbanes Welch Hensarling Neugebauer Southerland  
 Fincher Lungren, Daniel Schawkert Olver Schakowsky Wilson (FL) Herrera Beutler Noem Stearns  
 Fitzpatrick E. Scott (SC) Owens Schiff Wooseley Huelskamp Nuges Stutzman  
 Flake Mack Scott, Austin Sensenbrenner Sessions Olson Terry  
 Fleischmann Manzullo Marchant Shimkus Akin Herger Lowey Tipton  
 Fleming Marcho Matheson Shuler Broun (GA) Hinojosa Napolitano Ryan (WI) Thornberry  
 Flores Marino McCarthy (CA) Cicilline Hirono Ryan (WI) Pearce Tiberi  
 Fortenberry McCaul Simpson Gallegly Israel Speier Jenkin Pence  
 Foxx McClintock Smith (NE) Gonzalez Gonzale z (IL) Towns Johnson (OH) Petri  
 Franks (AZ) McHenry Smith (NJ) Harper King (NY) Young (FL) Johnson, Sam  
 Frelinghuysen McIntyre Smith (TX) Hayworth Lewis (CA) Jordan Pitts  
 Gardner McKeon Southerland Smith (TX) Smith (TX) Turner (OH)  
 Garrett McKeeon Stearns Upton Walberg Walden  
 Gerlach McKinley Stearns Upton Walberg Walden  
 Gibbs McMorris Stivers Upton Walsh (IL) West  
 Gibson Rodgers Stutzman Sullivan Terry West  
 Gingrey (GA) Meehan Mica Thompson (PA) Westmoreland  
 Gohmert Mica Miller (FL) Thornberry Whitfield  
 Goodlatte Miller (MI) Tiberi Wilson (SC)  
 Gosar Miller, Gary Tipton Wittman  
 Gowdy Mulvaney Turner (NY) Wolf  
 Granger Murphy (PA) Turner (OH) Woodall  
 Graves (GA) Myrick Upton Yoder  
 Graves (MO) Neugebauer Roe (TN)  
 Griffin (AR) Noem Rogers (AL)  
 Griffith (VA) Nugent Rogers (KY)  
 Grimm Nunes Price (GA) Young (AK)  
 Guinta Nunes Walsh (IL) Young (FL)  
 Guthrie Nunnelee Webster Young (IN)  
 Hall Olson West  
 Hanna Palazzo Westmoreland  
 Harris Paulsen Whitfield  
 Hartzler Pearce Wilson (SC)  
 Hastings (WA) Pence Wittman  
 Heck Petri Wolf  
 Hensarling Pitts Womack  
 Herrera Beutler Platts Woodall  
 Huelskamp Poe (TX) Yoder  
 Huizenga (MI) Pompeo Young (AK)  
 Hultgren Posey Young (IN)

NAYS—177

Ackerman Cleaver Fudge  
 Altmire Clyburn Garamendi  
 Andrews Cohen Green, Al  
 Baca Connolly (VA)  
 Baldwin Grijalva  
 Barber Cooper  
 Barrow Costa  
 Bass (CA) Costello  
 Becerra Courtney  
 Berkley Critz  
 Berman Crowley  
 Bishop (GA) Cuellar  
 Bishop (NY) Cummings  
 Blumenauer Davis (CA)  
 Bonamici Davis (IL)  
 Boswell DeFazio  
 Brady (PA) DeGette  
 Braley (IA) DeLauro  
 Brown (FL) Deutch  
 Butterfield Dicks  
 Capps Dingell  
 Capuano Doggett  
 Carnahan Doyle  
 Carney Edwards  
 Carson (IN) Ellison  
 Castor (FL) Engel  
 Chandler Eshoo  
 Chu Farr  
 Clarke (MI) Fattah  
 Clarke (NY) Filner  
 Clay Frank (MA)

Price (GA) Larson (CT) Pascrell Schwartz Garamendi Luetkemeyer Rohrabacher  
 Quayle Lee (CA) Pastor (AZ) Scott (VA) Gardner Lummis Rokita  
 Issa Reed Levin Paul Scott, David Garret Lungren, Daniel Rooney  
 Jenkins Rehberg Lewis (GA) Pelosi Serrano Gerlach E. Ros-Lehtinen  
 Johnson (IL) Reichert Lipinski Perlmutter Gibbs Mack Roskam  
 Johnson (OH) Renacci Loeb sack Peters Sherman Gibson Manzullo Ross (FL)  
 Johnson, Sam Ribble Lofgren, Zoe Peterson Sires Gingrey (GA) Marchant Royce  
 Jordan Rigell Luján Pingree (ME) Slaughte Gohmert Marino  
 Kelly Rivera Lynch Poliss Smith (WA) Goodlatte McCarthy (CA)  
 King (IA) Roby Malone y Price (NC) Stark McCaul Schilling  
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 Kline Rogers (KY) McCarthy (NY) Rangel Tierney (MS) Graves (GA) McIntyre Schweikert  
 Labrador Rogers (MI) McCollum Reyes Thonpsey McKeon McKee Scott (SC)  
 Lamborn Rohrabacher McDermott Richardson Tonko Griffin (AR) McKinley Scott, Austin  
 Lance Rokita McGovern Richmond Tsongas Griffith (VA) McMorris Sensenbrenner  
 Landry Rooney McNeerly Ross (AR) Grimm Rodgers Meehan Sessions  
 Lankford Ros-Lehtinen Meeks Rothman (NJ) Velázquez Visclosky Guinta Shimkus  
 Latham Roskam Michaud Roybal-Allard Visclosky Guthrie Mica  
 LaTourette Ross (FL) Miller (NC) Ruppertsberger Walz (MN) Hall Miller (FL)  
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 Lucas Schilling Murphy (CT) T. Watt Hastings (WA) Murphy (PA) Smith (NJ)  
 Luetkemeyer Schmidt Nadler Sanchez, Loretta Waxman Heck Myrick Smith (TX)  
 Lummis Schock Neal Sarbanes Welch Hensarling Neugebauer Southerland  
 Lungren, Daniel Schawkert Olver Schakowsky Wilson (FL) Herrera Beutler Noem Stearns  
 E. Scott (SC) Owens Schiff Wooseley Huelskamp Nuges Stutzman  
 Mack Scott, Austin Sensenbrenner Sessions Olson Terry  
 Fleischmann Manzullo Marchant Shimkus Akin Herger Lowey Tipton  
 Fleming Marcho Matheson Shuler Broun (GA) Hinojosa Napolitano Ryan (WI) Thornberry  
 Flores Marino McCarthy (CA) Cicilline Hirono Ryan (WI) Pearce Tiberi  
 Fortenberry McCaul Simpson Gallegly Israel Speier Jenkin Pence  
 Foxx McClintock Smith (NE) Gonzalez Gonzale z (IL) Towns Johnson (OH) Petri  
 Franks (AZ) McHenry Smith (NJ) Harper King (NY) Young (FL) Johnson, Sam  
 Frelinghuysen McIntyre Smith (TX) Hayworth Lewis (CA) Jordan Pitts  
 Gardner McKeon Southerland Smith (TX) Smith (TX) Turner (OH)  
 Garrett McKeeon Stearns Upton Walberg Walden  
 Gerlach McKinley Stearns Upton Walsh (IL) West  
 Gibbs McMorris Stivers Upton Walsh (IL) West  
 Gibson Rodgers Stutzman Sullivan Terry West  
 Gingrey (GA) Meehan Mica Thompson (PA) Westmoreland  
 Gohmert Mica Miller (FL) Thornberry Whitfield  
 Goodlatte Miller (MI) Tiberi Wilson (SC)  
 Gosar Miller, Gary Tipton Wittman  
 Gowdy Mulvaney Turner (NY) Wolf  
 Granger Murphy (PA) Turner (OH) Woodall  
 Graves (GA) Myrick Upton Yoder  
 Graves (MO) Neugebauer Roe (TN)  
 Griffin (AR) Noem Rogers (AL)  
 Griffith (VA) Nugent Rogers (KY)  
 Grimm Nunes Price (GA) Young (AK)  
 Guinta Nunes Walsh (IL) Young (FL)  
 Guthrie Nunnelee Webster Young (IN)  
 Hall Olson West  
 Hanna Palazzo Westmoreland  
 Harris Paulsen Whitfield  
 Hartzler Pearce Wilson (SC)  
 Hastings (WA) Pence Wittman  
 Heck Petri Wolf  
 Hensarling Pitts Womack  
 Herrera Beutler Platts Woodall  
 Huelskamp Poe (TX) Yoder  
 Huizenga (MI) Pompeo Young (AK)  
 Hultgren Posey Young (IN)

NOT VOTING—20

Akin Herger Lowey  
 Broun (GA) Hinojosa Napolitano  
 Cicilline Hirono Ryan (WI)  
 Gallegly Israel Speier  
 Gonzalez Gonzale z (IL) Towns  
 Harper King (NY) Young (FL)  
 Hayworth Lewis (CA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1426

Messrs. DOYLE, CARSON of Indiana, HONDA, DAVIS of Illinois, JONES, and Ms. BERKLEY changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 179, not voting 17, as follows:

[Roll No. 561]

AYES—233

Adams Brooks Denham  
 Aderholt Buchanan Dent  
 Alexander Bucshon DesJarlais  
 Amash Buerkle Diaz-Balart  
 Amodei Burgess Dold  
 Austria Burton (IN) Donnelly (IN)  
 Bachmann Calvert Dreier  
 Bachus Camp Duffy  
 Barletta Campbell Duncan (SC)  
 Bartlett Canseco Duncan (TN)  
 Barton (TX) Cantor Ellmers  
 Bass (NH) Capito Emerson  
 Benishek Carter Farenthold  
 Berg Cassidy Fincher  
 Biggert Chabot Fitzpatrick  
 Bilbray Chaffetz Flake  
 Bilirakis Coble Fleischmann  
 Bishop (UT) Coffman (CO) Fleming  
 Black Cole Flores  
 Blackburn Bonner Forbes  
 Boner Cravaack Fortenberry  
 Bono Mack Crawford Foxx  
 Boustany Crenshaw Franks (AZ)  
 Brady (TX) Culberson Frelinghuysen

Swartz Scott (VA) Garamendi Luetkemeyer Rohrabacher  
 Scott, David Garret Lungren, Daniel Rooney  
 Serrano Gerlach E. Ros-Lehtinen  
 Sewell Gibbs Mack  
 Sherman Gibson Manzullo Ross (FL)  
 Sires Gingrey (GA) Marchant Royce  
 Slaughte Gohmert Marino  
 Smith (WA) Goodlatte McCarthy (CA)  
 Stark McCaul Schilling  
 Sutton Gowdy McClintock Schmidt  
 Thompson (CA) McHenry Schock  
 Thompson (MS) Graves (GA) McIntyre Schweikert  
 Tierney (MS) Graves (MO) McKeon McKee Scott (SC)  
 Tonko Griffin (AR) McKinley Scott, Austin  
 Tsongas Griffith (VA) McMorris Sensenbrenner  
 Van Hollen Grimm Rodgers Meehan Sessions  
 Velázquez Visclosky Guinta Shimkus  
 Walz (MN) Hall Miller (FL)  
 Wasserman Hanna Miller (MI)  
 Schultz Schultz Miller, Gary  
 Waters Hartzler Mulvaney Smith (NE)  
 Watt Hastings (WA) Murphy (PA) Smith (NJ)  
 Waxman Heck Myrick Smith (TX)  
 Welch Hensarling Neugebauer Southerland  
 Wilson (FL) Herrera Beutler Noem Stearns  
 Wooseley Huelskamp Nuges Stutzman  
 Yarmuth Yarmuth Nunnelee  
 Olson Terry  
 Palazzo  
 Paulsen  
 Pearce  
 Pence  
 Petri  
 Pitts  
 Platts  
 Poe (TX)  
 Pompeo  
 Posey  
 Price (GA)  
 Quayle  
 Reed  
 Rehberg  
 Reichert  
 Renacci  
 Ribble  
 Rigell  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Young (AK)  
 Young (FL)  
 Young (IN)

NOES—179

Crowley Johnson (IL)  
 Cuellar Johnson, E. B.  
 Cummings Jones  
 Davis (CA) Kaptur  
 Davis (IL) Keating  
 DeFazio DeFazio Kildee  
 DeGette DeGette Kind  
 DeLauro DeLauro Kucinich  
 Deutch Deutch Langevin  
 Dicks Dicks Larsen (WA)  
 Dingell Dingell Larson (CT)  
 Doggett Doggett Lee (CA)  
 Doyle Doyle Levin  
 Edwards Edwards Lewis (GA)  
 Bonamici Ellison Lipinski  
 Engel Engel Loeb sack  
 Boswell Eshoo Lofgren, Zoe  
 Brady (PA) Farr Luján  
 Braley (IA) Fattah Lynch  
 Brown (FL) Filner Maloney  
 Butterfield Butterfield Markey  
 Capps Capps Matheson  
 Capuano Gonzalez Matsui  
 Carnahan Green, Al McCarthy (NY)  
 Carney Green, Gene McCollum  
 Carson (IN) Grijalva McDermott  
 Castor (FL) Gutierrez McGovern  
 Chandler Hahn McNeerly  
 Chu Hanabusa Meeks  
 Clarke (MI) Hastings (FL) Michaud  
 Clarke (NY) Heinrich Miller (NC)  
 Clay Higgs Miller, George  
 Cleaver Himes Moore  
 Clyburn Hinchey Moran  
 Cohen Hinojosa Murphy (CT)  
 Connolly (VA) Holden Nadler  
 Cooper Conyers Neal  
 Costa Honda Olver  
 Costello Hoyer Owens  
 Courtney Jackson Lee Pallone  
 Critz Johnson (GA) (TX) Pascrell  
 Johnson (GA) Johnson (GA) Pastor (AZ)

Paul	Ryan (OH)	Thompson (CA)	Cummings	Jones	Pitts	Wasserman	West	Woodall
Pelosi	Sánchez, Linda	Thompson (MS)	Davis (CA)	Jordan	Platts	Schultz	Whitfield	Woolsey
Perlmutter	T.	Tierney	Davis (IL)	Kaptur	Poe (TX)	Waters	Wilson (FL)	Yarmuth
Peters	Sanchez, Loretta	Tonko	DeFazio	Keating	Polis	Watt	Wilson (SC)	Yoder
Peterson	Sarbanes	Tsongas	DeGette	Kelly	Pompeo	Waxman	Wittman	Young (AK)
Pingree (ME)	Schakowsky	Van Hollen	DeLauro	Kildee	Posey	Webster	Wolf	Young (FL)
Polis	Schiff	Velázquez	Denham	Kind	Price (NC)	Welch	Womack	Young (IN)
Price (NC)	Schrader	Visclosky	Dent	King (IA)	Quayle			
Quigley	Schwartz	Walz (MN)	DesJarlais	Kingston	Quigley			
Rahall	Scott (VA)	Wasserman	Deutch	Kinzinger (IL)	Rahall			
Rangel	Scott, David	Schultz	Diaz-Balart	Kissell	Rangel			
Reyes	Serrano	Waters	Dicks	Kline	Reed			
Richardson	Sewell	Watt	Dingell	Kucinich	Rehberg			
Richmond	Sherman	Waxman	Doggett	Labrador	Reichert			
Ross (AR)	Sires	Waxman	Dold	Lamborn	Renacci			
Rothman (NJ)	Slaughter	Welch	Donnelly (IN)	Lance	Reyes			
Roybal-Allard	Smith (WA)	Wilson (FL)	Doyle	Landry	Ribble			
Ruppersberger	Stark	Woolsey	Dreier	Langevin	Richardson			
Rush	Sutton	Yarmuth	Duffy	Lankford	Richmond			

NOT VOTING—17

Akin	Heger	Lowey
Broun (GA)	Hirono	Napolitano
Ciilline	Israel	Ryan (WI)
Gallegly	Jackson (IL)	Speier
Harper	King (NY)	Towns
Hayworth	Lewis (CA)	

□ 1434

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FHA EMERGENCY FISCAL SOLVENCY ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4264) to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 7, not voting 20, as follows:

[Roll No. 562]

YEAS—402

Ackerman	Black	Carson (IN)
Adams	Blackburn	Carter
Aderholt	Blumenauer	Cassidy
Alexander	Bonamici	Castor (FL)
Altmire	Bonner	Chabot
Amodei	Bono Mack	Chaffetz
Andrews	Boren	Chandler
Austria	Boswell	Chu
Baca	Boustany	Clarke (MI)
Bachmann	Brady (PA)	Clarke (NY)
Bachus	Brady (TX)	Clay
Baldwin	Bralely (IA)	Cleaver
Barber	Brooks	Clyburn
Barletta	Brown (FL)	Coble
Barrow	Buchanan	Coffman (CO)
Bartlett	Bucshon	Cohen
Barton (TX)	Buerkle	Cole
Bass (CA)	Burgess	Conaway
Bass (NH)	Burton (IN)	Connolly (VA)
Becerra	Butterfield	Conyers
Benishek	Calvert	Cooper
Berg	Camp	Costa
Berkley	Campbell	Costello
Berman	Canseco	Courtney
Biggart	Cantor	Cravaack
Billray	Capito	Crawford
Bilirakis	Capps	Crenshaw
Bishop (GA)	Capuano	Critz
Bishop (NY)	Carnahan	Cuellar
Bishop (UT)	Carney	Culberson

Duffy	Duncan (SC)	Duncan (TN)	Edwards	Ellison	Ellmers	Emerson	Engel	Eshoo	Farenthold	Farr	Fattah	Finler	Fincher	Fitzpatrick	Fleischmann	Fleming	Flores	Forbes	Fortenberry	Frank (MA)	Franks (AZ)	Frelinghuysen	Fudge	Garamendi	Gardner	Garrett	Gerlach	Gibbs	Gibson	Gingrey (GA)	Gohmert	Gonzalez	Goodlatte	Gosar	Gowdy	Granger	Graves (GA)	Graves (MO)	Green, Al	Green, Gene	Griffin (AR)	Griffith (VA)	Grijalva	Grimm	Guinta	Guthrie	Hahn	Hall	Hanabusa	Hanna	Harris	Hartzler	Hastings (FL)	Hastings (WA)	Heck	Heinrich	Hensarling	Herrera Beutler	Higgins	Himes	Hinchev	Hinojosa	Holten	Holt	Honda	Hoyer	Huelskamp	Huizenga (MI)	Hultgren	Hunter	Hurt	Issa	Jackson Lee (TX)	Jenkins	Johnson (GA)	Johnson (IL)	Johnson (OH)	Johnson, E. B.	Johnson, Sam
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Kingston	Kinzinger (IL)	Kissell	Kline	Kucinich	Labrador	Lamborn	Lance	Landry	Langevin	Lankford	Larsen (WA)	Larson (CT)	Latham	LaTourette	Latta	Lee (CA)	Levin	Lewis (GA)	Lipinski	LoBiondo	Loeb	Loebsack	Lofgren, Zoe	Long	Lucas	Luetkemeyer	Lujan	Lummis	Lungren, Daniel E.	Lynch	Mack	Maloney	Manzullo	Marchant	Marino	Markey	Matheson	Matsui	McCarthy (CA)	McCarthy (NY)	McCaul	McClintock	McCollum	McDermott	McGovern	McHenry	McIntyre	McKeon	McKinley	McMorris	Rodgers	McNerney	Meehan	Meeks	Mica	Michaud	Miller (FL)	Miller (MI)	Miller (NC)	Miller, Gary	Miller, George	Moore	Moran	Mulvaney	Murphy (CT)	Murphy (PA)	Myrick	Nadler	Neal	Neugebauer	Noem	Nugent	Nunes	Nunnelee	Olson	Olver	Owens	Palazzo	Pallone	Pascarella	Pastor (AZ)	Paulsen	Pearce	Pelosi	Pence	Perlmutter	Peters	Peterson	Petri	Pingree (ME)
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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1441

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Styled for:

Ms. HOCHUL. Mr. Speaker, I was detained and missed rollcall vote No. 562, H.R. 4264. Had I been present, I would have voted “yea” on rollcall vote No. 562.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

CHILD AND ELDERLY MISSING ALERT PROGRAM

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4305) to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4305

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

SECTION 1. SHORT TITLE.

*This Act may be cited as the “Child and Elderly Missing Alert Program”.*

SEC. 2. PROGRAM TO ASSIST FEDERAL, STATE, TRIBAL, AND LOCAL LAW ENFORCEMENT AGENCIES IN THE RAPID RECOVERY OF MISSING CHILDREN, THE ELDERLY, AND DISABLED INDIVIDUALS.

*Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended—*

*(1) in subsection (b)—*

(A) in paragraph (16), by striking “and” after the semicolon;

(B) in paragraph (17), by striking the period and inserting “; and”; and

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

“(18) to permit eligible nonprofit organizations to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing children, elderly individuals, and disabled individuals through the use of a rapid telephone and cellular alert call system, in accordance with subsection (1).”; and

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

“(1) CHILD AND ELDERLY MISSING ALERTS.—

“(1) IN GENERAL.—The Attorney General is authorized to award grants to eligible nonprofit organizations to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing children, elderly individuals, and disabled individuals through the use of a rapid telephone and cellular alert call system.

“(2) SPECIFIED USE OF FUNDS.—The grants awarded under this subsection shall be used to—

“(A) provide services to Federal, State, tribal, and local law enforcement agencies, in response to a request from such agencies, to promote the rapid recovery of a missing child, an elderly individual, or a disabled individual by utilizing rapid telephone and cellular alert calls;

“(B) maintain and expand technologies and techniques to ensure the highest level of performance of such services;

“(C) provide both centralized and on-site training and distribute information to Federal, State, tribal, and local law enforcement agency officials about missing children, elderly individuals, and disabled individuals and use of a rapid telephone and cellular alert call system;

“(D) provide services to Federal, State, tribal, and local Child Abduction Response Teams;

“(E) assist Federal, State, tribal, and local law enforcement agencies to combat human trafficking through the use of rapid telephone and cellular alert calls;

“(F) share appropriate information on cases with the National Center for Missing and Exploited Children, the AMBER Alert, Silver Alert, and Blue Alert programs, and appropriate Federal, State, tribal, and local law enforcement agencies; and

“(G) assist appropriate organizations, including Federal, State, tribal, and local law enforcement agencies, with education and prevention programs related to missing children, elderly individuals, and disabled individuals.

“(3) ELIGIBILITY.—To be an eligible nonprofit organization for purposes of a grant under this subsection, a nonprofit organization shall have experience providing rapid telephone and cellular alert calls on behalf of Federal, State, and local law enforcement agencies to find missing children and elderly adults.

“(4) GRANT PERIOD AND RENEWAL.—The Attorney General shall determine an appropriate grant period for grants awarded under this subsection. Such grants may be renewed at the discretion of the Attorney General.

“(5) EVALUATION.—The Attorney General shall require each grantee under this subsection to annually submit the results of the monitoring and evaluations required under subsections (a) and (b) of section 1705, and shall publish an annual report regarding such results and the effectiveness of the activities carried out under each such grant.

“(6) INAPPLICABLE PROVISIONS.—The following provisions of this part shall not apply to grants awarded under this subsection:

“(A) Subsection (j) of this section (relating to grants to Indian tribes).

“(B) Section 1703 (relating to renewal of grants).

“(7) DEFINITIONS.—In this subsection:

“(A) CHILD.—The term ‘child’ means an individual under 21 years of age.

“(B) DISABLED INDIVIDUAL.—The term ‘disabled individual’ means—

“(i) an individual with 1 or more disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)); or

“(ii) an individual who has been diagnosed by a physician or other qualified medical professional with Alzheimer’s disease or a related dementia.

“(C) ELDERLY INDIVIDUAL.—The term ‘elderly individual’ means an individual who is 60 years of age or older.

“(D) MISSING.—The term ‘missing’, with respect to a child, an elderly individual, or a disabled individual, means such a child or individual who has been reported to law enforcement as missing and whose whereabouts are unknown to Federal, State, tribal, and local law enforcement agencies.

“(E) RAPID TELEPHONE AND CELLULAR ALERT CALL SYSTEM.—The term ‘rapid telephone and cellular alert call system’ means an automated system with the ability to place at least 1,000 telephone and cellular calls in 60 seconds to a specific geographic area determined by law enforcement—

“(i) based on the last known whereabouts of a missing individual; or

“(ii) based on other evidence and determined by such law enforcement agency to be necessary to the search for the missing individual.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

#### GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4305, as amended, currently under consideration.

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

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well.

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

I rise in support of H.R. 4305, a commonsense, bipartisan bill which would increase resources for local law enforcement to aid in the recovery of missing children and elderly adults. I would also like to thank my colleague, the gentleman from Florida (Mr. DEUTCH), for his diligent work on this bill.

Every 40 seconds, a child goes missing. Throughout the United States, an average of 2,000 children under the age of 18 are reported missing every day, and as many as 800,000 each year are reported missing. Although many of our children are at risk, the risk for children living with autism is even greater. About one in four parents of children living with autism spectrum disorders have reported that their children have gone missing long enough to cause significant concern about their safety. In addition, health care reports show three out of five Americans living with Alzheimer’s disease will sometimes

wander from their locations and may be unable to find their way back home.

The need to locate missing children and seniors in some instances in the first hours of the disappearance is vital. Unfortunately, most law enforcement agencies lack the appropriate resources to knock on every door in the community in every unfortunate crisis.

□ 1450

Further, although the Amber Alert and Silver Alert are sometimes successful alert programs, there remains a crucial lapse of time between the point when a child or elderly adult is first reported missing and when one of these services can be utilized. This important legislation would help solve this problem by employing targeted telephone and cellular alerts within minutes of a missing person report to residents and businesses in the area where the person was last seen. In fact, as many as 1,000 calls can be made in merely 60 seconds, a vital asset in reaching the greatest number of neighbors in the early, critical moments of a search.

Targeted alert programs are typically available to law enforcement nationwide, and they’re multilingual. The regional databases used for alerts can take years to build and contain an accumulation of public residential telephone numbers, as well as volunteered cellular phone numbers. These programs are able to utilize computer mapping and enhanced satellite imagery to select the targeted calling area.

To date, as many as 8,500 law enforcement agencies have received training with targeted alert programs. My legislation would support these programs which assist Federal, State, and local law enforcement agencies in the rapid recovery of missing children and elderly persons while saving tax dollars. The automated alert systems are free for local law enforcement to use, saving thousands of dollars on a traditional search which could require as many as 10 officers on the ground at any one time.

A recent success story in my district highlights the value of a targeted telephone and cellular alert program. On February 1 of this year, a 9-year-old girl was reported missing from her home after she went to walk her dog and did not return. Sergeant Beavers of the Hamilton County Sheriff’s Department in Cincinnati contacted A Child is Missing and provided the girl’s description to be distributed via a telephone alert. Nearly 1,700 alert calls were made asking that anyone with information contact the police. According to the case follow-up report after the alert was activated, several calls were received immediately, some containing valuable tips. The police used these tips to locate the girl safely approximately one-half mile away from her home in less than an hour after the activation of the alert.

When it comes to protecting the most vulnerable among us, it's important that we first equip our law enforcement at the local level. H.R. 4305 would facilitate the partnership of privately run programs with law enforcement and members of the community to safely recover missing individuals, whether they're minors or whether they be, in the case of Alzheimer's, for example, senior citizens.

I urge my colleagues to support this straightforward, bipartisan legislation.

Once again, I would like to thank Mr. DEUTCH for his leadership on this issue, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4305, the Child and Elderly Missing Alert Program. This important measure will assist law enforcement agencies to address the terrifying experience of when a child, elderly person, or other family member or friend goes missing.

The number of individuals that go missing each year is staggering. For example, a child goes missing almost every 40 seconds in the United States. That's about 800,000 children reported missing every year.

The adults suffering from Alzheimer's disease and other forms of dementia also become missing persons. These diseases cause many of their sufferers to become disoriented and lost; and because of their condition, these individuals are often unable to assist first responders in finding their way back to their caregivers. It is currently estimated that about 5½ million Americans suffer from Alzheimer's disease. In about 2050, that number may go up to 16 million.

Locating a missing individual must be done quickly. Research has shown that time is of the essence with missing persons. The first hours of disappearance are the most vital. According to a study by the attorney general of Washington State and the U.S. Department of Justice, 74 percent of children abducted and murdered were killed within the first 3 hours. Half of the elderly adults who wander from their homes suffer serious injury or death if not found within 24 hours. Accordingly, alerts to law enforcement in those crucial first few hours after a person goes missing is obviously very critical.

H.R. 4305 facilitates targeting telephone and cellular alerts to residents and businesses in the area where the person was last seen. The residents and businesses are able to opt out if they choose to, but most of the people obviously want this information.

H.R. 4305 will help provide meaningful aid to law enforcement in recovering missing children, elderly people, and the disabled. I urge my colleagues to support the legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I continue to reserve the balance of my

time. We have no additional speakers at this time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I thank the gentleman from Virginia.

I rise today to urge passage of H.R. 4305, the Child and Elderly Missing Alert Program Act of 2012.

This bill, which I had the pleasure of introducing with my friend, Mr. CHABOT of Ohio, will help law enforcement agencies nationwide safely recover missing children and elderly adults.

As Mr. CHABOT highlighted, every 40 seconds a child goes missing in America, with over 800,000 children reported each and every year. The panic that takes over when a child cannot be found is a feeling that every parent hopes and prays they will never have to experience.

We know that every second is precious. In fact, in tragic cases involving abducted and murdered children, research supported by the Department of Justice shows that 74 percent were slain within the first 3 hours. Likewise, the families of adults suffering from Alzheimer's disease or another form of dementia feel that same anxiety when a loved one goes missing. They're not just in danger of injury, but of going too long without medications that they rely on. In fact, half of elderly adults who wander from their residences suffer serious injuries or death if not located within 24 hours.

Though the Amber Alert and Silver Alert programs are invaluable tools for law enforcement to alert communities of missing persons, too often they're not activated until precious time has passed. Whether young or old, we know that the ability to locate missing persons within the first few hours of their disappearance is vital.

By passing H.R. 4305, we can help law enforcement agencies nationwide employ technology pioneered by Sherry Friedlander, a south Florida woman who started an organization called A Child is Missing. A Child is Missing helps police and rescue teams get the word out fast. It is the only organization that assists in all types of missing cases, including abductions, runaways, or individuals that lose their way.

When a person is reported missing to law enforcement, A Child is Missing utilizes the latest satellite technology to place 1,000 emergency phone calls every 60 seconds to residents and businesses in the area where the person was last seen. In fact, just this year, A Child is Missing marked its 1,000th successfully assisted recovery. This proven technology works, and it saves lives. By passing this legislation, we can help law enforcement successfully recover missing persons nationwide.

Mr. CHABOT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

I would just like to conclude by saying that this is, I think, a very important program. Every parent I think is always afraid of that potential nightmare that one of their children goes missing. All of us that have senior grandparents, for example, know how prevalent Alzheimer's can be in the senior community. This is a program that can help those at a very early age and those later in their lives. I think it's a great program. I urge my colleagues to support it.

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

Mr. SMITH of New Jersey. Mr. Speaker, I would like to thank Chairman LAMAR SMITH and Ranking Member JOHN CONYERS for advancing this bill through the Judiciary Committee. And, I'd like to offer my appreciation and thanks to my friend Congressman STEVE CHABOT for introducing the Child and Elderly Missing Alert Program Act.

This is a very innovative and timely program, utilizing telephone and cellular alerts to help in the rapid recovery of missing children, elderly individuals, and the disabled. The bill specifically includes within the definition of disabled those diagnosed with Alzheimer's disease. As we know cellular phones are ubiquitous and expanding the use of that technology in missing persons programs promises to greatly increase the programs' effectiveness.

As a co-chairman of congressional caucuses for both Alzheimer's disease and autism, I am familiar with the widespread occurrence and the dangers of wandering for these populations. Sixty percent of the millions of Alzheimer's sufferers wander at some point in their illness, many are habitual wanderers. Most of us are also well aware of the skyrocketing rates of autism, and again wandering is a serious concern.

But this bill will assist Federal, State, local, and tribal law enforcement in their efforts to help so many other individuals including victims of family abduction and victims of abduction for sexual exploitation. As the author of the first federal law to combat human trafficking, I am grateful that Mr. CHABOT's legislation specifically provides for grants to combat human trafficking. Human trafficking is a multi-billion dollar industry that touches every country in the world, including the United States. Victims, primarily women and children are stripped of their dignity, robbed of their human rights, and forced into bondage and sexual servitude.

This legislation increases the likelihood that the disabled wanderer will be found and reunited safely with his or her loved ones. It will help runaways to be reunited with their families or at least to be provided a safe environment. And it will make it much more difficult for family abductors and human traffickers to avoid detection and to rescue their victims.

I thank Mr. CHABOT, and I encourage all of my colleagues to vote for this legislation.

Mr. SMITH of Texas. Mr. Speaker, H.R. 4305, the Child and Elderly Missing Alert Program, was introduced by my Judiciary Committee colleague, Mr. CHABOT. I thank him for his work on this issue.



A child goes missing in this country every 40 seconds. Almost 800,000 children are reported missing each year and 500,000 go missing without ever being reported.

In many cases of missing children, the AMBER Alert system is activated to help law enforcement and community search efforts.

However, in order to issue an AMBER Alert for a missing child, law enforcement officials must have a description of the child, the suspect, the vehicle if there is one and how the abduction took place. Additionally, they must be able to confirm that the child has in fact been abducted and did not simply wander off on their own.

Without evidence of an abduction, law enforcement officers cannot issue an AMBER Alert. This is where programs like the Child and Elderly Missing Alert Program step in.

Experience shows that time is of the essence when searching for missing persons—particularly young children and the elderly.

H.R. 4305 would allow funding under the Justice Department's Community Oriented Policing Services (COPS) grant program to go toward rapid recovery phone call and alert systems that can be deployed when children and elderly persons are missing.

Such programs complement the AMBER Alert program by quickly disseminating information about missing persons within targeted geographic areas even when the information available is minimal.

Having a child, elderly or disabled loved one go missing is any family's worst nightmare. H.R. 4305 provides a critical tool in the efforts to find missing persons.

I again thank the gentleman from Ohio for his work on this issue and I urge my colleagues to join me in support of this bill.

The SPEAKER pro tempore (Mr. WESTMORELAND). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4305, as amended.

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

A motion to reconsider was laid on the table.

□ 1500

#### MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM REAUTHORIZATION ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2800) to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2800

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2012".*

#### SEC. 2. REAUTHORIZATION OF THE MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM.

*Section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14181) is amended—*

*(1) by amending subsection (a) to read as follows:*

*"(a) GRANT.—Subject to the availability of appropriations to carry out this section, the Attorney General, through the Bureau of Justice Assistance, shall award competitive grants to nonprofit organizations to assist such organizations in paying for the costs of planning, designing, establishing, and operating locally based, proactive programs to protect and locate missing patients with Alzheimer's disease and related dementias.";*

*(2) in subsection (b), by inserting "competitive" after "to receive a";*

*(3) by amending subsection (c) to read as follows:*

*"(c) PREFERENCE.—In awarding grants under subsection (a), the Attorney General shall give preference to national nonprofit organizations that have experience working with patients, and families of patients, with Alzheimer's disease and related dementias.";* and

*(4) by amending subsection (d) to read as follows:*

*"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$1,000,000 for each of the fiscal years 2013 through 2017."*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask that all Members have 5 legislative days within which to revise and extend and include extraneous materials on H.R. 2800, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, H.R. 2800, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2012, is sponsored by the gentlewoman from California (Ms. WATERS). I thank her for her work on this issue.

Alzheimer's disease is a serious condition that is becoming more and more prevalent. The disease affects as many as 5 million people in this country, or one in eight older Americans, and a new person develops Alzheimer's every 69 seconds. This pace is expected to increase with time.

It is estimated that more than half of the people with Alzheimer's or other types of dementia will become lost from their families or caretakers at some point. Many of these people cannot remember their name, their family members or their address. This makes returning home safely difficult for law enforcement officers and Good Samaritans.

As is true whenever a person goes missing, time is of the essence when attempting to locate a lost Alzheimer's patient. One study found an almost 50

percent mortality rate for Alzheimer's patients who are not found within 24 hours of becoming lost.

To address the problem of missing Alzheimer's patients, Congress created the Missing Alzheimer's Disease Patient Alert Program in 1996. This Justice Department program provides grants to locally based organizations to protect and locate missing patients with Alzheimer's disease and related dementia. Congress has appropriated money for this every year since its creation.

The Justice Department has provided grants to several programs, including the Alzheimer's Association's Safe Return program. In this program, people with Alzheimer's and dementia are registered in a data base and receive a bracelet that indicates the individual is memory impaired. The bracelet also includes a 24-hour emergency response number to call if the person is found wandering or has a medical emergency.

The Alzheimer's Association reports a 99 percent success rate for reuniting enrolled missing individuals with their caretakers through the Safe Return program.

H.R. 2800, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2012, reauthorizes this program at \$1 million a year for 5 years. This authorization level reflects the fiscal year 2012 appropriations level. H.R. 2800 helps to ensure that people with Alzheimer's disease and other forms of dementia are returned safely home when they become lost.

Again, I want to thank the gentlewoman from California (Ms. WATERS) for her leadership on this issue, and I encourage my colleagues to join me in support of this bill.

I reserve the balance of my time.

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

I thank Chairman LAMAR SMITH for his support for H.R. 2800, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act. This bill reauthorizes a small, but effective, program that assists local law enforcement and protects vulnerable people with Alzheimer's disease. I appreciate the chairman's willingness to work with me and move this bill forward.

Alzheimer's disease currently affects an estimated 5.3 million Americans, and that number will multiply in the coming decades as our population grows. The Alzheimer's Association estimates that 7.7 million Americans will have Alzheimer's by the year 2030, and 11 to 16 million Americans will have the disease by the year 2050.

One great risk for Alzheimer's patients is wandering away from home. According to the Alzheimer's Association, more than 60 percent of Alzheimer's patients are likely to wander. Wanderers are vulnerable to dehydration, weather conditions, traffic hazards, and individuals who prey on vulnerable seniors. Up to 50 percent of Alzheimer's patients who wander will become seriously injured or die if they



are not found within 24 hours of their departure from home. Wanderers often cannot remember who they are or where they live and cannot assist law enforcement officials and other first responders who try to help them.

The Missing Alzheimer's Disease Patient Alert Program is a Department of Justice program that provides competitive grants to nonprofit organizations to assist in paying for the cost of planning, designing, establishing, and operating programs to protect and locate missing patients with Alzheimer's disease and related dementias. These grants help local communities and public safety agencies quickly identify persons with Alzheimer's disease who wander or who are missing and reunite them with their families.

The program was originally authorized in 1996, but has been operating under an expired authorization since 1998. H.R. 2800 reauthorizes the program and authorizations \$1 million per year in appropriations for fiscal years 2013 through 2017. This authorization level will allow the program to operate at the funding year 2012 funding level for the next 5 years.

This program is extremely cost effective. An annual appropriation of simply \$1 million would easily result in millions more in savings for the Federal Government by allowing more Alzheimer's patients to remain at home with their families, thereby reducing nursing-home utilization and saving Medicare and Medicaid expenses.

H.R. 2800 is cosponsored by 18 Members of Congress, including Congressman CHRIS SMITH and Congressman ED MARKEY, the cochairs of the Bipartisan Congressional Task Force on Alzheimer's Disease. The bill is also supported by both the Alzheimer's Association and the Alzheimer's Foundation of America.

This program saves law enforcement officials valuable time and allows them to focus on other security concerns. It also reduces unintentional injuries and deaths among Alzheimer's patients, brings peace of mind to their families, and thus allows more patients to remain at home with people who love them.

I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I would like to thank Chairman LAMAR SMITH and Ranking Member JOHN CONYERS for advancing this bill through the Judiciary Committee. And, I especially want to thank Congresswoman MAXINE WATERS for her commitment and hard work over the years in support of the Missing Alzheimer's Disease Patient Alert Program.

Alzheimer's disease robs millions of individuals in the U.S. of their ability to recognize once familiar places and faces or even to remember their names and addresses.

Not everyone with Alzheimer's wanders, but an estimated 60% wander at some point in the disease, and many of those wander repeat-

edly. They easily become disoriented and lost, even in their own neighborhood. While wandering is common, it also can be extremely dangerous, particularly for the unprotected and the mentally and physically vulnerable. If not found within 24 hours, up to half of those who wander risk serious injury or death. And their friends and families are beside themselves with worry.

Since its inception in FY1996 and the awarding of a grant to the Alzheimer's Association, the Missing Alzheimer's Disease Patient Alert Program has been a literal life-line, helping in the safe return of many thousands of wanderers.

The program has been funded every year since 1996 and funding has been used to establish a nationwide emergency response service for individuals with Alzheimer's or another dementia who wander or have a medical emergency, including an identification and enrollment system.

H.R. 2800 reauthorizes for five years this Department of Justice Program that provides grants to nonprofit organizations to operate programs designed to help local communities and law enforcement officials quickly identify wandering dementia patients and reunite them with their families.

The program has a 98% success rate for safely returning program enrollees who were reported missing. The program also assists individuals with dementia who are not enrolled, with an 88% success rate. I encourage all of my colleagues to vote for this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2800, as amended.

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

A motion to reconsider was laid on the table.

#### LOCAL COURTHOUSE SAFETY ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6185) to improve security at State and local courthouses, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6185

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Local Courthouse Safety Act of 2012".

#### SEC. 2. SECURITY TRAINING.

Part D of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741 et seq.) is amended by adding at the end the following:

#### "SEC. 403. PREVENTING VIOLENCE AGAINST LAW ENFORCEMENT AND ENSURING OFFICER RESILIENCE AND SURVIVABILITY.

"The Director may carry out a training and technical assistance program designed to teach employees of State, local, and tribal law enforcement agencies how to anticipate, survive, and respond to violent encounters

during the course of their duties, including duties relating to security at State, county, and tribal courthouses. If the Director offers a training program specifically designed to train participants on courthouse security issues, preference for admission into such program shall be given to employees of jurisdictions that have magnetometers available for use at their courthouses."

#### SEC. 3. STATE JUSTICE INSTITUTE.

The State Justice Institute Act of 1984 is amended—

(1) in section 203(b)(1) (42 U.S.C. 10702(b)(1)), in the matter preceding subparagraph (A), by inserting ", safe," after "a fair"; and

(2) in section 206 (42 U.S.C. 10705)—

(A) in subsection (c)—

(i) in paragraph (14)—

(I) by inserting "to" before "conduct"; and

(II) by striking "and" at the end;

(ii) by redesignating paragraph (15) as paragraph (16); and

(iii) by inserting after paragraph (14) the following:

"(15) to improve the safety and security of State and local courts; and"; and

(B) by adding at the end the following:

"(g) MAGNETOMETERS.—In the case of a grant awarded under this section to be used as described in subsection (c)(15), if the State or local court applying for the grant does not have magnetometers available for use, not less than \$300 nor more than \$1,000 of the matching fund required under subsection (d) of the State or local court shall be used to acquire a magnetometer."

#### SEC. 4. SECURITY EQUIPMENT.

(a) IN GENERAL.—Subchapter III of chapter 5 of title 40, United States Code, is amended by adding after section 559 the following:

#### "§ 560. Surplus security equipment for State and local courts

"(a) DEFINITIONS.—In this section—

"(1) the term 'surplus security equipment' means surplus property that is used to detect weapons, including metal detectors, wands, and baggage screening devices; and

"(2) the term 'qualifying State or local courthouse' means a courthouse of a State or local government that has less security equipment than the security needs of the courthouse require.

"(b) DISPOSAL OF SURPLUS SECURITY EQUIPMENT.—

"(1) IN GENERAL.—Notwithstanding any other provision of this subchapter, the Administrator of General Services shall ensure that a qualifying State or local courthouse has an opportunity to request to receive surplus security equipment for use at the qualifying State or local courthouse before the surplus security equipment is made available to any other individual or entity under this subchapter.

"(2) DISPOSAL.—

"(A) IN GENERAL.—Subject to subparagraph (B), upon request by a qualifying State or local courthouse for surplus security equipment for use at the qualifying State or local courthouse, the surplus security equipment shall be made available to the qualifying State or local courthouse without cost, except for any costs of shipping, handling, and maintenance.

"(B) MULTIPLE REQUESTS.—If more than 1 qualifying State or local courthouse requests a particular piece of surplus security equipment, the surplus security equipment shall be distributed based on need, as determined by the Administrator of General Services, with priority given to a qualifying State or local courthouse that has no security equipment."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 40, United States Code, is amended by inserting after the item relating to section 559 the following:

"560. Surplus security equipment for State and local courts."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6185, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I would like to thank our Judiciary Committee colleague, Mrs. ADAMS of Florida, for her work on this issue to make America's courthouses safer. This bipartisan, bicameral bill passed the Senate Judiciary Committee by unanimous consent last May.

□ 1510

Before I yield to her, I do want to urge my colleagues to support this bill and thank Mrs. ADAMS again for all of her work that brought us to this point we are here today.

Mr. Speaker, I'd like to thank my Judiciary Committee colleague, Mrs. ADAMS of Florida, for her work on this issue to make America's courthouses safer. This bipartisan, bicameral bill passed the Senate Judiciary Committee by unanimous consent last May.

State and local courthouses are the workplace for many people. Judges, secretaries, custodians, clerks and attorneys are there every workday. Police officers, litigants and the public go to these courthouses for many reasons. Many of us are called upon to report there for jury duty.

Often in these courthouses, the stakes, and emotions, are high when defendants confront their accusers and victims confront their perpetrators.

Threats against judges and acts of violence in courthouses and courtrooms are occurring throughout the country with greater frequency than ever before. The number of threats and violent incidents that target the judiciary has increased dramatically in recent years.

At the federal level, the U.S. Marshals Service's Center for Judicial Security reports the number of judicial threat investigations has more than doubled to over 1,200 in the past nine years. At the state and local levels, data collected by the Center for Judicial and Executive Security shows that the number of violent incidents in state courthouses has gone up every decade since 1970.

Since 2010, there has been about one shooting per month at local courthouses across the country. In September 2011, for example a defendant opened fire in the Crawford County Courthouse in Arkansas, killing a judge's secretary.

In December 2011, a defendant retrieved a gun from his car, walked into the Cook County

Courthouse in Minnesota and shot the prosecuting attorney, a witness and the bailiff.

So far in 2012, there have been at least five courthouse shootings, including a fatal attack in my home State of Texas.

Security at many local courthouses is lax, particularly in rural and suburban areas where access to equipment, training and resources is especially scarce. Law enforcement officers, court personnel and members of our communities are in harm's way as a result.

One Minnesota judge put it well in a recent correspondence to his colleagues: "I'm no longer willing to risk my life, the life of court staff, [and] the life of the public who have no choice about going to court."

This bill accomplishes three objectives. First, the bill gives State and local courthouses direct access to security equipment that the Federal Government no longer uses.

This provision is modeled after a Defense Department program that allows the Pentagon to give its excess equipment to local police and firefighters. This legislation gives State and local authorities access to excess metal detectors, wands and baggage screening machines.

Second, this bill gives States the flexibility they need to make courthouse security improvements, but requires modest matching funds.

The bill does not require any new spending and it does not impose any new mandates. States can use existing federal resources for courthouse security upgrades if they so choose.

Lastly, through existing programs and funding authorizations, training and technical assistance will be provided to local law enforcement officers to teach them how to anticipate and survive violent encounters.

The identical Senate bill has broad bipartisan support and its ten co-sponsors come from both sides of the aisle.

This bill has been endorsed by six organizations, including: the National Sheriffs Association, the National Association for Court Management, the Conference of Chief Justices, the Conference of State Court Administrators, the American Judges Association and the National Court Reporters Association.

The Congressional Budget Office scored this bill at zero cost.

This bill is a cost-effective approach to provide safety training and technical assistance to local law enforcement agencies. It improves security at State and local government courthouses, which are most in need of basic safety equipment and training.

Our State and local law enforcement officers need support to ensure the security of our courthouses. This bill does that as it recycles excess Federal security equipment and protects Americans at the same time.

I again thank Mrs. ADAMS for her work on this issue and I urge my colleagues to support this bipartisan, bicameral bill.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, September 10, 2012.

Hon. LAMAR SMITH,  
House of Representatives,  
Washington, DC.

MR. CHAIRMAN: On August 1, 2012, the Committee on the Judiciary ordered H.R. 6185, the "Local Courthouse Safety Act of 2012," reported to the House. Thank you for consulting with the Committee on Oversight

and Government Reform with regard to H.R. 6185 on those matters within the Committee's jurisdiction. I am writing to confirm our mutual understanding with respect to the consideration of H.R. 6185.

In the interest of expediting the House's consideration of H.R. 6185, I will forego consideration of the bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice the Committee on Oversight and Government Reform's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Oversight and Government Reform should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Committee Report on H.R. 6185 and in the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

DARRELL ISSA,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, September 10, 2012.

Hon. DARRELL ISSA,  
Rayburn House Office Building,  
Washington, DC.

DEAR CHAIRMAN ISSA: Thank you for your letter of even date herewith regarding H.R. 6185, the "Local Courthouse Safety Act of 2012," which the Judiciary Committee reported favorably to the House, as amended, today.

I am most appreciative of your decision to forego consideration of H.R. 6185, as amended, so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Oversight and Government Reform is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 6185.

Sincerely,

LAMAR SMITH,  
Chairman.

Mr. SMITH of Texas. I yield such time as she may consume to the gentlewoman from Florida (Mrs. ADAMS).

Mrs. ADAMS. I rise today in support of H.R. 6185, the Local Courthouse Safety Act of 2012, because it will give local courthouses the resources to enhance their security, and to do so at no cost to the Federal taxpayer. My bill would allow for surplus metal detectors to be provided to local courthouses to enhance security.

Like other regions throughout our Nation, central Florida has seen its share of courthouse attacks. Shortly before I joined the Orange County Sheriff's Office as a deputy sheriff, a courthouse shooting occurred. An armed gunman by the name of Thomas Provenzano walked into the Orange County Courthouse with a 12-gauge shotgun, an assault rifle, and a .38 revolver, all loaded with live ammunition. Bailiff William Wilkerson, a 60-

year-old veteran who retired from the Navy as a lieutenant commander, was killed on that day. Bailiff Harry Dalton, a 53-year-old father of six, was shot in the face and left paralyzed from the shooting. He died 7 years later. Correctional Officer Mark Parker was only 19 years old at the time of the shooting. He survived the shooting but was paralyzed from the shoulders down and had to spend the rest of his life confined to a wheelchair.

I introduced the Local Courthouse Safety Act because the things this bill does are important to me and to most Americans. I know the families of Bailiff Dalton and Bailiff Wilkerson, who lost their lives as a result of the violence that day in the Orange County Courthouse, and remained friends with Officer Parker until he passed away a few years ago. I am deeply aware of the grief they've had to live with all of these years.

Since September of 2010, there has been about one shooting per month at a local courthouse. So even though the shooting in Orange County happened 30 years ago, courthouse shootings are still happening all over this country and innocent people are still dying.

Those who are exercising their constitutional right of seeking justice in our courtrooms should not have to fear for their safety, and neither should our law enforcement officers, judges, advocates, and court personnel. It is my hope that this bill will help to prevent horrific and senseless incidents of violence like this from happening in our local courthouses.

I want to thank my colleagues on the Judiciary Committee for recognizing that we need to take courthouse security seriously and for joining me in this bipartisan effort to help prevent violence in local courthouses across this country. We need to give sheriffs and local courthouses access to the training, equipment, and resources they need to improve security, so I urge support for the bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6185, the Local Courthouse Safety Act. This measure will provide critical assistance to State and local governments to provide courthouse security.

To begin with, many State and local courthouses face serious security challenges. Serious violence often occurs in these facilities, but many courthouses across the Nation still lack basic security protections such as metal detectors. H.R. 6185 responds to this critical problem by giving sheriffs, as well as State and local courthouses, access to training, equipment, and other resources to help them improve security.

H.R. 6185 accomplishes these goals by making use of existing resources. This legislation requires the General Services Administration to make available to State and local courts—at no cost, except for shipping, handling, and maintenance—surplus security equip-

ment that is used to detect weapons, such as metal detectors, wands, and baggage screening devices. To qualify to receive such security equipment, a State or local courthouse must have less security equipment than necessary to meet the security needs of that courthouse. Because these devices are surplus and not otherwise being utilized by any Federal agencies, it is a wise use of taxpayer money to allow this equipment to be put into service at the State and local level.

Another important aspect of the bill is that it expands the scope of the grants awarded by the State Justice Institute to include the improvement of the safety and security of State and local courts. As a result, H.R. 6185 strengthens the Institute's current authority to award grants to support education, training, and technical assistance projects to improve the administration of justice in the State courts. This measure addresses, in a meaningful way, the serious security challenges that State and local courthouses face.

Not surprisingly, H.R. 6185 enjoys a broad range of support, including the National Sheriffs' Association, the National Association for Court Management, the Conference of Chief Justices, the Conference of State Court Administrators, American Judges Association, the National Court Reporters Association, and the Center for Judicial and Executive Security.

I commend my colleague, the gentlelady from Florida (Mrs. ADAMS) for her work in developing the bill, and I urge my colleagues to support the legislation.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, we have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6185, as amended.

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

A motion to reconsider was laid on the table.

#### STOLEN VALOR ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1775) to amend title 18, United States Code, to establish a criminal offense relating to fraudulent claims about military service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1775

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Stolen Valor Act of 2012".*

#### SEC. 2. FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.

(a) *IN GENERAL.*—Section 704 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "wears,"; and

(2) so that subsection (b) reads as follows:

"(b) FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.—Whoever, with intent to obtain money, property, or other tangible benefit, fraudulently holds oneself out to be a recipient of a decoration or medal described in subsection (c)(2) or (d) shall be fined under this title, imprisoned not more than one year, or both."

(b) *ADDITION OF CERTAIN OTHER MEDALS.*—Section 704(d) of title 18, United States Code, is amended—

(1) by striking "If a decoration" and inserting the following:

"(1) *IN GENERAL.*—If a decoration";

(2) by inserting "a combat badge," after "1129 of title 10,"; and

(3) by adding at the end the following:

"(2) *COMBAT BADGE DEFINED.*—In this subsection, the term "combat badge" means a Combat Infantryman's Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon, or Combat Action Medal."

(c) *CONFORMING AMENDMENT.*—Section 704 of title 18, United States Code, is amended in each of subsections (c)(1) and (d) by striking "or (b)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1775, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1775, the Stolen Valor Act of 2011, was introduced by the gentleman from Nevada (Mr. HECK). I want to thank him for his dedication to protect the honor bestowed on our Nation's military heroes.

Mr. Speaker, H.R. 1775, the Stolen Valor Act of 2011, was introduced by the gentleman from Nevada (Mr. HECK). I thank him for his dedication to protect the honor bestowed on our nation's military heroes.

In 2006, a man who had created several false identities fraudulently claimed to be a seriously injured Marine captain who suffered from post traumatic stress disorder and a recipient of the Purple Heart and Silver Star.

His tangled web of lies earned him credibility among other veterans, law enforcement officials and politicians. He told these false stories and used them for his own benefit, disrespecting those who had honorably earned these awards for their service.

This is an example of a man who did not simply lie about receiving a military award. He lied to defraud others and benefit himself, discrediting those veterans who actually deserve recognition.

H.R. 1775 prevents similar fraud in the future and reaffirms Congress' respect and gratitude for our Armed Forces. It ensures that those who seek to exploit these medals for fraudulent gain are held accountable.

We have a long-standing commitment to protect the status of military decorations awarded to our military heroes who sacrifice greatly for us in service.

The first honorary badges of distinction for military service date back to George Washington's presidency. Washington stated that anyone with the "insolence to assume" a badge that he did not earn would be severely punished.

It has been a federal crime for nearly a century to wear, manufacture, sell or fraudulently produce military decorations or medals without authorization. In 2006, Congress enacted the Stolen Valor Act after a rise in number of fraudulent claims of receipt of military decorations, particularly the Medal of Honor.

This past June, the Supreme Court, in *U.S. v. Alvarez*, held that the Stolen Valor Act wrongly criminalized speech protected by the First Amendment. Simply put, lying about receiving a Medal of Honor, although it may be offensive, is in fact protected free speech.

The Court did acknowledge that false claims about military decorations, such as the Medal of Honor, demean the value of the award and may offend the true holders of these decorations.

H.R. 1775, the "Stolen Valor Act of 2011," clarifies the law to make it a crime to fraudulently hold oneself out to be a recipient of the Congressional Medal of Honor or other enumerated military decoration with the intent to obtain money, property or other tangible benefit.

The term "fraudulently" incorporates the necessary knowledge requirement. Black's Law Dictionary defines "fraud" as "a knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her injury." It clarifies that there must be specific intent to engage in the crime, namely that the fraud is committed for money, property or other tangible benefit.

The term "tangible benefit" is intended to cover those "valuable considerations" beyond money or property, such as offers of employment, which Justice Kennedy identified as appropriately prohibited benefits to a fraud.

H.R. 1775 clarifies the Stolen Valor Act to protect the right to free speech but also ensures that those whose speech is intended to defraud and do not enjoy First Amendment protection will be held responsible.

I again thank the gentleman from Nevada (Mr. HECK) for his leadership on this issue. And I urge my colleagues to support this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. HECK), the sponsor of this legislation.

Mr. HECK. I thank the gentleman for yielding.

Mr. Speaker, I rise today to urge my colleagues to join with me in protecting the honor and valor of our military heroes by passing H.R. 1775, the Stolen Valor Act of 2011.

On June 28, 2012, the U.S. Supreme Court struck down the Stolen Valor Act of 2005, concluding that the broad nature of the law infringed upon the guaranteed protection of free speech

provided by the First Amendment of our Constitution. The Court determined that the act "sought to control and suppress all false statements on this one subject without regard as to whether the lie was made for the purpose of material gain."

However, in concurring with the decision of the plurality, Justice Breyer stated that a "more finely tailored statute that shows the false statement caused specific harm or was at least material could significantly reduce the threat of First Amendment harm while permitting the statute to achieve its important protective objective."

Mr. Speaker, this is exactly what my legislation does. The Stolen Valor Act of 2011 resolves these constitutional issues by clearly defining that the objective of the law is to target and punish those who misrepresent their alleged service with the intent of profiting personally or financially. Defining the intent helps ensure that this law will pass constitutional scrutiny while at the same time achieving its primary objective, which is to preserve and protect the honor and integrity of military service and awards.

In 2006, every Member of both the House and Senate clearly understood the need for this legislation and demonstrated that by unanimously passing the prior Stolen Valor Act in each Chamber. Mr. Speaker, the need to protect the honor, service, and sacrifice of our veterans and military personnel is just as strong today as it was in 2006.

□ 1520

This House has the opportunity to once again show our servicemembers and veterans that we value the magnitude of their sacrifice while at the same time protecting the constitutional rights that they fought so hard to protect.

H.R. 1775 enjoys broad bipartisan support with 107 cosponsors and is supported by numerous veteran service organizations, including the Veterans of Foreign Wars, the Association of the U.S. Navy, the Fleet Reserve Association, the National Association for Uniformed Services, the National Guard Association of the United States, the Association of the United States Army, the Military Officers Association of America, the Military Order of the Purple Heart, and AMVETS.

I would like to thank Chairman SMITH and Ranking Member CONYERS for helping to move this important legislation that was reported unanimously out of the Judiciary Committee. I would also like to thank my colleague from Arkansas (Mr. GRIFFIN) for sponsoring this substitute amendment during committee consideration.

Mr. Speaker, it is only fitting that we pass this bill on the 11th anniversary of the attacks of 9/11 in recognition of the brave servicemen and women who have fought and died in the war to bring the perpetrators of these attacks to justice. I urge my colleagues to support H.R. 1775.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1775, the Stolen Valor Act. It has long been a tradition in the United States to recognize those in our armed services who stand out among their peers for service to our Nation by awarding them special military medals and declarations. Recipients of these special honors have often been wounded in the line of duty or have made the ultimate sacrifice.

Military medals and declarations constitute a tribute, as well as tangible manifestation of our Nation's deep and abiding recognition and appreciation to our servicemembers.

There are, however, those who falsely claim to be recipients of these special honors. Such malicious actions denigrate the integrity of those honors to those who have legitimately received them.

In response, a law was enacted with the laudable purpose of ensuring the integrity of military honors by punishing those who make such false representations.

Unfortunately, the scope of the law was recently found by the Supreme Court to be unconstitutional as an abridgement of the First Amendment's right to free speech because the First Amendment even protects despicable speech.

Justice Kennedy, however, writing for the court set out certain guidelines that Congress could follow in remediating the statute's constitutional flaw. He wrote:

Where false claims are made to effect a fraud or secure moneys or other valuable considerations, say offers of employment, it is well-established that the government may restrict speech without affronting the First Amendment.

So, as reported by the Judiciary Committee, this bill adheres to this suggested construct by amending the current law to prohibit individuals from fraudulently representing themselves as recipients of these honors in order to obtain money, property, or other tangible benefits. This will actually cover most of the incidences of false claims.

As a result, this measure will, in full compliance with the Constitution, ensure that no one will financially benefit or receive other tangible rewards from falsely representing that they have been awarded these honors and this will cover all of the despicable cases of false claims that the Constitution will allow.

H.R. 1775 will protect the honor and integrity of our Nation's military medals and decorations as well as respect the rights accorded to Americans under the First Amendment.

Accordingly, Mr. Speaker, I urge my colleagues to support the legislation, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I will yield as much time as he might

consume to the gentleman from Arkansas (Mr. GRIFFIN) who is an active member of the Judiciary Committee.

Mr. GRIFFIN. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of H.R. 1775, the Stolen Valor Act of 2011, and urge its passage.

I would like to thank Congressman JOE HECK for his leadership on this issue as well as Judiciary Committee Chairman SMITH, also Ranking Member CONYERS, for their bipartisan cooperation passing this bill out of committee.

As a proud cosponsor of the Stolen Valor Act, I offered a substitute amendment during committee consideration in response to the recent Supreme Court decision in *U.S. v. Alvarez*. The court instructed that, however despicable, a false claim about receiving a military award is protected by the First Amendment. The substitute amendment, which was adopted unanimously by the Judiciary Committee on August 1, 2012, incorporates the Supreme Court's opinion and recommendations in *Alvarez*.

The bill we consider today ensures that the Medal of Honor, Purple Heart, and other military awards will be protected from fraud and that those who make false claims of military service or awards will face criminal penalties. I believe that protecting the integrity and valor of American servicemembers who have distinguished themselves in defense of this Nation is critically important. We must ensure that the Medal of Honor and other military awards are protected from fraud, and the Stolen Valor Act helps in that effort.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of our time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 1775, as amended.

The question was taken.

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

Mr. SCOTT of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### TRADEMARK ACT OF 1946 AMENDMENT RELATING TO REMEDIES FOR DILUTION

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6215) to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6215

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

#### SECTION 1. REMEDIES FOR DILUTION.

(a) IN GENERAL.—Section 43(c)(6) of the Act entitled “An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes”, approved July 5, 1946 (commonly referred to as the “Trademark Act of 1946”; 15 U.S.C. 1125(c)(6)), is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) is brought by another person under the common law or a statute of a State; and

“(B)(i) seeks to prevent dilution by blurring or dilution by tarnishment; or

“(ii) asserts any claim of actual or likely damage or harm to the distinctiveness or reputation of a mark, label, or form of advertisement.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to any action commenced on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6215, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, the purpose of the Federal Trademark Dilution Act of 1995 is to protect famous trademarks from uses that blur the distinctiveness of the trademark or tarnish or disparage it. Dilution does not rely upon the standard test of infringement, that is, likelihood of confusion, deception, or mistake. Rather, it applies when the unauthorized use of a famous trademark reduces the public's perception that the trademark signifies something unique, singular, or particular.

Dilution can result in the loss of the trademark's distinctiveness and possibly the owner's rights in it.

Congress enacted amendments to the original dilution statute in 2006. Last year, two law professors discovered a technical problem with one of the 2006 changes.

During Senate consideration of the House bill, the section that provides a Federal registration defense to a dilution action was reorganized. This produced an unexpected and unintended change to the law.

As originally drafted in the House, the provision was designed to encourage Federal registration of trademarks. This is a worthy policy goal that prevents State laws from interfering with

federally protected trademarks and ensures that registered trademarks are protected nationwide.

The House version promoted this goal and barred a State action for dilution against a federally registered trademark. However, the Senate reformatted the House text in such a way as to create a bar against State action for dilution as well as a State or Federal action based on a claim of actual or likely damage or harm to the distinctiveness or reputation of a trademark. This means the Federal registration defense is available to both State and Federal dilution claims.

□ 1530

Congress did not intend such an outcome. If all dilution claims, including Federal claims, are barred by registration, it becomes difficult to cancel a diluting trademark that is registered. This encourages illegitimate trademark holders to register diluting trademarks, which forces legitimate trademark holders to expend greater resources to monitor registrations, as well as other trademarks being used in commerce. That is why I introduced H.R. 6215 to amend the Federal Trademark Dilution Act.

This bill simply reformats the affected provision to clarify that Federal registration only constitutes a complete bar to a State claim based on dilution, or actual or likely damage or harm to the distinctiveness or reputation of a trademark. The change applies prospectively.

This bill ensures that the trademark community is protected from those who seek to use this loophole as a way to disparage legitimate trademarks and cost their owners time and money.

The only change to the bill, as reported, is a technical correction to a boilerplate reference regarding the date of enactment of the Trademark Act of 1946. The reported version inaccurately identifies the date of enactment as July 6, 1946. The correct date is July 5, 1946.

I urge my colleagues to support H.R. 6214, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 6215, which is necessary to correct a technical error in the Trademark Dilution Revision Act of 2006 that inadvertently allowed the registration of a Federal trademark to be a complete bar to Federal trademark dilution claims.

The concept of dilution was initially a creature of State law. Massachusetts was the first State to enact a dilution statute in 1947. The purpose of the dilution law is to protect the value and uniqueness of the plaintiff's trademark without requiring evidence about the likelihood of confusion.

Over 50 years after the passage of the Massachusetts statute, the 1996 Federal Trademark Dilution Act provided nationwide injunctive relief “against a use that causes dilution of the distinctive quality of the famous mark.” In

2003, however, the Supreme Court in *Moseley v. Victoria's Secret Catalog, Inc.*, considered the question of whether objective proof of actual injury to the economic value of a famous mark—that is, actual dilution—is required to obtain relief under the Federal Trademark Dilution Act. The Court decided that evidence of actual dilution was required, not simply a showing of likely dilution.

The Trademark Dilution Revision Act of 2006 amended the law in an attempt to reverse the *Victoria's Secret* decision and to expand the scope of State dilution claims banned under the Federal statute. During consideration of the Trademark Dilution Revision Act, however, the provision allowing a Federal registration defense to dilution claims brought under State law was reorganized in such a way as to result in an unintended substantive change in the provision. As a result, the Federal registration defense is available not only against State dilution claims, but also against Federal dilution claims.

The legislative history makes clear that Congress did not intend to allow a Federal trademark registration to bar a Federal dilution claim. H.R. 6215 corrects this error and has broad support in the intellectual property community and bipartisan support on the Judiciary Committee.

I urge my colleagues to support the legislation that ensures that the will of the Congress, as originally intended, is not undermined by an inadvertent drafting error.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6215, as amended.

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

A motion to reconsider was laid on the table.

#### REPORTING EFFICIENCY IMPROVEMENT ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6189) to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6189

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Reporting Efficiency Improvement Act".

#### SEC. 2. ELIMINATION OF REPORTS FOR UNFUNDED PROGRAMS UNDER THE OFFICE OF JUSTICE PROGRAMS.

(a) DNA IDENTIFICATION GRANTS.—Section 2406 of title I of the Omnibus Crime Con-

trol and Safe Streets Act of 1968 (42 U.S.C. 3796kk-5) is amended—

(1) by striking "(a) REPORTS TO ATTORNEY GENERAL.—"; and

(2) by striking subsection (b).

(b) POLICE CORPS PROGRAM.—

(1) REPEAL OF REPORT REQUIREMENT.—Section 200113 of the Police Corps Act (42 U.S.C. 14102) is repealed.

(2) CONFORMING AMENDMENT.—The Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the item relating to section 200113 in the table of contents contained in section 2 of such Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6189, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the ranking member, Congressman CONYERS, in cosponsoring this commonsense, bipartisan bill, the Reporting Efficiency Improvement Act, and I thank him for introducing this legislation.

The Government Performance and Results Modernization Act of 2010 requires Federal agencies to identify reports that may be outdated or duplicative. Then the executive branch must consult with Congress to determine if these reports can be eliminated. Here, the administration suggests that Congress repeal the two reports eliminated by this bill. Both of these reports are prepared by the Office of Justice Programs and the Department of Justice, but the underlying grant programs have not been funded by Congress for many years. Adopting this commonsense bill is a simple step that Congress can take to help Federal agencies work more efficiently. I hope this bill sets a precedent for many similar bills in the future.

I again thank Mr. CONYERS for his initiative on this issue. I would urge my colleagues to support this bill, and I reserve the balance of my time.

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

H.R. 6189, the Reporting Efficiency Improvement Act, eliminates two reporting requirements that the Department of Justice deems no longer needy or useful to the Congress.

Under the Government Performance and Results Modernization Act, the Department of Justice conducts an annual review of statutory reporting requirements that are outdated, duplicative, or otherwise no longer useful. In

this review, the Department identified two reports that are the subject of the bill before us now. The first of the two stems from the DNA Analysis Backlog Elimination Act, under which the Attorney General is required to report to Congress on various grants made to States to perform DNA analysis. Because Congress has not appropriated any funding for these specific grants since fiscal year 2003, this statutory reporting requirement has been obsolete for almost a decade.

The second report is based on the Police Corps Act, originally a part of the Violent Crime Control Act of 1994. The Director of the Office of the Police Corps is required to make an annual report to Congress on the program's status. However, Congress hasn't appropriated any funds for the office since fiscal year 2005.

So, H.R. 6189 is a simple cleanup of the Federal code. There is no need to have these reporting requirements on the books if there's no activity for the Department of Justice or the Office of Justice Programs to report, and none planned at any time in the near future.

It's important to note that this legislation doesn't make changes to the relevant programs; it merely eliminates discrete reporting requirements that are no longer useful.

I want to thank LAMAR SMITH, the chairman of the Judiciary Committee, for his support and eagerness in moving this legislation through the committee.

I urge my colleagues to support the measure. And having no other requests for additional speakers on this side, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I first want to thank the ranking member, the gentleman from Michigan (Mr. CONYERS), for his nice comments, and I'll yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6189, as amended.

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

A motion to reconsider was laid on the table.

□ 1540

#### MAKING IMPROVEMENTS IN ENACTMENT OF TITLE 41

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6080) to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6080

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



**SECTION 1. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

Sec. 1.	Table of contents.
Sec. 2.	Purpose.
Sec. 3.	Title 2, United States Code.
Sec. 4.	Title 5, United States Code.
Sec. 5.	Title 6, United States Code.
Sec. 6.	Title 7, United States Code.
Sec. 7.	Title 8, United States Code.
Sec. 8.	Title 10, United States Code.
Sec. 9.	Title 12, United States Code.
Sec. 10.	Title 14, United States Code.
Sec. 11.	Title 15, United States Code.
Sec. 12.	Title 16, United States Code.
Sec. 13.	Title 18, United States Code.
Sec. 14.	Title 19, United States Code.
Sec. 15.	Title 20, United States Code.
Sec. 16.	Title 21, United States Code.
Sec. 17.	Title 22, United States Code.
Sec. 18.	Title 23, United States Code.
Sec. 19.	Title 24, United States Code.
Sec. 20.	Title 25, United States Code.
Sec. 21.	Title 26, United States Code.
Sec. 22.	Title 28, United States Code.
Sec. 23.	Title 29, United States Code.
Sec. 24.	Title 30, United States Code.
Sec. 25.	Title 31, United States Code.
Sec. 26.	Title 33, United States Code.
Sec. 27.	Title 35, United States Code.
Sec. 28.	Title 38, United States Code.
Sec. 29.	Title 40, United States Code.
Sec. 30.	Title 41, United States Code.
Sec. 31.	Title 42, United States Code.
Sec. 32.	Title 43, United States Code.
Sec. 33.	Title 44, United States Code.
Sec. 34.	Title 45, United States Code.
Sec. 35.	Title 46, United States Code.
Sec. 36.	Title 48, United States Code.
Sec. 37.	Title 49, United States Code.
Sec. 38.	Title 50, United States Code.
Sec. 39.	Title 50 Appendix, United States Code.
Sec. 40.	Title 51, United States Code.

**SEC. 2. PURPOSE.**

The purpose of this Act is to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code.

**SEC. 3. TITLE 2, UNITED STATES CODE.**

(1) Section 117 of Public Law 97-51 (2 U.S.C. 61f-8) is amended by striking “section 5” and substituting “section 6101”.

(2) Section 195(b) of the Supplemental Appropriations Act, 1985 (2 U.S.C. 61g-7(b)) is amended by striking “section 5 of title 41” and substituting “section 6101 of title 41, United States Code”.

(3) Section 202(i)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)(2)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(4) Section 1 of the Act of March 3, 1931 (2 U.S.C. 135a), is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(5) The paragraph under the heading “GENERAL PROVISION, THIS CHAPTER” in chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (2 U.S.C. 141a) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(6) Section 114 of the Legislative Branch Appropriations Act, 1996 (Public Law 104-53, 2 U.S.C. 471 note) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(7) Section 6(a) of the Technology Assessment Act of 1972 (2 U.S.C. 475(a)) is amended—

(A) in paragraph (2), by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”; and

(B) in paragraph (3), by striking “section 3648 of the Revised Statutes (31 U.S.C. 529)” and substituting “section 3324(a) and (b) of title 31, United States Code”.

(8) Section 119(a)(6) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1108(a)(6)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(9) Section 3011(b)(4)(B) of the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31, 2 U.S.C. 1151 note) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(10) Section 1308(a) of the Legislative Branch Appropriations Act, 2008 (2 U.S.C. 1816a(a)) is amended by striking “section 303M of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253m)” and substituting “section 3309 of title 41, United States Code”.

(11) Public Law 96-558 (2 U.S.C. 1816b) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(12) Section 1201(a)(1) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1821(a)(1)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(13) Section 308(b) of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 1964(b)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(14) Section 1(d) of Public Law 102-330 (2 U.S.C. 2021 note) is amended by striking “section 3709 of the Revised Statutes of the United States” and substituting “section 6101 of title 41, United States Code”.

(15) Section 307E(b)(3) of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146(b)(3)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

**SEC. 4. TITLE 5, UNITED STATES CODE.**

(1) Section 3(d)(2)(B) of the Administrative Dispute Resolution Act (Public Law 101-552, 5 U.S.C. 571 note) is amended by striking “section 6(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(a))” and substituting “section 1121(b) of title 41, United States Code”.

(2) Section 595(c)(10) of title 5, United States Code, is amended by striking “title III of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 251-260)” and substituting “the provisions referred to in section 171(c) of title 41”.

(3) Section 206 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (Public Law 107-174, 5 U.S.C. 2301 note) is amended—

(A) in subsection (c)(1)(B), by striking “section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612)” and substituting “section 7108 of title 41, United States Code”; and

(B) in subsection (d)(1)(B), by striking “the Contracts Dispute Act of 1978 (41 U.S.C. 601 note; Public Law 95-563)” and substituting “chapter 71 of title 41, United States Code”.

(4) Section 3109(b)(3) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(5) Section 1110(e)(2)(G) of the National Defense Authorization Act for Fiscal Year 2010

(Public Law 111-84, 5 U.S.C. 3702 note) is amended by striking “section 27 of the Office of Federal Procurement Policy Act” and substituting “chapter 21 of title 41, United States Code”.

(6) Section 4105 of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(7) Section 8709(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(8) Section 8714a(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(9) Section 8714b(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(10) Section 8714c(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(11) Section 8902(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(12) Section 8953 of title 5, United States Code, is amended—

(A) in subsection (a)(1), by striking “section 6101(b) to (d)” and substituting “section 6101”; and

(B) in subsection (d)(3)—  
(i) before subparagraph (A), by striking “the Contract Disputes Act of 1978” and substituting “chapter 71 of title 41”;  
(ii) in subparagraph (A), by striking “(after appropriate arrangements, as described in section 8(c) of such Act)”; and

(iii) in subparagraph (B), by striking “section 10(a)(1) of such Act” and substituting “section 7104(b)(1) of title 41”.

(13) Section 8983 of title 5, United States Code, is amended—

(A) in subsection (a)(1), by striking “section 6101(b) to (d)” and substituting “section 6101”; and

(B) in subsection (d)(3)—  
(i) before subparagraph (A), by striking “the Contract Disputes Act of 1978” and substituting “chapter 71 of title 41”;  
(ii) in subparagraph (A), by striking “(after appropriate arrangements, as described in section 8(c) of such Act)”; and

(iii) in subparagraph (B), by striking “section 10(a)(1) of such Act” and substituting “section 7104(b)(1) of title 41”.

(14) Section 9003(a) of title 5, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

**SEC. 5. TITLE 6, UNITED STATES CODE.**

(1) Section 309(b)(6) of the Homeland Security Act of 2002 (6 U.S.C. 189(b)(6)) is amended by striking “section 303(b)(1)(C) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(b)(1)(C))” and substituting “section 3303(a)(1)(C) of title 41, United States Code”.

(2) Section 833 of the Homeland Security Act of 2002 (6 U.S.C. 393) is amended—

(A) in subsection (b)(1), by striking “section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428) the amount specified in subsections (c), (d), and (f) of such section 32” and substituting “section 1902 of title 41, United States Code, the amount specified in subsections (a), (d), and (e) of such section 1902”;  
(B) in subsection (b)(2)(A), by striking “section 32(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 428(c))” and substituting “section 1902(d) of title 41, United States Code”;  
(C) in subsection (c)(1), by striking “section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))” and substituting “section 134 of title 41, United States Code”; and  
(D) in subsection (d)(2), by striking “section 31(a)(2) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(2)) and section 303(g)(1)(B) of the Federal Property and



Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(B))” and substituting “sections 1901(a)(2) and 3305(a)(2) of title 41, United States Code.”

(3) Section 851 of the Homeland Security Act of 2002 (6 U.S.C. 421) is amended by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 133 of title 41, United States Code”.

(4) Section 853(b) of the Homeland Security Act of 2002 (6 U.S.C. 423(b)) is amended—

(A) in paragraph (1), by striking “Section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “Section 134 of title 41, United States Code”; and

(B) in paragraph (2), by striking “Section 309(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(d))” and substituting “Section 153 of title 41, United States Code”.

(5) Section 854 of the Homeland Security Act of 2002 (6 U.S.C. 424) is amended—

(A) by striking “section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)” and substituting “section 1902 of title 41, United States Code.”; and

(B) by striking “subsections (c), (d), and (f) of such section 32” and substituting “subsections (a), (d), and (e) of such section 1902”.

(6) Section 855 of the Homeland Security Act of 2002 (6 U.S.C. 425) is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking “Sections 31 and 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 427, 430)” and substituting “Sections 1901 and 1906 of title 41, United States Code”; and

(ii) in subparagraph (C), by striking “Section 303(g) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g))” and substituting “Section 3305 of title 41, United States Code”; and

(B) in subsection (b)(1)—

(i) by striking “section 31(a)(2) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(2))” and substituting “section 1901(a)(2) of title 41, United States Code”; and

(ii) by striking “section 303(g)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(B))” and substituting “section 3305(a)(2) of title 41, United States Code.”

(7) Section 856(a) of the Homeland Security Act of 2002 (6 U.S.C. 426(a)) is amended—

(A) in paragraph (1)—

(i) in the heading, by striking “FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949” and substituting “PROVISIONS REFERRED TO IN SECTION 171(C) OF TITLE 41, UNITED STATES CODE”; and

(ii) before subparagraph (A), by striking “title III of the Federal Property and Administrative Services Act of 1949” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”; and

(iii) in subparagraph (A)—

(I) by striking “Paragraphs (1), (2), (6), and (7) of subsection (c) of section 303 (41 U.S.C. 253)” and substituting “Paragraphs (1), (2), (6), and (7) of section 3304(a) of title 41, United States Code”; and

(II) by striking “(subject to subsection (e) of such section)” and substituting “(subject to section 3304(d) of title 41, United States Code)”; and

(iv) in subparagraph (B), by striking “Section 303J (41 U.S.C. 253j)” and substituting “Section 4106 of title 41, United States Code”; and

(B) in paragraph (3)—

(i) in the heading, by striking “OFFICE OF FEDERAL PROCUREMENT POLICY ACT” and substituting “PROVISIONS REFERRED TO IN SECTION 172(B) OF TITLE 41, UNITED STATES CODE”; and

(ii) by striking “Paragraphs (1)(B), (1)(D), and (2) of section 18(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(c))” and substituting “Paragraphs (1)(B), (1)(D), and (2)(A) of section 1708(b) of title 41, United States Code”.

(8) Section 604(g) of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b(g)) is amended by striking “section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)” and substituting “section 1906 of title 41, United States Code”.

(9) Section 692(c) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 792(c)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 134 of title 41, United States Code”.

(10) Section 695 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 794) is amended—

(A) in subsection (a), by striking “paragraph (2) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))” and substituting “paragraph (2) of section 3304(a) of title 41, United States Code.”; and

(B) in subsection (c), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 134 of title 41, United States Code”.

#### SEC. 6. TITLE 7, UNITED STATES CODE.

(1) Subsection (f)(1)(G) of the United States Cotton Futures Act (7 U.S.C. 15b(f)(1)(G)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(2) Section 5(a) of the United States Cotton Standards Act (7 U.S.C. 55(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(3) Section 7(c) of the United States Grain Standards Act (7 U.S.C. 79(c)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(4) Section 10(a) of the Act of June 29, 1935 (ch. 338, 7 U.S.C. 427i(a)) is amended by striking “section 3709, Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(5) Section 386 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1386) is amended by striking “section 3741 of the Revised Statutes (U.S.C., 1934 edition, title 41, sec. 22)” and substituting “section 6306 of title 41, United States Code.”

(6) Section 514(f) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1514(f)) is amended by striking “section 3741 of the Revised Statutes, as amended (41 U.S.C., section 22)” and substituting “section 6306 of title 41, United States Code.”

(7) Section 205(a) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1624(a)) is amended by striking “section 3648 (31 U.S.C., sec. 529) and section 3709 (41 U.S.C., sec. 5) of the Revised Statutes” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code.”

(8) Section 407(c)(2) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a(c)(2)) is amended by striking “Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code.”

(9) Section 335(c)(4) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985(c)(4)) is amended by striking “Federal Property and Administrative Services Act of

1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code.”

(10) Section 716(a) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1998 (Public Law 105-86, 7 U.S.C. 2208 note) is amended—

(A) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) by striking “sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code”.

(11) Section 921 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2279b) is amended—

(A) in subsection (h)(4), by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”; and

(B) in subsection (i), by striking “Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(12) Section 1472(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3318(e)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5), and the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529)” and substituting “section 6101 of title 41, United States Code, and the provisions of section 3324(a) and (b) of title 31, United States Code”.

(13) Section 6201(b)(2) of the Farm Security and Rural Investment Act of 2002 (Public Law 107-171, 7 U.S.C. 5901 note) is amended by striking “Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code.”

#### SEC. 7. TITLE 8, UNITED STATES CODE.

(1) Section 602(c)(4) of the Afghan Allies Protection Act of 2009 (Public Law 111-8, 8 U.S.C. 1101 note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

(2) Section 1248(c)(3) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 8 U.S.C. 1157 note) is amended by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 133 of title 41, United States Code”.

(3) Section 241(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(g)(1)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(4) Section 285(a) of the Immigration and Nationality Act (8 U.S.C. 1355(a)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5),” and substituting “section 6101 of title 41, United States Code.”

(5) Section 294(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1363a(a)(1)) is amended—

(A) in subparagraph (B), by striking “section 3732(a) of the Revised Statutes (41 U.S.C. 11(a))” and substituting “section 6301(a) and (b)(1) through (3) of title 41, United States Code”; and

(B) in subparagraph (C), by striking “section 305 of the Act of June 30, 1949 (63 Stat. 396; 41 U.S.C. 255)” and substituting “chapter 45 of title 41, United States Code”; and

(C) in subparagraph (F), by striking “section 3741 of the Revised Statutes (41 U.S.C.

22) and substituting “section 6306 of title 41, United States Code”; and

(D) in subparagraph (G), by striking “subsections (a) and (c) of section 304 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 395; 41 U.S.C. 254(a) and (c))” and substituting “section 3901 of title 41, United States Code”.

#### SEC. 8. TITLE 10, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(b) of Public Law 111-350 (124 Stat. 3842) is amended—

(A) in paragraph (34), by striking “2461(c)(1)” and substituting “2461(d)(1)”;

(B) in paragraph (44)—

(i) by striking “2667(f)(1)” and substituting “2667(g)(1)”; and

(ii) by striking “(a)(3)” and substituting “(a)(2)”;

(C) in paragraph (47), by striking “2696(a)” and substituting “2696(b)”; and

(D) in paragraph (50), by striking “2878(d)(2)” and substituting “2878(e)(2)”.

(2) Section 722(b)(2) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201, 10 U.S.C. 1073 note) is amended by striking “section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c))” and substituting “section 1303(a) of title 41, United States Code”.

(3) Section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 10 U.S.C. 1701 note) is amended—

(A) in subsection (a)(5), by striking “section 27(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(e))” and substituting “section 2105 of title 41, United States Code”;

(B) in subsection (c)(1), by striking “section 4(16) of the Office of Federal Procurement Policy Act” and substituting “section 131 of title 41, United States Code”; and

(C) in subsection (d)(1), by striking “section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)” and substituting “chapter 21 of title 41, United States Code”.

(4) Section 2013(a)(1) of title 10, United States Code, is amended by striking “section 6101(b)–(d)” and substituting “section 6101”.

(5) Section 2194(b)(2) of title 10, United States Code, is amended by striking “subpart I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “section 171(b) and (c)”.

(6) Section 2302 of title 10, United States Code, is amended—

(A) in paragraph (7), by striking “section 4 of such Act” and substituting “section 134 of title 41”; and

(B) in paragraph (9)(A)—

(i) by striking “section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)” and substituting “chapter 15 of title 41”; and

(ii) by striking “such section” and substituting “such chapter”.

(7) Section 866 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383, 10 U.S.C. 2302 note) is amended—

(A) in subsection (b)(4)(A), by striking “section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)” and substituting “chapter 15 of title 41, United States Code”; and

(B) in subsection (e)(2)(A), by striking “section 4(13) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(13))” and substituting “section 110 of title 41, United States Code”.

(8) Section 893(f)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383, 10 U.S.C. 2302 note) is amended by striking “section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)” and substituting “chapter 15 of title 41, United States Code”.

(9) Section 862 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 10 U.S.C. 2302 note) is amended—

(A) in subsection (b)(1), by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting “section 1303 of title 41, United States Code”; and

(B) in subsection (d)(1), by striking “section 6(j) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(j))” and substituting “section 1126 of title 41, United States Code”.

(10) Section 832(d)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364, 10 U.S.C. 2302 note) is amended by striking “section 8(b) of the Service Contract Act of 1965 (41 U.S.C. 357(b))” and substituting “section 6701(3) of title 41, United States Code”.

(11) Section 821 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398, §1 [H.R. 5408], 10 U.S.C. 2302 note) is amended—

(A) in subsection (a), by striking “sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421)” and substituting “sections 1121 and 1303 of title 41, United States Code”; and

(B) in subsection (e)(2), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”.

(12) Section 822 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106, 10 U.S.C. 2302 note) is amended—

(A) in subsection (d)(1)(B), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code”;

(B) in subsection (e)(3)(B)(iii), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code”;

(C) in subsection (f)—

(i) by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code”; and

(ii) by striking “such section 26(f)” and substituting “such section 1502(a) and (b)”; and

(D) in subsection (g)(2)(A), by striking “section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)” and substituting “section 1906 of title 41, United States Code”.

(13) Section 326(c)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484, 10 U.S.C. 2302 note) is amended by striking “section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c))” and substituting “section 1303(a) of title 41, United States Code”.

(14) Section 806 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190, 10 U.S.C. 2302 note) is amended—

(A) in subsection (b), by striking “section 4(12) of the Office of Federal Procurement Policy Act” and substituting “section 103 of title 41, United States Code”; and

(B) in subsection (c)—

(i) by striking “section 25(a) of the Office of Federal Procurement Policy Act” and substituting “section 1302(a) of title 41, United States Code”; and

(ii) by striking “section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1))” and substituting “section 1303(a)(1) of title 41, United States Code”.

(15) Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510, 10 U.S.C. 2302 note) is amended—

(A) by striking “(1) DEFINITIONS” and substituting “(1) DEFINITIONS”; and

(B) in subsection (1)(8), as amended by subparagraph (A), by striking “the first section of the Act of June 25, 1938 (41 U.S.C. 46; popularly known as the ‘Wagner-O’Day Act’)” and substituting “section 8502 of title 41, United States Code”.

(16) Section 9002(c) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 10 U.S.C. 2302c note) is amended by striking “section 18(a)(3)(B) of the Office of Federal Procurement Policy Act” and substituting “section 1708(e)(1)(B) of title 41, United States Code”.

(17) Section 821(b)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181, 10 U.S.C. 2304 note) is amended by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”.

(18) Section 848(e)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, 10 U.S.C. 2304 note) is amended by striking “section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)” and substituting “section 1902 of title 41, United States Code”.

(19) Section 4202(e) of the Clinger-Cohen Act of 1996 (Public Law 104-106, div. D, 10 U.S.C. 2304 note) is amended by striking “section 2304(g)(1) of title 10, United States Code, section 303(g)(1) of the Federal Property and Administrative Services Act of 1949, and section 31(a) of the Office of Federal Procurement Policy Act, as amended by this section” and substituting “section 2304(g)(1) of title 10, United States Code, as amended by this section, and sections 1901(a) and 3305(a) of title 41, United States Code, as in effect on February 10, 1996, and amended by this section”.

(20) Section 834 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364, 10 U.S.C. 2304b note) is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking “section 303I of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 2531)” and substituting “section 4105 of title 41, United States Code.”;

(ii) in paragraph (2), by striking “section 16(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(a))” and substituting “section 1702(a) and (b)(1) and (2) of title 41, United States Code”; and

(iii) in paragraph (3)(A), by striking “section 303I(i) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 2531(i))” and substituting “section 4105(a) of title 41, United States Code”; and

(B) in subsection (d)(2)(B), by striking “section 303I(i) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 2531(i))” and substituting “section 4105(a) of title 41, United States Code”.

(21) Section 2306a(b)(3)(B) of title 10, United States Code, is amended by striking “section 4(12)(C)(i) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(C)(i))” and substituting “section 103(3)(A) of title 41”.

(22) Section 817(e)(1)(B) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314, 10 U.S.C. 2306a note) is amended by striking “section 26(f)(5)(B) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)(5)(B))” and substituting “section 1502(b)(3)(B) of title 41, United States Code”.

(23) Section 803 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261, 10 U.S.C. 2306a note) is amended—

(A) in subsection (a)(1), by striking “sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405, 421)” and substituting “sections 1121 and 1303 of title 41, United States Code”;

(B) in subsection (a)(2)(D), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”; and

(C) in subsection (d), by striking “subsection (b)(1)(B) of section 304A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b)” and substituting “section 3503(a)(2) of title 41, United States Code”.

(24) Section 2314 of title 10, United States Code, is amended by striking “Sections 6101(b)–(d)” and substituting “Sections 6101”.

(25) Section 1075(b)(3) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337, 10 U.S.C. 2315 note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 111 of title 41, United States Code”.

(26) Section 2321(f)(2) of title 10, United States Code, is amended by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”.

(27) Section 811(d)(2) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160, 10 U.S.C. 2323 note) is amended by striking “section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)” and substituting “section 1707 of title 41, United States Code”.

(28) Section 804(d) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261, 10 U.S.C. 2324 note) is amended by striking “section 306(l) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 256(1))” and substituting “section 4301(2) of title 41, United States Code”.

(29) Section 852(b)(2)(A)(ii) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364, 10 U.S.C. 2324 note) is amended by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”.

(30) Section 805(c)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181, 10 U.S.C. 2330 note) is amended—

(A) in subparagraph (A), by striking “section 4(12)(E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(E))” and substituting “section 103(5) of title 41, United States Code”; and

(B) in subparagraph (C)(i), by striking “section 4(12)(F) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(F))” and substituting “section 103(6) of title 41, United States Code”.

(31) Section 801(f)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107, 10 U.S.C. 2330 note) is amended by striking “section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))” and substituting “section 1702(c)(1) and (2) of title 41, United States Code”.

(32) Section 1601(c) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136, 10 U.S.C. 2358 note) is amended—

(A) in paragraph (1)(A), by striking “section 32A of the Office of Federal Procurement Policy Act, as added by section 1443 of title 41, United States Code”; and

(B) in paragraph (2)(B), by striking “Subsections (a) and (b) of section 7 of the Anti-Kickback Act of 1986 (41 U.S.C. 57(a) and (b))” and substituting “section 8703(a) of title 41, United States Code”.

(33) Section 2359a(h) of title 10, United States Code, is amended by striking “section 16(c) of the Office of Federal Procurement

Policy Act (41 U.S.C. 414(c))” and substituting “section 1702(c) of title 41”.

(34) Section 2359b(k)(4)(A) of title 10, United States Code, is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 110 of title 41”.

(35) Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160, 10 U.S.C. 2371 note) is amended—

(A) in subsection (a)(2)(A), by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and substituting “section 1702(c) of title 41, United States Code”; and

(B) in subsection (d)(1)(B)(ii), by striking “section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))” and substituting “section 1702(c)(1) and (2) of title 41, United States Code”;

(C) in subsection (e)(2)(A), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”; and

(D) in subsection (h), by striking “section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)” and substituting “chapter 21 of title 41, United States Code”.

(36) Section 8304(5) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 10 U.S.C. 2375 note) is amended by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 46–48c)” and substituting “chapter 85 of title 41, United States Code”.

(37) Section 2379 of title 10, United States Code, is amended—

(A) in subsection (a)(1)(A), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41”;

(B) in subsection (b), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”;

(C) in subsection (b)(2)(A), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41”;

(D) in subsection (c)(1), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”; and

(E) in subsection (c)(1)(B)(i), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41”.

(38) Section 2382 of title 10, United States Code, is amended—

(A) in subsection (c)(2)(B), by striking “sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k)” and substituting “sections 4101, 4103, 4105, and 4106 of title 41”; and

(B) in subsection (c)(3)(A), by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and substituting “section 1702(c) of title 41”.

(39) Section 810(b)(2)(A) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, 10 U.S.C. 2405 note) is amended by striking “the Contract Disputes Act of 1978” and substituting “chapter 71 of title 41, United States Code”.

(40) Section 8025(c) of the Department of Defense Appropriations Act, 2004 (Public Law 108–87, 10 U.S.C. 2410d note) is amended by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 46–48)” and substituting “chapter 85 of title 41, United States Code”.

(41) Section 2410m(b)(1)(B)(ii) of title 10, United States Code, is amended by striking “section 7 of the Contract Disputes Act of 1978” and substituting “section 7104(a) of title 41”.

(42) Section 2461(d)(1) of title 10, United States Code, is amended by striking “section

2 of the Javits-Wagner-O’Day Act (41 U.S.C. 47)” and substituting “section 8503 of title 41”.

(43) Section 812(b)(2) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136, 10 U.S.C. 2501 note) is amended by striking “section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))” and substituting “section 1122(a)(4)(A) of title 41, United States Code”.

(44) Section 8118 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287, 10 U.S.C. 2533a note) is amended by striking “section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)” and substituting “section 1906 of title 41, United States Code”.

(45) Section 2533b of title 10, United States Code, is amended—

(A) in subsection (h)(1), by striking “sections 34 and 35 of the Office of Federal Procurement Policy Act (41 U.S.C. 430 and 431)” and substituting “sections 1906 and 1907 of title 41”;

(B) in subsection (h)(2), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”;

(C) in subsection (m)(2), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 105 of title 41”;

(D) in subsection (m)(3), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 131 of title 41”; and

(E) in subsection (m)(5), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41”.

(46) Section 846(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383, 10 U.S.C. 2534 note) is amended—

(A) by striking “the Buy American Act (41 U.S.C. 10a et seq.)” and substituting “chapter 83 of title 41, United States Code”; and

(B) by striking “that Act” and substituting “that chapter”.

(47) Section 2545(1) of title 10, United States Code, is amended by striking “section 4(16) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(16))” and substituting “section 131 of title 41”.

(48) Section 2562(a)(1) of title 10, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

(49) Section 2576(a) of title 10, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

(50) Section 2664(a) of title 10, United States Code, is amended by striking “subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “the provisions of section 171(b) and (c) of title 41”.

(51) Section 2667(g)(1) of title 10, United States Code, is amended by striking “subsection (a)(2) or subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (to the extent subtitle I and title III are inconsistent with this subsection)” and substituting “chapter 5 of title 40 (to the extent such chapter is inconsistent with this subsection) or subsection (a)(3)”.

(52) Section 2905(b)(2)(A)(i) of the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510, div. B, title XXIX, part A, 10 U.S.C. 2687 note) is amended by striking

“the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(53) Section 204(b)(2)(A)(i) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526, 10 U.S.C. 2687 note) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(54) Section 2691(b) of title 10, United States Code, is amended by striking “sub-title I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “section 171(b) and (c)”.

(55) Section 2696(b) of title 10, United States Code, is amended by striking “sub-title I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “chapter 5 of title 40”.

(56) Section 2854a(d)(1) of title 10, United States Code, is amended by striking “Sub-title I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “Section 171(b) and (c)”.

(57) Section 2878(e)(2) of title 10, United States Code, is amended by striking “Sub-title I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “chapter 5 of title 40”.

(58) Section 7305(d) of title 10, United States Code, is amended by striking “sub-title I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

(59) Section 7312(f) of title 10, United States Code, is amended by striking “Section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “Section 6101 of title 41”.

(60) Section 3412(k) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106, 10 U.S.C. 7420 note) is amended by striking “paragraph (7) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))” and substituting “section 3304(a)(7) of title 41, United States Code”.

(61) Section 9444(b)(1) of title 10, United States Code, is amended by striking “sub-title I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

(62) Section 9781(g) of title 10, United States Code, is amended by striking “sub-title I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions of section 171(b) and (c)”.

#### SEC. 9. TITLE 12, UNITED STATES CODE.

(1) Section 5153 of the Revised Statutes (12 U.S.C. 90) is amended by striking “Federal Property and Administrative Services Act of 1949, as amended” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(2) Section 4(7) of the Agricultural Marketing Act (12 U.S.C. 1141b(7)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(3) Section 502(c)(2) of the Housing Act of 1948 (12 U.S.C. 1701c(c)(2)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(4) Section 108(d) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701z(d)) is amended—

(A) by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 title 40, United States Code”; and

(B) by striking “such Act” and substituting “such chapter”.

(5) Section 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-2) is amended—

(A) in subsection (c)—

(i) by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”; and

(ii) by striking “such Act” and substituting “such chapter”; and

(B) in subsection (e), by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(6) Section 2(c)(2) of the National Housing Act (12 U.S.C. 1703(c)(2)) is amended by striking “Section 3709 of the Revised Statutes” and substituting “Section 6101 of title 41, United States Code”.

(7) Section 204(g) of the National Housing Act (12 U.S.C. 1710(g)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(8) Section 207(l) of the National Housing Act (12 U.S.C. 1713(l)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(9) Section 604(g) of the National Housing Act (12 U.S.C. 1739(g)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(10) Section 708(h) of the National Housing Act (12 U.S.C. 1747g(h)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(11) Section 712 of the National Housing Act (12 U.S.C. 1747k) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(12) Section 904(f) of the National Housing Act (12 U.S.C. 1750c(f)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(13) Section 208(b) of the Federal Credit Union Act (12 U.S.C. 1788(b)) is amended—

(A) by striking “Federal Property and Administrative Services Act of 1949” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”; and

(B) by striking “Section 3709 of the Revised Statutes of the United States” and substituting “Section 6101 of title 41, United States Code”.

(14) Section 17(g) of the Federal Deposit Insurance Act (12 U.S.C. 1827(g)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(15) Section 1316(h)(3) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4516(h)(3)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(16) Section 319 of the Enhancing Financial Institution Safety and Soundness Act of 2010 (12 U.S.C. 5416) is amended by striking “Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(17) Section 1017(a)(5)(C) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5497(a)(5)(C)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

#### SEC. 10. TITLE 14, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(c) of Public Law 111-350 (124 Stat. 3847) is amended—

(A) in paragraph (2), by striking “93(h)” and substituting “93(a)(8)”; and

(B) by striking paragraph (4).

(2) Section 92(d) of title 14, United States Code, is amended by striking “sub-title I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” and substituting “chapter 5 of title 40”.

(3) Section 93(a)(8) of title 14, United States Code, is amended by striking “sub-title I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” and substituting “chapter 5 of title 40”.

(4) Section 576(2) of title 14, United States Code, is amended by striking “section 16 of the Office of Federal Procurement Policy Act (41 U.S.C. 414)” and substituting “section 1702 of title 41”.

(5) Section 641(a) of title 14, United States Code, is amended by striking “sub-title I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” and substituting “chapter 5 of title 40”.

#### SEC. 11. TITLE 15, UNITED STATES CODE.

(1) Section 4 of the Metric Conversion Act of 1975 (15 U.S.C. 205c) is amended—

(A) in paragraph (5), by striking “section 403(6) of title 41, United States Code” and substituting “section 107 of title 41, United States Code”; and

(B) in paragraph (8), by striking “has the meaning given such terms in section 304A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b)” and substituting “has the meaning given the term ‘cost or pricing data’ in section 3501(a) of title 41, United States Code”.

(2) Section 7(4) of the Metric Conversion Act of 1975 (15 U.S.C. 205f(4)) is amended by striking “Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(3) Section 14(a) of the Metric Conversion Act of 1975 (15 U.S.C. 205f(a)) is amended—

(A) by striking “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”; and

(B) by striking “section 314B(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 264b(c))” and substituting “section 3307(d) of title 41, United States Code”; and

(C) by striking “section 314B of the Federal Property and Administrative Services Act of 1949” and substituting “subsections (b) through (d) of section 3307 of title 41, United States Code”; and

(D) by striking “2377 or 314B” and substituting “section 2377 or subsections (b) through (d) of section 3307”.

(4) Section 2 of the Act of June 16, 1948 (ch. 483, 15 U.S.C. 313 note), is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(5) Section 417(a) of the Small Business Reauthorization Act of 1997 (Public Law 105-135, 15 U.S.C. 631 note) is amended by striking “section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)” and substituting “section 1707 of title 41, United States Code”.

(6) Section 3 of the Small Business Act (15 U.S.C. 632) is amended—

(A) in subsection (m), by striking “section 4(11) of the Office of Federal Procurement

Policy Act (41 U.S.C. 403(11))” and substituting “section 134 of title 41, United States Code”; and

(B) in subsection (v)(1), by striking “sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k)” and substituting “sections 4101, 4103, 4105, and 4106 of title 41, United States Code”.

(7) Section 5 of the Small Business Act (15 U.S.C. 634) is amended—

(A) in subsection (b)(4), by striking “Section 3709 of the Revised Statutes, as amended (41 U.S.C., sec. 5),” and substituting “section 6101 of title 41, United States Code”; and

(B) in subsection (c), by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C., sec. 5)” and substituting “section 6101 of title 41, United States Code”.

(8) Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(A) in subsection (d)(4)(F)(ii), by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601–613)” and substituting “chapter 71 of title 41, United States Code”;

(B) in subsection (d)(12)(E)—

(i) by striking “section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a))” and substituting “section 1302(a) of title 41, United States Code”; and

(ii) by striking “section 25 of such Act” and substituting “section 1303(a) of title 41, United States Code”; and

(C) in subsection (e)(2)(A)(i), by striking “section 18(a)(7) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(a)(7))” and substituting “section 1708(d) of title 41, United States Code”;

(D) in subsection (g)(2), by striking “section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))” and substituting “section 3304(a) of title 41, United States Code”; and

(E) in subsection (h)(1)—

(i) in subparagraph (A)(iii), by striking “section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))” and substituting “section 1702(c)(1) and (2) of title 41, United States Code”; and

(ii) in subparagraph (B), by striking “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”; and

(F) in subsection (h)(2)—

(i) by striking “section 303(f)(2) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(2))” and substituting “section 3304(e)(3) and (4) of title 41, United States Code”; and

(ii) by striking “section 303(f)(1) of such Act or section 2304(f)(1) of such title” and substituting “section 3304(e)(1) of title 41, United States Code, or section 2304(f)(1) of title 10, United States Code”; and

(G) in subsection (j), by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 133 of title 41, United States Code”; and

(H) in subsection (m)(1)(A), by striking “section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5))” and substituting “section 2101(1) of title 41, United States Code”.

(9) Section 1321 of the Small Business Jobs Act of 2010 (Public Law 111–240, 15 U.S.C. 637 note) is amended—

(A) by striking “section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a))” and substituting “section 1302(a) of title 41, United States Code”; and

(B) by striking “section 25 of such Act” and substituting “section 1303(a) of title 41, United States Code”.

(10) Section 304(b) of the Business Opportunity Development Reform Act of 1988 (Pub-

lic Law 100–656, 15 U.S.C. 637 note) is amended by striking “section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)” and substituting “section 1707 of title 41, United States Code”.

(11) Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(A) in subsection (e)(8), by striking “section 35(c)(1) of the Office of Federal Procurement Policy Act” and substituting “section 1303(a)(1) of title 41, United States Code”; and

(B) in subsection (n)(2)(A), by striking “section 25(c)(1) of the Office of Federal Procurement Policy Act” and substituting “section 1303(a)(1) of title 41, United States Code”.

(12) Section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(A) in subsection (c)(1)(A), by striking “the first section of the Act entitled ‘An Act to create a Committee on Purchases of Blind-made Products, and for other purposes’, approved June 25, 1938 (41 U.S.C. 46)” and substituting “section 8502 of title 41, United States Code”; and

(B) in subsection (c)(2)(B), by striking “section 2 of the Act entitled ‘An Act to create a Committee on Purchases of Blind-made Products, and for other purposes’, approved June 25, 1938 (41 U.S.C. 47)” and substituting “section 8503 of title 41, United States Code”; and

(C) in subsection (q)(2)(A)—

(i) by striking “section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 4219(a))” and substituting “section 1302(a) of title 41, United States Code”; and

(ii) by striking “section 25 of such Act” and substituting “section 1303(a) of title 41, United States Code”; and

(D) in subsection (r)(2), by striking “section 303J(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b))” and substituting “section 4106(c) of title 41, United States Code”.

(13) Section 2353 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 15 U.S.C. 644 note) is amended—

(A) in subsection (a)(2), by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)” and substituting “chapter 71 of title 41, United States Code”; and

(B) in subsection (b), by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)” and substituting “chapter 71 of title 41, United States Code”.

(14) Section 133(c) of the Small Business Administration Reauthorization and Amendment Act of 1988 (Public Law 100–590, 15 U.S.C. 644 note) is amended by striking “the first section of the Act entitled ‘An Act to create a Committee on Purchases of Blind-made Products, and for other purposes’, approved June 25, 1938 (41 U.S.C. 46)” and substituting “section 8502 of title 41, United States Code”.

(15) Section 31(b) of the Small Business Act (15 U.S.C. 657a(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5))” and substituting “section 2101(1) of title 41, United States Code”; and

(ii) in subparagraph (B), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 107 of title 41, United States Code”; and

(B) in paragraph (4), by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 46 et seq.)” and substituting “chapter 85 of title 41, United States Code”.

(16) Section 604(d) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (Public Law 106–50, 15 U.S.C. 657b note) is amended by striking “section 6(d)(4)(A) of the Office of Federal Procure-

ment Policy Act (41 U.S.C. 405(d)(4)(A))” and substituting “section 1122(a)(4)(A) of title 41, United States Code”.

(17) Section 36 of the Small Business Act (15 U.S.C. 657f) is amended—

(A) in subsection (c), by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 46 et seq.)” and substituting “chapter 85 of title 41, United States Code”; and

(B) in subsection (e), by striking “section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5))” and substituting “section 2101(1) of title 41, United States Code”.

(18) Section 44(a) of the Small Business Act (15 U.S.C. 657q(a)) is amended—

(A) in paragraph (1), by striking “section 16(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(a))” and substituting “section 1702(a) of title 41, United States Code”; and

(B) in paragraph (3), by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and substituting “section 1702(c) of title 41, United States Code”.

(19) Section 4(h) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(20) Section 14 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714f) is amended by striking “section 1 of the Act of February 27, 1877, as amended (41 U.S.C., 1940 edition, 22)” and substituting “section 6306(a) of title 41, United States Code”.

(21) Section 21(b)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2218) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(22) Section 8 of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976 (15 U.S.C. 2507) is amended—

(A) in subsection (c), by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”; and

(B) in subsection (e), by striking “title III of the Act of March 3, 1933 (47 Stat. 1520; 41 U.S.C. 10a–10c)” and substituting “chapter 83 of title 41, United States Code”.

(23) Section 10 of the Toxic Substances Control Act (15 U.S.C. 2609) is amended—

(A) in subsection (a), by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 14 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”; and

(B) in subsection (b)(2)(B), by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 14 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(24) Section 27(b) of the Toxic Substances Control Act (15 U.S.C. 2626(b)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(25) Section 208 of the High-Performance Computing Act of 1991 (15 U.S.C. 5528) is amended—

(A) in subsection (b)(1)(B), by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a–10d; popularly known as the Buy American Act) as amended by the Buy American Act of 1988” and substituting “chapter 83 of title 41, United States Code”; and

(B) in subsection (c)—

(i) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(ii) by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a–10d; popularly known as the Buy American Act), as amended by the Buy American Act of 1988,” and substituting “chapter 83 of title 41, United States Code”.

#### SEC. 12. TITLE 16, UNITED STATES CODE.

(1) Section 3(g) of the National Park System General Authorities Act (16 U.S.C. 1a–2(g)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended,” and substituting “chapter 5 of title 40, United States Code”.

(2) Section 3 of the Act of May 26, 1930 (ch. 324, 16 U.S.C. 17b), is amended by striking “section 3709 of the Revised Statutes of the United States” and substituting “section 6101 of title 41, United States Code”.

(3) Section 10 of the Act of May 26, 1930 (ch. 324, 16 U.S.C. 17i), is amended by striking “sections 3709 and 3744 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(4) Section 3 of Public Law 90–545 (16 U.S.C. 79c) is amended—

(A) in subsection (b)(2), by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”; and

(B) in subsection (c), by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40”.

(5) Section 201(a) of Public Law 91–661 (16 U.S.C. 160b(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended” and substituting “chapter 5 of title 40, United States Code”.

(6) Section 2 of the Act of December 22, 1944 (ch. 674, 16 U.S.C. 343b), is amended by striking “section 355, as amended, section 1136, as amended, and section 3709 of the Revised Statutes (except the last paragraph of said section 355, as amended)” and substituting “sections 3111 and 3112 of title 40, United States Code, and section 6101 of title 41, United States Code (except said section 3112)”.

(7) Section 317 of Public Law 98–146 (16 U.S.C. 396f) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(8) Section 9102(e) of the Department of Defense Appropriations Act, 1990 (Public Law 101–165, 16 U.S.C. 396f note) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “section 102 of title 40, United States Code”.

(9) Section 102(d) of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–6(d)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377)” and substituting “chapter 5 of title 40, United States Code”.

(10) Section 2 of Public Law 86–62 (16 U.S.C. 430a–2) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(11) Section 102(c) of Public Law 101–442 (16 U.S.C. 430h–7(c)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(12) Subparagraph (D) of the introductory provisions of section 3 of Public Law 90–468 (16 U.S.C. 441i) is amended by striking “the

Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(13) Section 2(a) of the Act of May 17, 1954 (ch. 204, 16 U.S.C. 450jj–1(a)), is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(14) Public Law 87–313 (16 U.S.C. 459a–4 note) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(15) Section 2(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–5(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(16) Section 2(a) of Public Law 92–237 (16 U.S.C. 460m–9(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended” and substituting “chapter 5 of title 40, United States Code”.

(17) Section 8(a) of Public Law 91–479 (16 U.S.C. 460x–7(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(18) Section 3(a) of Public Law 92–589 (16 U.S.C. 460bb–2(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended” and substituting “chapter 5 of title 40, United States Code”.

(19) Section 108(c)(1) of the Water Resources Development Act of 1974 (16 U.S.C. 460ee(c)(1)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended” and substituting “chapter 5 of title 40, United States Code”.

(20) Section 2(d) of Public Law 93–555 (16 U.S.C. 460ff–1(d)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(21) Section 2(a) of Public Law 94–235 (16 U.S.C. 460hh–1(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended” and substituting “chapter 5 of title 40, United States Code”.

(22) Section 102(b) of Public Law 95–344 (16 U.S.C. 460ii–1(b)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(23) Section 545(d)(1)(B) of The Land Between the Lakes Protection Act of 1998 (16 U.S.C. 460iii–45(d)(1)(B)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

(24) Section 308(b)(2) of the National Historic Preservation Act (16 U.S.C. 470w–7(b)(2)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(e))” and substituting “section 102(3) of title 40, United States Code”.

(25) The proviso relating to open purchase, without advertising, of seeds, cones, and nursery stock under the heading “GENERAL EXPENSES, FOREST SERVICE” under the heading “FOREST SERVICE.” under the heading “DEPARTMENT OF AGRICULTURE,” in the Act of June 30, 1914 (ch. 131, 16 U.S.C. 504), is amended by striking “section 3709, Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(26) The first section of the Act of July 26, 1956 (ch. 736, 16 U.S.C. 505a), is amended by

striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(27) Section 3 of the Act of April 24, 1950 (ch. 97, 16 U.S.C. 580c), is amended by striking “section 3709, Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(28) Section 302(b) of the Department of Agriculture Organic Act of 1944 (16 U.S.C. 590q–1) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(29) Section 5(c) of the Act of August 11, 1939 (ch. 717, 16 U.S.C. 590z–3(c)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(30) Section 9(d)(2)(A) of the Pittman-Robertson Wildlife Restoration Act (known as the Federal Aid in Wildlife Restoration Act) (16 U.S.C. 669h(d)(2)(A)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 132 of title 41, United States Code”.

(31) Section 209(d) of the Sikes Act (16 U.S.C. 670o(d)) is amended by striking “title III (other than section 304) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251–260)” and substituting “the provisions referred to in subsection 171(c) (except sections 3901 and 3905) of title 41, United States Code”.

(32) Section 3 of the Act of May 11, 1938 (ch. 193, 16 U.S.C. 757) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(33) Section 9(d)(2)(A) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(d)(2)(A)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 132 of title 41, United States Code”.

(34) Section 2 of the Federal Power Act (16 U.S.C. 793) is amended by striking “Federal Property and Administrative Services Act of 1949, as amended” and substituting “the provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(35) Section 14 of the Whaling Convention Act of 1949 (16 U.S.C. 916f) is amended—

(A) in paragraph (2)(e), by striking “section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), and section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”; and

(B) in paragraph (2)(f), by striking “section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 6101 of title 41, United States Code”.

(36) Section 12 of the Tuna Conventions Act of 1950 (16 U.S.C. 961) is amended—

(A) in subsection (c), by striking “section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), or section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 501 of title 44, United States Code, or section 6101 of title 41, United States Code”; and

(B) in subsection (d), by striking “section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 6101 of title 41, United States Code”.

(37) Section 2(b)(1) of Public Law 87–758 (16 U.S.C. 1052(b)(1)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(38) Section 114(a) of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (Public Law 112–74, 125 Stat. 1009) is amended—



(A) by striking “section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c)” and substituting “section 3903 of title 41, United States Code”; and

(B) by striking “5-year term restriction in subsection (d)” and substituting “5-year term restriction in subsection (a)”.

(39) Section 8(f)(2) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2104(f)(2)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(40) Section 347(c)(2) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (Public Law 105-277, division A, section 101(e), 16 U.S.C. 2104 note) is amended by striking “section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c)” and substituting “section 3903 of title 41, United States Code”.

(41) Section 10(c) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106(c)) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(42) Section 4(e)(1) of the Coastal Barrier Resources Act (16 U.S.C. 3503(e)(1)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”.

#### SEC. 13. TITLE 18, UNITED STATES CODE.

(1) Section 443 of title 18, United States Code, is amended by striking “section 103 of Title 41” and substituting “section 3 of the Contract Settlement Act of 1944 (ch. 358, 58 Stat. 650)”.

(2) Section 819(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351, 18 U.S.C. 1761 note) is amended by striking “the first section of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. 35), commonly known as the Walsh-Healey Act” and substituting “section 6502 of title 41, United States Code”.

(3) Section 3287 of title 18, United States Code, is amended by striking “section 103 of title 41” and substituting “section 3 of the Contract Settlement Act of 1944 (ch. 358, 58 Stat. 650)”.

(4) Section 3672 of title 18, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(5) Section 118 of the Department of Justice Appropriations Act, 2001 (Public Law 106-553, section 1(a)(2), 18 U.S.C. 4013 note) is amended by striking “section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d))” and substituting “section 6707(d) of title 41, United States Code”.

(6) Section 637 of division H of the Consolidated Appropriations Act, 2005 (Public Law 108-447, 18 U.S.C. 4124 note) is amended by striking “section 25(c)(1) of the Office of Federal Procurement Act (41 U.S.C. 421(c)(1))” and substituting “section 1303(a)(1) of title 41, United States Code”.

#### SEC. 14. TITLE 19, UNITED STATES CODE.

(1) Section 3131(a)(1) of the Anti-Drug Abuse Act of 1986 (19 U.S.C. 2081(a)(1)) is amended by striking clauses (ii) through (v) of subparagraph (A) and substituting the following:

“(ii) sections 6301(a) and (b)(1) through (3) and 6306 of title 41, United States Code,

“(iii) chapter 45 of title 41, United States Code,

“(iv) section 8141 of title 40, United States Code, and

“(v) section 3901 of title 41, United States Code, and”.

(2) Section 302(c)(2)(B) of the Trade Agreements Act of 1979 (19 U.S.C. 2512(c)(2)(B)) is

amended by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a et seq.), commonly referred to as the Buy American Act” and substituting “chapter 83 of title 41, United States Code”.

(3) Section 303 of the Trade Agreements Act of 1979 (19 U.S.C. 2513) is amended by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a et seq.), popularly referred to as the Buy American Act,” and substituting “chapter 83 of title 41, United States Code”.

(4) Section 1376(b)(1) of the Telecommunications Trade Act of 1988 (19 U.S.C. 3105(b)(1)) is amended—

(A) in subparagraph (D), by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a, et seq.)” and substituting “chapter 83 of title 41, United States Code.”; and

(B) in subparagraph (E), by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a, et seq.)” and substituting “chapter 83 of title 41, United States Code.”.

#### SEC. 15. TITLE 20, UNITED STATES CODE.

(1) Section 6(a) of the Act of March 4, 1927 (20 U.S.C. 196(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) and section 321 of the Act of June 30, 1932 (40 U.S.C. 303b)” and substituting “section 1302 of title 40, United States Code, and the provisions referred to in section 171(b) and (c) of title 41, United States Code”.

(2) Section 142 of the Higher Education Act of 1965 (20 U.S.C. 1018a) is amended—

(A) in subsection (d)(2)(A), by striking “section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416)” and substituting “section 1708 of title 41, United States Code”;

(B) in subsection (d)(3)(A), by striking “sections 303A and 303B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253a and 253b)” and substituting “sections 3306(a) through (e) and 3308, chapter 37, and section 4702 of title 41, United States Code”;

(C) in subsection (f)(1)(A), by striking “section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416)” and substituting “section 1708 of title 41, United States Code.”;

(D) in subsection (g)(5)(C), by striking “section 18(b) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(b))” and substituting “section 1708(c) of title 41, United States Code”;

(E) in subsection (g)(6), by striking “section 303(f) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f))” and substituting “section 3304(e) of title 41, United States Code”;

(F) in subsection (1)(1), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”;

(G) in subsection (1)(2), by striking “section 309(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(b))” and substituting “section 152 of title 41, United States Code”;

(H) in subsection (1)(4), by striking “section 303(g)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)) and section 31 of the Office of Federal Procurement Policy Act (41 U.S.C. 427)” and substituting “sections 1901 and 3305(a) of title 41, United States Code”;

(I) in subsection (1)(5), by striking “section 303(g)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(A)) and section 31(a)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(1))” and substituting “sections 1901(a)(1) and 3305(a)(1) of title 41, United States Code”.

(3) Section 401(i) of the Higher Education Act of 1965 (20 U.S.C. 1070a(i)) is amended by

striking “subtitle D of title V of Public Law 100-690” and substituting “chapter 81 of title 41, United States Code”.

(4) Section 402A(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1070a-11(b)(1)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(5) Section 13(a)(6) of the Harry S. Truman Memorial Scholarship Act (20 U.S.C. 2012(a)(6)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(6) Section 7(a)(7) of the American Folklife Preservation Act (20 U.S.C. 2106(a)(7)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(7) Section 415(a) of the Department of Education Organization Act (20 U.S.C. 3475(a)) is amended by striking “of the Federal Property and Administrative Services Act of 1949” and substituting “referred to in section 171(b) and (c) of title 41, United States Code”.

(8) Section 814(a)(6) of the James Madison Memorial Fellowship Act (20 U.S.C. 4513(a)(6)) is amended by striking “section 5 of title 41” and substituting “section 6101 of title 41, United States Code”.

(9) Section 1411(a)(6) of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4710(a)(6)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(10) Section 12(a)(6) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5608(a)(6)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(11) Section 429(a)(6) of the Christopher Columbus Fellowship Act (20 U.S.C. 5708(a)(6)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(12) Section 1022(1) of the Goals 2000: Educate America Act (20 U.S.C. 6067(1)) is amended by striking “sections 2 through 4 of the Act of March 3, 1993 (41 U.S.C. 10a-10c, popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code”.

(13) Section 505(a) of the Workforce Investment Act of 1998 (20 U.S.C. 9275(a)) is amended—

(A) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) by striking “the Buy American Act (41 U.S.C. 10a et seq.)” and substituting “chapter 83 of title 41, United States Code”.

#### SEC. 16. TITLE 21, UNITED STATES CODE.

(1) Section 505(k)(4)(H) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(k)(4)(H)) is amended by striking “section 4(5) of the Federal Procurement Policy Act” and substituting “section 132 of title 41, United States Code”.

(2) Section 520(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(k)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(3) Section 532(b)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ii(b)(3)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(4) Section 502(b) of the Controlled Substances Act (21 U.S.C. 872(b)) is amended by



striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(5) Section 709(g) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708(g)) is amended—

(A) in paragraph (1), by striking “section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d)” and substituting “section 4706 of title 41, United States Code”; and

(B) in paragraph (2), by striking “section 306 of such Act (41 U.S.C. 256)” and substituting “chapter 43 of title 41, United States Code”.

#### SEC. 17. TITLE 22, UNITED STATES CODE.

(1) Section 2(b)(1) of the Joint Resolution of June 30, 1948 (ch. 756, 22 U.S.C. 272a(b)(1)), is amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(2) Section 103 of the American-Mexican Treaty Act of 1950 (22 U.S.C. 277d-3) is amended by striking “sections 3679, 3732, and 3733 of the Revised Statutes” and substituting “sections 1341, 1342, and 1349 through 1351 and subchapter II of chapter 15 of title 31, United States Code, and sections 6301(a) and (b) and 6303 of title 41, United States Code”.

(3) Section 103 of the American-Mexican Boundary Treaty Act of 1972 (22 U.S.C. 277d-36) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(4) Section 804(c)(2)(N) of the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 (22 U.S.C. 277d-44(c)(2)(N)) is amended by striking “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”.

(5) The Act of August 27, 1935 (ch. 763, 22 U.S.C. 277e), is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(6) Section 3(b) of the Joint Resolution of January 28, 1948 (ch. 38, 22 U.S.C. 280b(b)), is amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(7) Section 2(b) of the Joint Resolution of March 4, 1948 (ch. 97, 22 U.S.C. 280i(b)), is amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(8) Section 2(b) of the Joint Resolution of June 28, 1948 (ch. 686, 22 U.S.C. 280k(b)), is amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(9) Section 8 of the United Nations Participation Act of 1945 (22 U.S.C. 287e) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(10) Section 6 of the Joint Resolution of July 30, 1946 (ch. 700, 22 U.S.C. 287r) is amended—

(A) in clause (f), by striking “section 3709 of the Revised Statutes (U.S.C., title 41, sec.

5)” and substituting “section 6101 of title 41, United States Code”; and

(B) in clause (k), by striking “section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), and section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(11) Section 4(a) of the Joint Resolution of July 1, 1947 (ch. 185, 22 U.S.C. 289c(a)) is amended by striking “sections 3709 and 3648 of the Revised Statutes, as amended (U.S.C., 1940 edition, title 41, sec. 5, and title 31, sec. 529)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(12) Section 3(b)(1) of the Joint Resolution of June 14, 1948 (ch. 469, 22 U.S.C. 290b(b)(1)), is amended by striking “section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended” and substituting “section 501 of title 44, United States Code, and section 6101 of title 41, United States Code”.

(13) Section 802(a)(2) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1472(a)(2)) is amended by striking “section 3741 of the Revised Statutes (41 U.S.C. 22)” and substituting “section 6306 of title 41, United States Code”.

(14) Section 5(c)(2) of the International Health Research Act of 1960 (22 U.S.C. 2103(c)(2)) is amended by striking “sections 3648 and 3709 of the Revised Statutes of the United States” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(15) Section 219(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2179(c)) is amended by striking “sections 3648 and 3709 of the Revised Statutes of the United States (31 U.S.C. 529 and 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(16) Section 608 of the Foreign Assistance Act of 1961 (22 U.S.C. 2358) is amended—

(A) in subsection (a)—

(i) by striking “the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code”; and

(ii) by striking “the Federal Property and Administrative Services Act of 1949, as amended,” and substituting “chapter 5 of title 40, United States Code”; and

(B) in subsection (b), by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(17) Section 632(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2392(e)(1)) is amended by striking “the Assignment of Claims Act of 1940, as amended (second and third paragraphs of 31 U.S.C. 203 and 41 U.S.C. 15)” and substituting “section 3727(b) (last sentence) and (c) of title 31, United States Code, and section 6305(b)(1) through (7) of title 41, United States Code”.

(18) Section 636(g)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(g)(3)) is amended by striking “section 3733 of the Revised Statutes (41 U.S.C. 12)” and substituting “section 6303 of title 41, United States Code”.

(19) Section 10(d) of the Peace Corps Act (22 U.S.C. 2509(d)) is amended by striking “section 3709 of the Revised Statutes of the United States, as amended, section 302 of the Federal Property and Administrative Services Act of 1949” and substituting “sections 3101(a) and (c), 3104, 3106, 3301(b)(2), and 6101 of title 41, United States Code”.

(20) Section 401(a) of the Arms Control and Disarmament Act (22 U.S.C. 2581(a)) is

amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(21) Section 2(h) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(h)) is amended by striking “section 303(c)(2) of the Federal Property and Administrative Services Act of 1949” and substituting “section 3304(a)(2) of title 41, United States Code”.

(22) Section 9 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2676) is amended by striking “section 3741 of the Revised Statutes (41 U.S.C. 22)” and substituting “section 6306 of title 41, United States Code”.

(23) Section 565(a)(1) of the Anti-Economic Discrimination Act of 1994 (22 U.S.C. 2679c(a)(1)) is amended by striking “section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))” and substituting “section 134 of title 41, United States Code”.

(24) Section 41(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2713(b)(2)) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(25) Section 3101(c)(2) of the Panama Canal Act of 1979 (22 U.S.C. 3861(c)(2)) is amended—

(A) in subparagraph (A), by striking “section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)” and substituting “chapter 21 of title 41, United States Code”; and

(B) in subparagraph (B), by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.), other than section 10(a) of such Act (41 U.S.C. 609(a))” and substituting “chapter 71 (other than section 7104(b)) of title 41, United States Code”.

(26) Section 3102 of the Panama Canal Act of 1979 (22 U.S.C. 3862) is amended—

(A) in subsection (a)(1)—

(i) by striking “section 8 of the Contract Disputes Act of 1978 (41 U.S.C. 607)” and substituting “sections 7105(a), (c) through (e), and (g), 7106(a), and 7107(a) of title 41, United States Code”; and

(ii) by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)” and substituting “chapter 71 of title 41, United States Code”; and

(iii) by striking “that Act” and substituting “that chapter”; and

(B) in subsection (b)—

(i) by striking “section 10(a)(1) of the Contract Disputes Act of 1978 (41 U.S.C. 609(a)(1))” and substituting “section 7104(b)(1) of title 41, United States Code”; and

(ii) by striking “section 8(d) of such Act (41 U.S.C. 607(d))” and substituting “section 7105(e) of title 41, United States Code”.

(27) Section 704(a)(5) of the Foreign Service Act of 1980 (22 U.S.C. 4024(a)(5)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) and section 302 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252)” and substituting “sections 3101(a) and (c), 3104, 3106, 3301(b)(2), and 6101 of title 41, United States Code”.

(28) Section 202(c)(1) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5422(c)(1)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 and following)” and substituting “chapter 5 of title 40, United States Code”.

(29) Section 101(3) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511(3)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

**SEC. 18. TITLE 23, UNITED STATES CODE.**

(1) Section 140 of title 23, United States Code, is amended—

(A) in subsection (b), by striking “section 6101(b) to (d)” and substituting “section 6101”; and

(B) in subsection (c), by striking “section 6101(b) to (d)” and substituting “section 6101”.

(2) Section 502(c)(5) of title 23, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

**SEC. 19. TITLE 24, UNITED STATES CODE.**

(1) Section 11 of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24 U.S.C. 225h) is amended—

(A) in subsection (a), by striking “the Buy American Act of 1933, as amended” and substituting “chapter 83 of title 41, United States Code”; and

(B) in subsection (b)(1), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code.”;

(C) in subsection (b)(2), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code.”;

(D) in subsection (c), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code.”; and

(E) by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(2) Section 2(a) of Public Law 86-571 (24 U.S.C. 322(a)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5),” and substituting “section 6101 of title 41, United States Code”.

(3) Section 4(a) of Public Law 86-571 (24 U.S.C. 324(a)) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

**SEC. 20. TITLE 25, UNITED STATES CODE.**

(1) The Act of April 12, 1924 (ch. 93, 25 U.S.C. 190) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code.”

(2) The fourth paragraph on p. 973 (39 Stat.) in the first section of the Act of March 2, 1917 (ch. 146, 25 U.S.C. 293) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code.”

(3) Section 105(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j(a)(3)) is amended—

(A) in subparagraph (A)—

(i) by striking “of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)” and substituting “referred to in section 172(b) of title 41, United States Code.”; and

(ii) by striking “such Act” and substituting “such provisions.”;

(B) in subparagraph (C)(ii)(I), by striking “Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “provisions referred to in section 171(b) and (c) of subtitle I of title 41, United States Code”;

(C) in subparagraph (C)(ii)(II), by striking “Section 3709 of the Revised Statutes” and substituting “Section 6101 of title 41, United States Code”;

(D) in subparagraph (C)(ii)(VIII), by striking “Sections 1 through 12 of the Act of June 30, 1936 (49 Stat. 2036 et seq. chapter 881)” and substituting “Chapter 65 of title 41, United States Code”; and

(E) in subparagraph (C)(ii)(IX), by striking “The Service Control Act of 1965 (41 U.S.C. 351 et seq.)” and substituting “Chapter 67 of title 41, United States Code”.

(4) Section 107(a)(1) of the Indian Self-Determination and Education Assistance Act

(25 U.S.C. 450k(a)(1)) is amended by striking “the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)” and substituting “chapter 71 of title 41, United States Code”.

(5) Section 110(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450m-1(d)) is amended—

(A) by striking “The Contract Disputes Act (Public Law 95-563, Act of November 1, 1978; 92 Stat. 2383, as amended)” and substituting “Chapter 71 of title 41, United States Code.”; and

(B) by striking “Interior Board of Contract Appeals established pursuant to section 8 of such Act (41 U.S.C. 607)” and substituting “Civilian Board of Contract Appeals established pursuant to section 7105(b) of title 41, United States Code”.

(6) Section 403(e)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458cc(e)(1)) is amended by striking “of the Office of Federal Procurement Policy Act” and substituting “referred to in section 172(b) of title 41, United States Code”.

(7) Section 509(h) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa-8(h)) is amended by striking “of the Office of Federal Procurement Policy Act” and substituting “referred to in section 172(b) of title 41, United States Code”.

(8) Section 510 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa-9) is amended by striking “of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)” and substituting “referred to in section 172(b) of title 41, United States Code”.

(9) The first section of Public Law 85-186 (25 U.S.C. 463d note) is amended by striking “the Federal Property and Administrative Services Act of 1949 (Act of June 30, 1949; 63 Stat. 378), as amended” and substituting “chapter 5 of title 40, United States Code”.

(10) Section 310 of the Indian Health Care Improvement Act (25 U.S.C. 1638b) is amended—

(A) in subsection (a), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code”;

(B) in subsection (b), by striking “the Buy American Act” and substituting “chapter 83 of title 41, United States Code”; and

(C) by striking subsection (d).

**SEC. 21. TITLE 26, UNITED STATES CODE.**

Section 301(b)(3) of the James Zadroga 9/11 Health and Compensation Act of 2010 (Public Law 111-347, 26 U.S.C. 5000C note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

**SEC. 22. TITLE 28, UNITED STATES CODE.**

(1) The last sentence of section 524(c)(1) of title 28, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, section 6101(b) to (d) of title 41,” and substituting “the provisions referred to in section 171(c), and section 6101, of title 41”.

(2) Section 115(a)(2) of the Department of Justice Appropriations Act, 1999 (Public Law 105-277, division A, section 101(b), 28 U.S.C. 524 note) is amended by striking “Office of Federal Procurement Policy Act” and substituting “provisions referred to in section 172(b) of title 41, United States Code”.

(3) Section 102(b)(1)(A) of the Department of Justice and Related Agencies Appropriations Act, 1993 (Public Law 102-395, 28 U.S.C. 533 note) is amended—

(A) by striking “section 3732(a) of the Revised Statutes (41 U.S.C. 11(a)), section 305 of the Act of June 30, 1949 (63 Stat. 396; 41 U.S.C. 255), the third undesignated paragraph under the heading of ‘Miscellaneous’ of the Act of March 3, 1877 (19 Stat. 370; 40 U.S.C. 34)” and

substituting “chapter 45 and section 6301(a) and (b)(1) through (3) of title 41 of the United States Code, section 8141 of title 40 of the United States Code”; and

(B) by striking “section 3741 of the Revised Statutes (41 U.S.C. 22), and subsections (a) and (c) of section 304 of the Federal Property and Administrative Service Act of 1949 (63 Stat. 395; 41 U.S.C. 254(a) and (c))” and substituting “and sections 3901 and 6306(a) of title 41 of the United States Code”.

(4) Section 310(a)(2) of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99-554, 28 U.S.C. 581 note) is amended by striking “the Federal Property and Administrative Services Act of 1949, the Office of Federal Procurement Policy Act, and title 31 of the United States Code” and substituting “title 31 of the United States Code and the provisions referred to in sections 171(b) and (c) and 172(b) of title 41 of the United States Code”.

(5) Section 604 of title 28, United States Code, is amended—

(A) in subsection (a)(10)(C), by striking “section 6101(b) to (d)” and substituting “section 6101 of title 41”; and

(B) in subsection (g)(4)—

(i) in subparagraph (A), by striking “section 2537 of title 41, United States Code” and substituting “section 3902 of title 41”; and

(ii) in subparagraph (B), by striking “section 254c of title 41, United States Code” and substituting “section 3903 of title 41”; and

(iii) in subparagraph (C), by striking “section 255 of title 41, United States Code” and substituting “chapter 45 of title 41”.

(6) Section 624(3) of title 28, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(7) Section 753(g) of title 28, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(8) Section 1491(a)(2) of title 28, United States Code, is amended by striking “section 6 of that Act” and substituting “section 7103 (except subsection (c)(2) of title 41”.

**SEC. 23. TITLE 29, UNITED STATES CODE.**

(1) Section 6(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(e)) is amended—

(A) in paragraph (1), by striking “the Service Contract Act of 1965 (41 U.S.C. 351-357)” and substituting “chapter 67 of title 41, United States Code.”; and

(B) in paragraph (2), by striking “the Service Contract Act of 1965” and substituting “chapter 67 of title 41, United States Code.”.

(2) Section 13(d) of the Portal-to-Portal Act of 1947 (29 U.S.C. 262(d)) is amended—

(A) by striking “The term ‘Wash-Healey Act’ means the Act entitled ‘An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes’, approved June 30, 1936 (49 Stat. 2036), as amended” and substituting “The term ‘Walsh-Healey Act’ means chapter 65 of title 41, United States Code”; and

(B) by striking “the Act entitled ‘An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings’, approved August 30, 1935 (49 Stat. 1011), as amended” and substituting “sections 3141 through 3144, 3146, and 3147 of title 40, United States Code”.

(3) Section 4(b)(2) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653(b)(2)) is amended—

(A) by striking “the Act of June 30, 1936, commonly known as the Walsh-Healey Act (41 U.S.C. 35 et seq.), the Service Contract Act of 1965 (41 U.S.C. 351 et seq.)” and substituting “chapter 65 of title 41, United States Code, chapter 67 of title 41, United States Code”; and

(B) by inserting “chapters or” after “such other”.

(4) Section 22(e)(7) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 671(e)(7)) is amended by striking “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(5) Section 147(a)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2887(a)(2)(A)) is amended by striking “subsections (c) and (d) of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253)” and substituting “section 3304(a) through (c) of title 41, United States Code”.

**SEC. 24. TITLE 30, UNITED STATES CODE.**

(1) Section 2 of the Act of February 25, 1919 (ch. 23, 30 U.S.C. 4) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(2) Section 6(b) of the Act of August 31, 1954 (ch. 1156, 30 U.S.C. 556(b)) is amended by striking “section 3709, Revised Statutes (41 U.S.C., sec. 5)” and substituting “section 6101 of title 41, United States Code”.

(3) Section 206 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 846) is amended by striking “the Walsh-Healey Public Contracts Act, as amended” and substituting “chapter 65 of title 41, United States Code”.

(4) Section 101(c)(2) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1711(c)(2)) is amended by striking “Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252)” and substituting “provisions referred to in section 171(b) and (c) of title 41, United States Code”.

**SEC. 25. TITLE 31, UNITED STATES CODE.**

(1) Section 743(i) of the Financial Services and General Government Appropriations Act, 2010 (Public Law 111-117, division C, 31 U.S.C. 501 note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

(2) Section 326 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84, 31 U.S.C. 501 note) is amended by striking “section 303B(f) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b(f))” and substituting “section 3705 of title 41, United States Code”.

(3) Section 321(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417, 31 U.S.C. 501 note) is amended by striking “section 16A of the Office of Federal Procurement Policy Act (41 U.S.C. 414b)” and substituting “subchapter II of chapter 13 of title 41, United States Code”.

(4) Section 739(a)(2)(C) of the Financial Services and General Government Appropriations Act, 2008 (Public Law 110-161, division D, 31 U.S.C. 501 note) is amended—

(A) in clause (i), by striking “section 2 of the Javits-Wagner-O’Day Act (41 U.S.C. 47)” and substituting “section 8503 of title 41, United States Code”; and

(B) in clause (ii), by striking “that Act” and substituting “chapter 85 of title 41, United States Code”.

(5) Section 647(f) of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (Public Law 108-199, division F, 31 U.S.C. 501 note) is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”.

(6) Section 1501(d) of the Legislative Branch Appropriations Act, 2008 (Public Law 110-161, division H, 31 U.S.C. 702 note) is amended—

(A) by striking “The Contract Disputes Act of 1978 (Public Law 95-563, 41 U.S.C. 601

et seq.), as amended” and substituting “Chapter 71 of title 41, United States Code”;

(B) by striking “section 4, subsections 8(a), (b), and (c), and subsection 10(a)” and substituting “sections 7102(d), 7104(b), and 7105(a), (c), (d), and (e)(1)(C) of title 41, United States Code.”;

(C) by striking “subsection 6(c)” and substituting “subsections (b) and (f) of section 7103 of title 41, United States Code.”; and

(D) by striking “the Contract Disputes Act of 1978” and substituting “chapter 71 of title 41, United States Code”.

(7) Section 781(c)(1) of title 31, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(8) Section 1(17) of Public Law 107-74 (31 U.S.C. 1113 note) is amended by striking “Section 303(c)(7) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(7))” and substituting “Section 3304(a)(7) of title 41, United States Code”.

(9) Section 1031(13) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65, 31 U.S.C. 1113 note) is amended by striking “Section 3732 of the Revised Statutes, popularly known as the ‘Food and Forage Act’ (41 U.S.C. 11)” and substituting “Section 6301(a) and (b) of title 41, United States Code”.

(10) Section 865(d)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417, 31 U.S.C. 1535 note) is amended by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 133 of title 41, United States Code”.

(11) Section 2(h)(2)(C)(i) of the Improper Payments Elimination and Recovery Act of 2010 (Public Law 111-204, 31 U.S.C. 3321 note) is amended by striking “section 605(a) of the Contract Disputes Act of 1978 (41 U.S.C. 605(a))” and substituting “section 7103(a), (c)(1), (d), and (e) of title 41, United States Code”.

(12) Section 3718(b)(1)(A) of title 31, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(13) Section 11 of the Prompt Payment Act Amendments of 1988 (Public Law 100-496, 31 U.S.C. 3903 note) is amended—

(A) in subsection (b)(1)(C), by striking “section 303(g)(2) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(2))” and substituting “section 3305(b) of title 41, United States Code”; and

(B) in subsection (c), by striking “section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)” and substituting “section 1707 of title 41, United States Code”.

(14) Section 5114(a)(3) of title 31, United States Code, is amended by striking “title III of the Act of March 3, 1933 (41 U.S.C. 10a et seq.; commonly referred to as the Buy American Act)” and substituting “chapter 83 of title 41”.

(15) Section 2(b)(1) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. 6101 note) is amended by striking “Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.)” and substituting “provisions referred to in section 172(b) of title 41, United States Code”.

(16) Section 2455(c)(1) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 31 U.S.C. 6101 note) is amended by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and substituting “section 104 of title 41, United States Code”.

(17) Section 9703(b)(3) of title 31, United States Code, as added by section 638(b)(1) of

the Treasury Forfeiture Fund Act of 1992 (Public Law 102-393, 106 Stat. 1779), is amended—

(A) by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”;

(B) by striking “section 6101(b) to (d)” and substituting “section 6101”.

**SEC. 26. TITLE 33, UNITED STATES CODE.**

(1) Section 108(a) of the River and Harbor Act of 1960 (33 U.S.C. 578(a)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended,” and substituting “chapter 5 of title 40, United States Code”.

(2) Section 14 of the Act of May 15, 1928 (ch. 569, 33 U.S.C. 702m) is amended by striking “section 3741 of the Revised Statutes being section 22 of title 41 of the United States Code” and substituting “section 6306(a) of title 41, United States Code”.

(3) Section 606(a)(1) of the NOAA Fleet Modernization Act (33 U.S.C. 891d(a)(1)) is amended by striking “United States Code and section 3732 of the Revised Statutes of the United States (41 U.S.C. 11)” and substituting “United States Code, and section 6301(a) and (b) of title 41, United States Code”.

(4) Section 41(b)(5) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 941(b)(5)) is amended by striking “section 5 of the Act of June 30, 1936 (ch. 881, 49 Stat. 2036), as amended,” and substituting “section 6507(b) through (f) of title 41, United States Code”.

(5) Section 204(c)(4)(D) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(D)) is amended by striking “section 5 of title 41” and substituting “section 6101 of title 41, United States Code”.

(6) Section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254) is amended—

(A) in subsection (b)(4), by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”; and

(B) in subsection (g)(3)(A), by striking “sections 3648 and 3709 of the Revised Statutes” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(7) Section 508(f)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1368(f)(2)) is amended by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and substituting “section 103 of title 41, United States Code”.

**SEC. 27. TITLE 35, UNITED STATES CODE.**

(1) Section 10102 of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508, 35 U.S.C. 1 note) is amended by striking “Federal Property and Administrative Services Act of 1949 and the Office of Federal Procurement Policy Act” and substituting “provisions referred to in sections 171(b) and (c) and 172(b) of title 41, United States Code”.

(2) Section 2(b)(4)(A) of title 35, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

**SEC. 28. TITLE 38, UNITED STATES CODE.**

(1) Section 1966(a) of title 38, United States Code, is amended by striking “section 6101(b) to (d) of title 41” and substituting “section 6101 of title 41”.

(2) Section 2412(c)(1) of title 38, United States Code, is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41”.

(3) Section 3720(b) of title 38, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and

4711) of subtitle I" and substituting "the provisions referred to in section 171(c)".

(4) Section 7317(f) of title 38, United States Code, is amended by striking "section 6101(b) to (d)" and substituting "section 6101".

(5) Section 7802(f) of title 38, United States Code, is amended by striking "section 6101(b) to (d)" and substituting "section 6101".

(6) Section 8122(a)(1) of title 38, United States Code, is amended by striking "section 6101(b) to (d)" and substituting "section 6101".

(7) Section 8201(e) of title 38, United States Code, is amended by striking "section 6101(b) to (d)" and substituting "section 6101".

#### SEC. 29. TITLE 40, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(l)(23) of Public Law 111-350 (124 Stat. 3852) is amended by striking "Statutes" and substituting "Statues".

(2) The item for section 111 in the analysis for chapter 1 of title 40, United States Code, is amended by striking "division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I" and substituting "the provisions referred to in section 171(c)".

(3) The matter before paragraph (1) in section 102 of title 40, United States Code, is amended by striking "and in division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I" and substituting "the provisions referred to in section 171(c)".

(4) Section 111 of title 40, United States Code, is amended—

(A) in the heading, by striking "division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I" and substituting "the provisions referred to in section 171(c)"; and

(B) in the matter before paragraph (1), by striking "division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I" and substituting "the provisions referred to in section 171(c)".

(5) Section 113(b) of title 40, United States Code, is amended—

(A) in the heading, by striking "DIVISION B (EXCEPT SECTIONS 1704 AND 2303) OF SUBTITLE I" and substituting "THE PROVISIONS REFERRED TO IN SECTION 172(b)"; and

(B) by striking "division B (Except Sections 1704 and 2303) of subtitle I" and substituting "the provisions referred to in section 172(b)".

(6) Section 311 of title 40, United States Code, is amended—

(A) in subsection (a), by striking "division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I" and substituting "the provisions referred to in section 171(c)"; and

(B) in subsection (b), by striking "division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I" and substituting "the provisions referred to in section 171(c)".

(7) Section 501(b)(2)(B) of title 40, United States Code, is amended by striking "Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)" and substituting "provisions referred to in section 172(b) of title 41".

(8) Section 506(a)(1)(D) of title 40, United States Code, is amended by striking "Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)" and substituting "provisions referred to in section 172(b) of title 41".

(9) Section 503(b)(3) of title 40, United States Code, is amended—

(A) in the heading, by striking "SECTION 6101(b) TO (d)" and substituting "SECTION 6101"; and

(B) by striking "Section 6101(b) to (d) of title 41" and substituting "Section 6101 of title 41".

(10) Section 545(f) of title 40, United States Code, is amended by striking "Section 6101(b)-(d)" and substituting "Section 6101".

(11) Section 1427(b) of division A of the Services Acquisition Reform Act of 2003

(Public Law 108-136, 40 U.S.C. 1103 note) is amended by striking "sections 303H and 303I of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h and 253i)" and substituting "sections 4103 and 4105 of title 41, United States Code.".

(12) Section 1305 of title 40, United States Code, is amended by striking "this subtitle and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41" and substituting "chapter 5 of this title".

(13) Section 1308 of title 40, United States Code, is amended by striking "division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I" and substituting "the provisions referred to in section 171(c)".

(14) Section 3148 of title 40, United States Code, is amended by striking "section 6101(b) to (d) of title 41" and substituting "section 6101 of title 41".

(15) Section 3304(d)(2) of title 40, United States Code, is amended by striking "division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I" and substituting "the provisions referred to in section 171(c)".

(16) Section 3305(a) of title 40, United States Code, is amended—

(A) in paragraph (1), by striking "subtitle I of this title and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41" and substituting "chapter 5 of this title"; and

(B) in paragraph (2), by striking "subtitle I of this title and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41" and substituting "chapter 5 of this title".

(17) Section 3308(a) of title 40, United States Code, is amended by striking "section 6101(b) to (d)" and substituting "section 6101".

(18) Section 3313(g) of title 40, United States Code, is amended—

(A) in the heading, by striking "BUY AMERICAN ACT" and substituting "CHAPTER 83 OF TITLE 41"; and

(B) by striking "the Buy American Act (41 U.S.C. 10c et seq.)" and substituting "chapter 83 of title 41".

(19) Section 6111(b)(2)(D) of title 40, United States Code, is amended by striking "section 6101(b) to (d)" and substituting "section 6101".

(20) Section 8711(d) of title 40, United States Code, is amended by striking "section 6101(b) to (d)" and substituting "section 6101".

(21) Section 813 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398, section 1 [H.R. 5408], 40 U.S.C. 11302 note) is amended—

(A) in subsection (a), by striking "sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421)" and substituting "sections 1121 and 1303 of title 41, United States Code"; and

(B) in subsection (d)(1), by striking "section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))" and substituting "section 133 of title 41, United States Code".

(22) Subtitle V of title 40, United States Code, is amended as follows:

(A) Chapter 1, which begins with section 15101, is renumbered as chapter 151.

(B) Chapter 2, which begins with section 15301, is renumbered as chapter 153.

(C) Chapter 3, which begins with section 15501, is renumbered as chapter 155.

(D) Chapter 4, which begins with section 15701, is renumbered as chapter 157.

#### SEC. 30. TITLE 41, UNITED STATES CODE.

(1) Effective January 4, 2011, section 7(b) of Public Law 111-350 (124 Stat. 3855) is amended—

(A) in the item relating to title III, § 4 of the Act of March 3, 1933 (ch. 212), tempo-

rarily renumbered § 5 by section 7002(1) of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100-418, 102 Stat. 1545), by striking "10b-1" and substituting "10c note";

(B) by deleting the item relating to section 1 of the Act of March 8, 1946 (ch. 80, 60 Stat. 37);

(C) by deleting the items relating to the Act of May 11, 1954 (ch. 199, 68 Stat. 81); and

(D) by deleting the items relating to sections 1 and 16 of the Act of November 1, 1978 (Public Law 95-563, 92 Stat. 2383, 2391).

(2) Effective January 4, 2011—

(A) insert after section 7109 of title 41, United States Code, the following:

#### "CHAPTER 73—LIMITATION ON JUDICIAL REVIEW OF ADMINISTRATIVE DECISIONS

"Sec.

"7301. Applicability.

"7302. In general.

"7303. Prohibition of contract provision relating to finality on a question of law.

#### "§ 7301. Applicability

"This chapter applies to public contracts not subject to chapter 71 of this title.

#### "§ 7302. In general

"(a) LIMITATION ON PLEADING.—No provision of a contract the United States enters into that relates to the finality or conclusiveness of a decision by the head of an agency, a representative of the head of the agency, or a board in a dispute involving a question arising under the contract shall be pleaded in a civil action as limiting judicial review of the decision to cases where fraud by the official, representative, or board is alleged.

"(b) FINALITY AND CONCLUSIVENESS OF DECISION.—A decision referred to in subsection (a) is final and conclusive unless it is fraudulent, capricious, arbitrary, or so grossly erroneous as necessarily to imply bad faith or is not supported by substantial evidence.

#### "§ 7303. Prohibition of contract provision relating to finality on a question of law

"No Government contract may contain a provision making final on a question of law the decision of an administrative official, representative, or board."; and

(B) the analysis for subtitle III of title 41, United States Code, is amended by inserting after the item for chapter 71 the following:

#### "73. Limitation on Judicial Review of Administrative Decisions ..... 7301".

(3) The analysis for chapter 1 of title 41, United States Code, is amended by inserting after the item for section 153 the following:

"154. Additional definitions.

#### "SUBCHAPTER IV—REFERENCES TO PROVISIONS FORMERLY CONTAINED IN OTHER LAWS

"171. References to provisions formerly contained in the Federal Property and Administrative Services Act of 1949.

"172. References to provisions formerly contained in the Office of Federal Procurement Policy Act.".

(4) Chapter 1 of title 41, United States Code, is amended by inserting after section 153 the following:

#### "§ 154. Additional definitions

"In the provisions referred to in section 171(c), the terms 'executive agency', 'Federal agency', and 'property' have the same meanings given in section 102 of title 40.

“SUBCHAPTER IV—REFERENCES TO PROVISIONS FORMERLY CONTAINED IN OTHER LAWS

“§171. References to provisions formerly contained in Federal Property and Administrative Services Act of 1949

“(a) TRANSLATION OF OBSOLETE REFERENCES.—This section provides a convenient form for references to provisions formerly contained in the Federal Property and Administrative Services Act of 1949.

“(b) PROVISIONS FORMERLY CONTAINED IN FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 (OTHER THAN TITLE III).—Provisions formerly contained in the Federal Property and Administrative Services Act of 1949 (other than title III) are restated in chapters 1 through 11 of title 40.

“(c) PROVISIONS FORMERLY CONTAINED IN TITLE III OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949.—Provisions formerly contained in title III of the Federal Property and Administrative Services Act of 1949 are restated in the following provisions of this title:

“(1) Sections 102, 103, 105 through 116, and 151 through 153.

“(2) Chapter 31.

“(3) Sections 3301, 3303 through 3305, 3306(a) through (e), 3307(a) through (d), and 3308 through 3311.

“(4) Sections 3501(a) and 3502 through 3509.

“(5) Chapter 37.

“(6) Sections 3901 through 3903 and 3905.

“(7) Sections 4101, 4103, 4105, and 4106.

“(8) Chapter 43.

“(9) Chapter 45.

“(10) Sections 4701 through 4706 and 4709.

“§172. References to provisions formerly contained in the Office of Federal Procurement Policy Act

“(a) TRANSLATION OF OBSOLETE REFERENCES.—This section provides a convenient form for references to provisions formerly contained in the Office of Federal Procurement Policy Act.

“(b) PROVISIONS FORMERLY CONTAINED IN OFFICE OF FEDERAL PROCUREMENT POLICY ACT.—Provisions formerly contained in the Office of Federal Procurement Policy Act are restated in the following provisions of this title:

“(1) Sections 102 through 105, 107 through 116, and 131 through 134.

“(2) Sections 1101, 1102, 1121(a) through (c)(1) and (c)(3) through (f), 1122, 1124 through 1127, and 1130.

“(3) Chapter 13.

“(4) Chapter 15.

“(5) Sections 1701, 1702, 1703(a) through (h), (i)(2) through (8), and (k), 1705, and 1707 through 1712.

“(6) Sections 1901 through 1903, 1905 through 1907, and 1908(b)(1) and (2), (c)(1) and (2), and (d) through (f).

“(7) Chapter 21.

“(8) Sections 2301, 2302, 2305 through 2310, and 2312.”

(5) Section 502 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1993 (Public Law 102-394, 41 U.S.C. 1101 note) is amended—

(A) by striking “the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)” and substituting “section 133 of title 41, United States Code”; and

(B) by striking “such Act” and substituting “the provisions referred to in section 172(b) of title 41, United States Code”.

(6) Section 414(a) of the Small Business Reauthorization Act of 1997 (Public Law 105-135, 41 U.S.C. 1122 note) is amended by striking “section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))” and substituting “section 1122(a)(4)(A) of title 41, United States Code.”.

(7) Section 10004 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 41 U.S.C. 1122 note) is amended—

(A) in subsection (a), by striking “section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))” and substituting “section 1122(a)(4)(A) of title 41, United States Code.”; and

(B) in subsection (b), by striking “section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))” and substituting “section 134 of title 41, United States Code”.

(8) Section 808(g) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, 41 U.S.C. 1127 note) is amended—

(A) in paragraph (1), by striking “section 306(l) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 256(l))” and substituting “section 4301(2) of title 41, United States Code”; and

(B) in paragraph (2), by striking “section 306(m) of the Federal Property and Administrative Services Act of 1949” and substituting “section 4301 of title 41, United States Code”.

(9) Section 1303(a)(1) of title 41, United States Code, is amended by striking “the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451 et seq.)” and substituting “chapter 201 of title 51”.

(10) Section 802 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65, 41 U.S.C. 1502 note) is amended—

(A) in subsection (c)(1), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code.”;

(B) in subsection (c)(2)(A)(ii), by striking “section 26 of the Office of Federal Procurement Policy Act” and substituting “chapter 15 of title 41, United States Code.”;

(C) in subsection (g), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)), as amended by this section” and substituting “section 1502(a) and (b) of title 41, United States Code, as in effect on February 10, 1996, and amended by this section”;

(D) in subsection (h), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code.”; and

(E) in subsection (i)(2), by striking “section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))” and substituting “section 1502(a) and (b) of title 41, United States Code”.

(11) Section 1703(i)(6) of title 41, United States Code, is amended by striking “Procurement” and substituting “Procurement”.

(12) Section 821(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163, 41 U.S.C. 1703 note) is amended by striking “section 37(h)(3)(D) of the Office of Federal Procurement Policy Act (as amended by subsection (a))” and substituting “section 1703(i)(5) of title 41, United States Code.”.

(13) Section 5051(c)(2)(A) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 41 U.S.C. 1703 note) is amended by striking “section 313(b) of the Federal Property and Administrative Services Act of 1949, as added by subsection (a)” and substituting “section 3103(b) of title 41, United States Code”.

(14) Section 6002(b) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 41 U.S.C. 1709 note) is amended by striking “section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a))” and substituting “section 1302(a) of title 41, United States Code.”.

(15) Section 1332 of the Small Business Jobs Act of 2010 (Public Law 111-240, 41 U.S.C. 1902 note) is amended by striking “section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)” and substituting “section 1902 of title 41, United States Code”.

(16) Section 2313 of title 41, United States Code, is amended—

(A) in subsection (c)(1), by adding after subparagraph (D) the following:

“(E) In an administrative proceeding, a final determination of contractor fault by the Secretary of Defense pursuant to section 823(d) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84, 10 U.S.C. 2302 note).”; and

(B) by amending subsection (e)(1) to read as follows:

“(1) AVAILABILITY—

“(A) TO GOVERNMENT OFFICIALS.—The Administrator of General Services shall ensure that the information in the database is available to appropriate acquisition officials of Federal agencies, other government officials as the Administrator of General Services determines appropriate, and, on request, the Chairman and Ranking Member of the committees of Congress having jurisdiction.

“(B) TO THE PUBLIC.—The Administrator of General Services shall post the information in the database, excluding past performance reviews, on a publicly available website.”.

(17) The analysis for chapter 31 of title 41, United States Code, is amended by striking the item relating to section 3103 and substituting the following:

“3103. Goals for major acquisition programs.”.

(18) Section 3103 of title 41, United States Code, is amended in the heading by striking “Acquisition programs” and substituting “Goals for major acquisition programs”.

(19) Section 317(b)(3)(B) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 41 U.S.C. note prec. 3901) is amended by striking “this chapter” and substituting “the provisions referred to in section 171(c) of title 41, United States Code”.

(20) Section 2192(b)(2) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 41 U.S.C. 4304 note) is amended by striking “section 306(l) of the Federal Property and Administrative Services Act of 1949 (as added by section 2151)” and substituting “section 4301(2) of title 41, United States Code”.

(21) Section 6503(b) of title 41, United States Code, is amended—

(A) in paragraph (1), by striking “and each incarcerated” and substituting “or each incarcerated”; and

(B) in paragraph (2), by striking “each underpayment” and substituting “underpayments”.

(22) Section 6504 of title 41, United States Code, is amended—

(A) in subsection (a)—  
(i) by striking “each agency” and substituting “all agencies”; and  
(ii) by inserting “or firms” after “persons”; and

(B) in subsection (b), by striking “described in section 6502 of this title”.

(23) Section 6506(b) of title 41, United States Code, is amended—

(A) by inserting “rules and” before “regulations”; and

(B) by inserting “may be” before “necessary”.

(24) Section 6507 of title 41, United States Code, is amended—

(A) in subsection (b), by striking “included in a contract” and substituting “included in a proposal or contract”; and

(B) in subsection (d), by striking “an impartial” and substituting “a”.

(25) Section 6508 of title 41, United States Code, is amended—

(A) in subsection (a), by striking “an agency” and substituting “the contracting agency”;

(B) in subsection (b), by striking “an agency” and substituting “the contracting agency”; and

(C) in subsection (c), by inserting “rules and” before “regulations”.

(26) Section 6701(3)(A) of title 41, United States Code, is amended by inserting “or the District of Columbia” after “Federal Government”.

(27) Section 6702(a) of title 41, United States Code, is amended—

(A) in paragraph (1), by inserting “and” after “Columbia.”;

(B) by striking clause (2); and

(C) by renumbering paragraph (3) as paragraph (2).

(28) Section 6703 of title 41, United States Code, is amended—

(A) before paragraph (1), by inserting “and involves an amount exceeding \$2,500” after “section 6702 of this title”;

(B) in paragraph (1), by striking “each class of service employee” and substituting “the various classes of service employees”;

(C) in paragraph (2)—

(i) by striking “each class of service employee” and substituting “the various classes of service employees”; and

(ii) by inserting “rules and” before “regulations”; and

(D) in paragraph (5), by striking “each class of service employee” and substituting “the various classes of service employees”.

(29) Section 6705 of title 41, United States Code, is amended—

(A) in subsection (b)(1), by striking “The total amount” and substituting “An amount”;

(B) in subsection (b)(2)—

(i) by striking “a service employee” and substituting “all service employees”; and

(ii) by striking “underpaid employee” and substituting “underpaid employees”; and

(C) in subsection (d)—

(i) by inserting “rules and” before “regulations”; and

(ii) by striking “a Federal agency” and substituting “the Federal agency”.

(30) Section 6706(b) of title 41, United States Code, is amended by striking “a hearing examiner” and substituting “an administrative law judge”.

(31) Section 6707 of title 41, United States Code, is amended—

(A) in subsection (a)—

(i) by striking “6507” and substituting “6507(b) through (f)”;

(ii) by inserting “rules and” before “regulations”;

(B) in subsection (b), by inserting “rules and” before “regulations”;

(C) in subsection (c)—

(i) in paragraph (1), by striking “the wages and fringe benefits the service employee would have received under the predecessor contract, including accrued wages and fringe benefits and any prospective increases in wages and fringe benefits provided for in a collective-bargaining agreement as a result of arm’s-length negotiations” and substituting “the wages and fringe benefits provided for in a collective-bargaining agreement as a result of arm’s-length negotiations to which the service employees would have been entitled if they were employed under the predecessor contract, including accrued wages and fringe benefits and any prospective increases in wages and fringe benefits provided for in the collective-bargaining agreement”; and

(ii) in paragraph (2), by striking “under the predecessor contract” and substituting “established under the predecessor contract through collective bargaining”; and

(D) in subsection (d), by striking “each class of service employee” and substituting “the various classes of service employees”.

(32) Section 7105 of title 41, United States Code, is amended—

(A) in subsection (b)(4)(A), by striking “subsection (e)(1)(B)” and substituting “subparagraphs (B) and (D) of subsection (e)(1)”; and

(B) in subsection (e)(1)—

(i) by redesignating subparagraph (D) as subparagraph (E); and

(ii) by adding after subparagraph (C) the following:

“(D) CENTRAL INTELLIGENCE AGENCY CONTRACTS.—The Armed Services Board or the Civilian Board, as specified by a contracting officer of the Central Intelligence Agency as the agency board to which an appeal of a decision of that contracting officer relative to a contract made by the Central Intelligence Agency may be made, has jurisdiction to decide that appeal.”.

(33) Section 508(a) of the Energy and Water Development Appropriations Act, 1989 (Public Law 100-371, 41 U.S.C. 8301 note) is amended by striking “title III of the Act of March 3, 1933 (47 Stat. 1520; 41 U.S.C. 10a-10c), commonly known as the Buy American Act” and substituting “chapter 83 of title 41, United States Code”.

(34) Section 856(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364, 41 U.S.C. 8501 note) is amended—

(A) in paragraph (1)—

(i) in the heading, by striking “JAVITS-WAGNER-O’DAY ACT” and substituting “CHAPTER 85 OF TITLE 41, UNITED STATES CODE”; and

(ii) by striking “section 2 of the Javits-Wagner-O’Day Act (41 U.S.C. 47)” and substituting “section 8503 of title 41, United States Code”; and

(B) in paragraph (2)—

(i) in the heading, by striking “JAVITS-WAGNER-O’DAY ACT” and substituting “CHAPTER 85 OF TITLE 41, UNITED STATES CODE”; and

(ii) in subparagraph (A), by striking “The Javits-Wagner-O’Day Act (41 U.S.C. 46 et seq.)” and substituting “Chapter 85 of title 41, United States Code.”;

(iii) in subparagraph (B), by striking “The Javits-Wagner-O’Day Act” and substituting “Chapter 85 of title 41, United States Code.”.

(35) Section 848(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163, 41 U.S.C. 8501 note) is amended—

(A) by striking “the Javits-Wagner-O’Day Act (41 U.S.C. 48)” and substituting “chapter 85 of title 41, United States Code.”;

(B) by striking “those Acts” and substituting “the Randolph-Sheppard Act and chapter 85 of title 41, United States Code.”;

(C) by striking “each Act” and substituting “the Randolph-Sheppard Act or chapter 85 of title 41, United States Code”.

#### SEC. 31. TITLE 42, UNITED STATES CODE.

(1) Section 244(b)(1) of the Public Health Service Act (42 U.S.C. 238m(b)(1)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(2) Section 306(f) of the Public Health Service Act (42 U.S.C. 242k(f)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(3) Section 308(f) of the Public Health Service Act (42 U.S.C. 242m(f)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(4) Section 319F-1(b) of the Public Health Service Act (42 U.S.C. 247d-6a(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking “section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))” and substituting “section 134 of title 41, United States Code”;

(II) by striking “section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a))” and substituting “section 3101(b)(1)(A) of title 41, United States Code”;

(III) in clause (i), by striking “section 303(g)(1)(A) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(A))” and substituting “section 3305(a)(1) of title 41, United States Code.”;

(IV) in clause (ii), by striking “section 302A(b) of such Act (41 U.S.C. 252a(b))” and substituting “section 3101(b)(1)(B) of title 41, United States Code.”;

(i) in subparagraph (B)—

(I) in clause (ii), by striking “Subsections (a) and (b) of section 7 of the Anti-Kickback Act of 1986 (41 U.S.C. 57(a) and (b))” and substituting “Section 8703(a) of title 41, United States Code”;

(II) in clause (iii), by striking “Section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d)” and substituting “Section 4706 of title 41, United States Code.”;

(III) in clause (v), by striking “Subsection (a) of section 304 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254(a))” and substituting “Section 3901 of title 41, United States Code”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “section 303(c)(1) of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(1))” and substituting “section 3304(a)(1) of title 41, United States Code.”;

(II) by striking “such section 303(c)(1)” and substituting “such section 3304(a)(1)”;

(ii) in subparagraph (C), by striking “such section 303(c)(1)” and substituting “such section 3304(a)(1)”;

(C) in paragraph (3)(A), by striking “subsections (c), (d), and (f) of section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)” and substituting “section 1902(a), (d), and (e) of title 41, United States Code.”.

(5) Section 319F-2(c)(7)(C) of the Public Health Service Act (42 U.S.C. 247d-6b(c)(7)(C)) is amended—

(A) in clause (ii)(VII), by striking “section 303(c)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(1))” and substituting “section 3304(a)(1) of title 41, United States Code”;

(B) in clause (iii)(I)—

(i) by striking “section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))” and substituting “section 134 of title 41, United States Code”;

(ii) by striking “section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a))” and substituting “section 3101(b)(1)(A) of title 41, United States Code”;

(iii) in item (aa), by striking “section 303(g)(1)(A) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(A))” and substituting “section 3305(a)(1) of title 41, United States Code.”;

(iv) in item (bb), by striking “section 302A(b) of such Act (41 U.S.C. 252a(b))” and substituting “section 3101(b)(1)(B) of such title”;

(C) in clause (iii)(II)—

(i) in item (bb), by striking “Subsections (a) and (b) of section 7 of the Anti-Kickback



Act of 1986 (41 U.S.C. 57(a) and (b))” and substituting “Section 8703(a) of title 41, United States Code”;

(ii) in item (cc), by striking “Section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d)” and substituting “Section 4706 of title 41, United States Code”; and

(iii) in item (ee), by striking “Subsection (a) of section 304 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254(a))” and substituting “Section 3901 of title 41, United States Code”;

(D) in clause (iv)—

(i) in subclause (I)—

(I) by striking “section 303(c)(1) of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(1))” and substituting “section 3304(a)(1) of title 41, United States Code.”; and

(II) by striking “such section 303(c)(1)” and substituting “such section 3304(a)(1)”;

(ii) in subclause (III), by striking “such section 303(c)(1)” and substituting “such section 3304(a)(1)”;

(E) in clause (vii), by striking “section 303A(a)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253a(a)(1)(B))” and substituting “section 3306(a)(1)(B) of title 41, United States Code.”.

(6) Section 319L(c)(5) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(5)) is amended—

(A) in subparagraph (A)(ii)(II), by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and substituting “section 1702(c) of title 41, United States Code”;

(B) in subparagraph (C), by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”; and

(C) in subparagraph (F), by striking “section 303(c)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(3))” and substituting “section 3304(a)(3) of title 41, United States Code”.

(7) Section 413(b)(8) of the Public Health Service Act (42 U.S.C. 285a-2(b)(8)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(8) Section 421(b)(3) of the Public Health Service Act (42 U.S.C. 285b-3(b)(3)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(9) Section 464H(b)(9) of the Public Health Service Act (42 U.S.C. 285n(b)(9)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(10) Section 494(2) of the Public Health Service Act (42 U.S.C. 289c(2)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”.

(11) Section 496(a) of the Public Health Service Act (42 U.S.C. 289e(a)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(12) Section 504 of the Public Health Service Act (42 U.S.C. 290aa-3) is amended—

(A) in subsection (a), by striking “section 4(1) of the Office of Federal Procurement Policy Act” and substituting “section 134 of title 41, United States Code”; and

(B) in subsection (c), by striking “section 4(1) of the Office of Federal Procurement Policy Act” and substituting “section 134 of title 41, United States Code”.

(13) Section 5101(f)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 294q(f)(3)) is amended by striking “section

3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(14) Section 945(d) of the Public Health Service Act (42 U.S.C. 299c-4(d)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529 and 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(15) Section 1132(d) of the Public Health Service Act (42 U.S.C. 300c-22(d)) is amended by striking “section 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(16) Section 1701(c) of the Public Health Service Act (42 U.S.C. 300u(c)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code”.

(17) Section 2354(a)(6) of the Public Health Service Act (42 U.S.C. 300cc-41(a)(6)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(18) Section 1805(d)(3) of the Social Security Act (42 U.S.C. 1395b-6(d)(3)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(19) Section 1860D-11(g)(1)(B)(iii) of the Social Security Act (42 U.S.C. 1395w-11(g)(1)(B)(iii)) is amended by striking “section 4(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(5))” and substituting “section 132 of title 41, United States Code”.

(20) Section 1866B(b)(4)(B) of the Social Security Act (42 U.S.C. 1395cc-2(b)(4)(B)) is amended by striking “section 5” and substituting “section 6101”.

(21) Section 1874A(b)(1)(B) of the Social Security Act (42 U.S.C. 1395kk-1(b)(1)(B)) is amended by striking “section 5” and substituting “section 6101”.

(22) Section 1890(a)(4) of the Social Security Act (42 U.S.C. 1395aaa(a)(4)) is amended by striking “section 4(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(5))” and substituting “section 132 of title 41, United States Code”.

(23) Section 1900(d)(3) of the Social Security Act (42 U.S.C. 1396(d)(3)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code”.

(24) Section 1902(a)(4)(D) of the Social Security Act (42 U.S.C. 1396a(a)(4)(D)) is amended—

(A) by striking “section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)” and substituting “chapter 21 of title 41, United States Code.”; and

(B) by striking “subsection (a)(2) of such section of that Act” and substituting “section 2102(a)(3) of such title”.

(25) Section 1932(d)(3) of the Social Security Act (42 U.S.C. 1396u-2(d)(3)) is amended by striking “section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)” and substituting “chapter 21 of title 41, United States Code”.

(26) Section 510(a) of the Housing Act of 1949 (42 U.S.C. 1480(a)) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(27) Section 302(b) of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592a(b)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code”.

(28) Section 305(a) of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592d(a)) is amended by striking “section 3709 of the Revised Statutes, as amended, section 322 of the Act of June 30, 1932 (47 Stat. 412), as amended, the Federal Property and Administrative Services Act of 1949, as amended” and substituting “the provisions referred to in section 171(b) and (c), and section 6101, of title 41 United States Code”.

(29) Section 309(a) of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592h(a)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(30) Section 4(a) of the Federal Food Donation Act of 2008 (42 U.S.C. 1792(a)) is amended by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting “section 1303 of title 41, United States Code.”.

(31) Section 11(c) of the National Science Foundation Act of 1950 (42 U.S.C. 1870(c)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”.

(32) Section 31 c of the Atomic Energy Act of 1954 (42 U.S.C. 2051(c)) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(33) Section 41 b of the Atomic Energy Act of 1954 (42 U.S.C. 2061(b)) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(34) Section 43 of the Atomic Energy Act of 1954 (42 U.S.C. 2063) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(35) Section 55 of the Atomic Energy Act of 1954 (42 U.S.C. 2075) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(36) Section 66 of the Atomic Energy Act of 1954 (42 U.S.C. 2096) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(37) Section 161 j of the Atomic Energy Act of 1954 (42 U.S.C. 2201(j)) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended, except section 207 of that Act” and substituting “chapter 5 (except section 559) of title 40, United States Code”.

(38) Section 170 g of the Atomic Energy Act of 1954 (42 U.S.C. 2210(g)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5), as amended” and substituting “section 6101 of title 41, United States Code”.

(39) Section 6(e) of the EURATOM Cooperation Act of 1958 (42 U.S.C. 2295(e)) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(40) Section 116 of the Atomic Energy Community Act of 1955 (42 U.S.C. 2310) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code.”.

(41) Section 120 of the Atomic Energy Community Act of 1955 (42 U.S.C. 2349) is amended by striking “section 3709 of the Revised Statutes, as amended” and substituting “section 6101 of title 41, United States Code”.

(42) Section 62(d) of the Atomic Energy Community Act of 1955 (42 U.S.C. 2362(d)) is amended—

(A) by striking “provisions of section 3709 of the Revised Statutes” and substituting “provisions of section 6101 of title 41, United States Code”; and

(B) by striking “comply with section 3709 of the Revised Statutes” and substituting

“comply with section 6101 of title 41, United States Code.”

(43) Section 601(c) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211(c)) is amended by striking “Section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “Section 6101 of title 41, United States Code.”

(44) Section 7(i)(1) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(i)(1)) is amended by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code.”

(45) Section 1345(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4081(b)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”

(46) Section 1346(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4082(c)) is amended by striking “section 3709 of the Revised Statute (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”

(47) Section 1360(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(b)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”

(48) The proviso under the heading “SCIENCE AND TECHNOLOGY” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003 (Public Law 108–7, div. K, 42 U.S.C. 4361c note) is amended by striking “41 U.S.C. 5” and substituting “section 6101 of title 41, United States Code.”

(49) Section 203(e) of the Environmental Quality Improvement Act of 1970 (42 U.S.C. 4372(e)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code.”

(50) Section 218 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4638) is amended by striking “the Federal Property and Administrative Services Act of 1949, as amended” and substituting “chapter 5 of title 40, United States Code.”

(51) Section 611(k) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(k)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” and substituting “chapter 5 of title 40, United States Code.”

(52) Section 306(a) of the Disaster Mitigation Act of 2000 (42 U.S.C. 5206(a)) is amended—

(A) in the subsection heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) by striking “the Buy American Act (41 U.S.C. 10a et seq.)” and substituting “chapter 83 of title 41, United States Code.”

(53) Section 604(a)(2)(B) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5403(a)(2)(B)) is amended by striking “section 4 of the Office of Federal Procurement Policy Act” and substituting “section 132 of title 41, United States Code.”

(54) Section 111(b) of Public Law 95–39 (42 U.S.C. 5903 note) is amended—

(A) by striking “\$10,000” and substituting “\$25,000”; and

(B) by striking “, which are excepted from the requirements of advertising by section 252(c)(3) of title 41, United States Code.”

(55) Section 207(c)(3) of the Presidential Science and Technology Advisory Organiza-

tion Act of 1976 (42 U.S.C. 6616(c)(3)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”

(56) Section 433(c) of the Energy Independence and Security Act of 2007 (Public Law 110–140, 42 U.S.C. 6834 note) is amended by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting “section 1302 of title 41, United States Code.”

(57) The first proviso in the paragraph under the heading “ENERGY INFORMATION ADMINISTRATION” under the heading “DEPARTMENT OF ENERGY” in title II of the Department of the Interior and Related Agencies Appropriations Act, 1996 (Public Law 104–134, title I, section 101(c), 42 U.S.C. 7135 note) is amended by striking “section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d))” and substituting “section 6707(d) of title 41, United States Code.”

(58) Section 104(i) of the Alaska Power Administration Asset Sale and Termination Act (Public Law 104–58, 42 U.S.C. 7152 note) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484)” and substituting “sections 541 through 555 of title 40, United States Code.”

(59) Section 103(b)(4) of the Clean Air Act (42 U.S.C. 7403(b)(4)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code.”

(60) Section 104(a)(2)(D) of the Clean Air Act (42 U.S.C. 7404(a)(2)(D)) is amended by striking “sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)” and substituting “section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code.”

(61) Section 112(r)(6)(N) of the Clean Air Act (42 U.S.C. 7412(r)(6)(N)) is amended by striking “section 5” and substituting “section 6101.”

(62) Section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287) is amended—

(A) in subsection (a)(2)(D)(iii), by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting “section 1303 of title 41, United States Code.”;

(B) in subsection (b)(1)(A), by striking “section 25(a) of the Office of Federal Procurement Policy Act” and substituting “section 1302(a) of title 41, United States Code”; and

(C) in subsection (c)(2), by striking “section 303J(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(d))” and substituting “section 4106(d) of title 41, United States Code.”

(63) Section 119(c)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9619(c)(3)) is amended by striking “section 3732 of the Revised Statutes (41 U.S.C. 11)” and substituting “section 6301(a) and (b) of title 41 of the United States Code.”

(64) Section 2(a) of Public Law 95–84 (42 U.S.C. 10301 note) is amended by striking “41 U.S.C. 504 et seq. (the Federal Grant and Co-operative Agreement Act of 1977; Public Law 95–224)” and substituting “chapter 63 of title 31, United States Code.”

(65) Section 104(h)(1)(C) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(h)(1)(C)) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41.”

(66) Section 104(c)(3) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12114(c)(3)) is amended by striking “the Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.)”

and substituting “chapter 81 of title 41, United States Code.”

(67) Section 501 of the National and Community Service Trust Act of 1993 (Public Law 103–82, 42 U.S.C. 12501 note) is amended by striking “sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code.”

(68) Section 184 of the National and Community Service Act of 1990 (42 U.S.C. 12644) is amended by striking “sections 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702–707)” and substituting “sections 8101 and 8103 through 8106 of title 41, United States Code.”

(69) Section 196(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651g(b)) is amended by striking “Federal Property and Administrative Services Act of 1949” and substituting “provisions of section 171(b) and (c) of title 41, United States Code.”

(70) Section 206(e)(7) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74, 42 U.S.C. 12701 note) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”

(71) Section 525(e)(7) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74, 42 U.S.C. 12701 note) is amended by striking “section 3709 of the Revised Statutes (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”

(72) Section 3021(a) of the Energy Policy Act of 1992 (42 U.S.C. 13556(a)) is amended by striking “Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” and substituting “provisions of section 171(b) and (c) title 41, United States Code.”

(73) Section 205(e) of the Help America Vote Act of 2002 (42 U.S.C. 15325(e)) is amended by striking “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” and substituting “section 6101 of title 41, United States Code.”

(74) Section 1002(e)(3)(C) of the Energy Policy Act of 2005 (42 U.S.C. 16392(e)(3)(C)) is amended by striking “section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1))” and substituting “section 1303(a)(1) of title 41, United States Code.”

(75) Section 136(j)(3) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013(j)(3)) is amended by striking “section 31 of the Office of Federal Procurement Policy Act (41 U.S.C. 427)” and substituting “section 1901 of title 41, United States Code.”

(76) Section 435(c) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17091(c)) is amended—

(A) in paragraph (1), by striking “section 6(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(a))” and substituting “section 1121(b) and (c)(1) of title 41, United States Code.”; and

(B) in paragraph (2), by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting “section 1302(a) of title 41, United States Code.”

(77) Section 1334(a)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18054(a)(1)) is amended by striking “section 5” and substituting “section 6101.”

#### SEC. 32. TITLE 43, UNITED STATES CODE.

(1) The last proviso in the paragraph under the heading “ADMINISTRATIVE PROVISIONS” under the heading “UNITED STATES GEOLOGICAL SURVEY” in title I of the Department of the Interior and Related Agencies Appropriations Act, 2000 (43 U.S.C. 50d), is amended by

striking “41 U.S.C. 5” and substituting “section 6101 of title 41, United States Code”.

(2) Section 115 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (Public Law 106-113, div. B, §1000(a)(3), 43 U.S.C. 1451 note), is amended by striking “Federal Property and Administrative Services Act of 1949” and substituting “provisions of section 171(b) and (c) of title 41, United States Code”.

(3) Section 205 of the Energy and Water Development Appropriations Act, 1993 (43 U.S.C. 1475a) is amended by striking “the Federal Procurement Integrity Act (41 U.S.C. 423 (1988))” and substituting “chapter 21 of title 41, United States Code”.

(4) Section 12(b)(7)(v) of Public Law 94-204 (43 U.S.C. 1611 note) is amended—

(A) by striking “the Federal Property and Administrative Services Act of 1949, 40 U.S.C. sec. 471 et seq.” and substituting “chapter 5 of title 40, United States Code”;

(B) by striking “that Act” and substituting “that chapter”; and

(C) by striking “40 U.S.C. 485(b), as amended” and substituting “40 U.S.C. 572(a)”.

(5) Section 306(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1736(a)) is amended by striking “Federal Property and Administrative Services Act of 1949 (63 Stat. 377, as amended)” and substituting “provisions of section 171(b) and (c) of title 41, United States Code”.

#### SEC. 33. TITLE 44, UNITED STATES CODE.

(1) The item for section 311 in the analysis for chapter 3 of title 44, United States Code, is amended by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”.

(2) Section 311 of title 44, United States Code, is amended—

(A) in the section catchline, by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”;

(B) in subsection (a), by striking “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “the provisions referred to in section 171(c)”;

(C) in subsection (c), by striking “section 6101(b) to (d)” and substituting “section 6101”.

(3) Section 210(i) of the E-Government Act of 2002 (Public Law 107-347, 44 U.S.C. 3501 note) is amended by striking “(as added by subsection (b))” and substituting “(41 U.S.C. note preceding 3901, United States Code)”.

#### SEC. 34. TITLE 45, UNITED STATES CODE.

(1) Section 11(c) of the Railroad Unemployment Insurance Act (45 U.S.C. 361(c)) is amended—

(A) by striking “section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 6101 of title 41”; and

(B) by striking “section 3709 of Revised Statutes (U.S.C., title 41, sec. 5)” and substituting “section 6101 of title 41”.

(2) Section 613(b) of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1212(b)) is amended by striking “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484)” and substituting “sections 541 through 555 of title 40, United States Code”.

#### SEC. 35. TITLE 46, UNITED STATES CODE.

(1) Section 51703(b)(2) of title 46, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(2) Section 55305(d)(2)(D) of title 46, United States Code, is amended by striking “section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1))” and substituting “section 1303(a)(1) of title 41”.

#### SEC. 36. TITLE 48, UNITED STATES CODE.

Section 108 of the Interior Department Appropriation Act, 1953 (48 U.S.C. 1685) is

amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

#### SEC. 37. TITLE 49, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(o)(1) of Public Law 111-350 (124 Stat. 3853) is amended by striking “section 103(e)” and substituting “section 103(i)”.

(2) Section 103(i) of title 49, United States Code, is amended by striking “subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “section 171(b) and (c)”.

(3) Section 1113(b)(1)(B) of title 49, United States Code, is amended by striking “section 6101(b) to (d)” and substituting “section 6101”.

(4) Section 123(a) of the Hazardous Materials Transportation Authorization Act of 1994 (Public Law 103-311, 49 U.S.C. 5101 note) is amended—

(A) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) by striking “sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code”.

(5) Section 5334(j)(2) of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(6) Section 10721 of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(7) Section 13712 of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(8) Section 15504 of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(9) Section 110(b) of the Amtrak Reform and Accountability Act of 1997 (Public Law 105-134, 49 U.S.C. 24301 note) is amended by striking “Section 303B(m) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b(m))” and substituting “Section 4702 of title 41, United States Code”.

(10) Section 40110(d) of title 49, United States Code, is amended—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking “Division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I” and substituting “Provisions referred to in section 171(c)”;

(ii) in subparagraph (B), by striking “Division B (except sections 1704 and 2303) of subtitle I” and substituting “Provisions referred to in section 172(b)”;

(B) in paragraph (3)—

(i) in the heading, by striking “OF DIVISION B (EXCEPT SECTIONS 1704 AND 2303) OF SUBTITLE I” and substituting “REFERRED TO IN SECTION 172(B)”;

(ii) in subparagraph (B), by striking “Office of Federal Procurement Policy Act” and substituting “provisions referred to in section 172(b) of title 41”;

(iii) in subparagraph (C), by striking “Office of Federal Procurement Policy Act” and substituting “provisions referred to in section 172(b) of title 41”;

(iv) in subparagraph (D), by striking “section 27(e)(3)(A)(iv) of the Office of Federal Procurement Policy Act” and substituting “section 2105(c)(1)(D) of title 41”.

(11) Section 351(b) of the Department of Transportation and Related Agencies Appropriations Act, 1997 (Public Law 104-205, 49 U.S.C. 40110 note) is amended by striking

“section 4(6) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(6))” and substituting “section 107 of title 41, United States Code”.

(12) Section 5063 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 49 U.S.C. 40110 note) is amended—

(A) in subsection (f)(2), by striking subparagraphs (B) and (C) and substituting the following:

“(B) Sections 107, 1708, 3105, 3301(a), (b)(1), and (c), 3303 through 3306(e), 3308, and 3311, chapter 37, and section 4702 of title 41, United States Code.”;

(B) in subsection (g), by striking “section 4(12) of the Office of Federal Procurement Policy Act” and substituting “section 103 of title 41, United States Code”.

(13) Section 47305(d) of title 49, United States Code, is amended by striking “Section 6101(b) to (d)” and substituting “Section 6101”.

(14) Section 305(b) of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305, 49 U.S.C. 50101 note) is amended—

(A) in the heading, by striking “BUY AMERICAN ACT” and substituting “CHAPTER 83 OF TITLE 41, UNITED STATES CODE”; and

(B) in paragraph (1), by striking “sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a through 10c, popularly known as the ‘Buy American Act’)” and substituting “chapter 83 of title 41, United States Code”.

#### SEC. 38. TITLE 50, UNITED STATES CODE.

(1) Section 4(c)(2) of the Helium Act (50 U.S.C. 167b(c)(2)) is amended by striking “the Federal Property and Administrative Services Act of 1949” and substituting “chapter 5 of title 40, United States Code”.

(2) Section 3(d) of the Act of August 9, 1954 (ch. 659, 50 U.S.C. 198(d)) is amended—

(A) by striking “section 3709 of the Revised Statutes” and substituting “section 6101 of title 41, United States Code”; and

(B) by striking “said section 3709” and substituting “said section 6101”.

(3) Section 102A(q)(4)(B) of the National Security Act of 1947 (50 U.S.C. 403-1(q)(4)(B)) is amended by striking “section 4(9) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 403(9))” and substituting “section 109 of title 41, United States Code”.

(4) Section 505(a)(2)(B)(i) of the National Security Act of 1947 (50 U.S.C. 415(a)(2)(B)(i)) is amended by striking “Federal Property and Administrative Services Act of 1949” and substituting “provisions referred to in section 171(b) and (c) of title 41 of the United States Code”.

(5) Section 506C(e)(1) of the National Security Act of 1947 (50 U.S.C. 415a-5(e)(1)) is amended by striking “section 4(10) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(10))” and substituting “section 108 of title 41, United States Code”.

(6) Section 502(a) of the National Emergencies Act (50 U.S.C. 1651(a)) is amended—

(A) in paragraph (1), by striking “Act of June 30, 1949 (41 U.S.C. 252)” and substituting “Provisions of law referred to in section 171(b) and (c) of title 41, United States Code”; and

(B) in paragraph (3), by striking “Section 3737 of the Revised Statutes, as amended (41 U.S.C. 15)” and substituting “Section 6305 of title 41, United States Code”.

(7) The Sudan Accountability and Divestment Act of 2007 (Public Law 110-174, 50 U.S.C. 1701 note) is amended—

(A) in section 2(3), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and substituting “section 133 of title 41, United States Code”; and

(B) in section 6—

(i) in subsection (b)(4), by striking “section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)” and substituting

"section 1303 of title 41, United States Code,"; and

(ii) in subsection (d), by striking "section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)" and substituting "section 1303 of title 41, United States Code,".

(8) Section 6(b) of the Iran Sanctions Act of 1996 (Public Law 104-172, 50 U.S.C. 1701 note) is amended—

(A) in paragraph (1), by striking "section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)" and substituting "section 1303 of title 41, United States Code";

(B) in paragraph (2)(B), by striking "section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)" and substituting "section 1303 of title 41, United States Code"; and

(C) in paragraph (6), by striking "section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)" and substituting "section 133 of title 41, United States Code".

(9) Section 802(a)(4) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(a)(4)) is amended by striking "section 3709 of the Revised Statutes (41 U.S.C. 5)" and substituting "section 6101 of title 41, United States Code,".

(10) Section 3212(c) of the National Nuclear Security Administration Act (50 U.S.C. 2402(c)) is amended by striking "section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))" and substituting "section 1702(c)(1) and (2) of title 41, United States Code".

(11) Section 3262 of the National Nuclear Security Administration Act (50 U.S.C. 2462) is amended by striking "Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.," and substituting "provisions referred to in section 172(b) of title 41, United States Code".

(12) Section 4421(f) of the Atomic Energy Defense Act (50 U.S.C. 2601(f)) is amended by striking "section 304B(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c(d))" and substituting "section 3903(a) and (e) of title 41, United States Code".

(13) Section 4801(b)(1) of the Atomic Energy Defense Act (50 U.S.C. 2781(b)(1)) is amended by striking "section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)" and substituting "section 1707 of title 41, United States Code".

#### SEC. 39. TITLE 50 APPENDIX, UNITED STATES CODE.

(1) Section 8(b) of the Joint Resolution of December 30, 1947 (ch. 526, 50 App. U.S.C. 1918(b)) is amended by striking "sections 3709 and 3648 of the Revised Statutes, as amended (U.S.C., title 41, sec. 5, and title 31, sec. 529)" and substituting "section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code".

(2) The Act of July 26, 1956 (ch. 738, 50 App. U.S.C. 1941 note) is amended by striking "the Federal Property and Administrative Services Act of 1949" and substituting "chapter 5 of title 40, United States Code".

(3) Section 107(b)(2)(B)(ii) of the Defense Production Act of 1950 (ch. 932, 50 App. U.S.C. 2077(b)(2)(B)(ii)) is amended by striking "section 303(b)(1)(B) or section 303(c)(3) of the Federal Property and Administrative Services Act of 1949" and substituting "section 3303(a)(1)(B) or section 3304(a)(3) of title 41, United States Code".

(4) Section 704(b) of the Defense Production Act of 1950 (ch. 932, 50 App. U.S.C. 2154(b)) is amended—

(A) by striking "section 25 of the Office of Federal Procurement Policy Act" and substituting "section 1303 of title 41, United States Code"; and

(B) by striking "section 6 or 25 of that Act" and substituting "section 1121(b) and (d) or 1303(a)(1) of that title".

(5) Section 709(c) of the Defense Production Act of 1950 (ch. 932, 50 App. U.S.C. 2159(c)) is amended by striking "section 22 of the Office of Federal Procurement Policy Act" and substituting "section 1707 of title 41, United States Code".

#### SEC. 40. TITLE 51, UNITED STATES CODE.

(1) Section 20113(c)(4) of title 51, United States Code, is amended by striking "chapters 1 to 11 of title 40 and in accordance with title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.," and substituting "chapter 5 of title 40".

(2) Section 30704(2) of title 51, United States Code, is amended by striking "the Buy American Act (41 U.S.C. 10a et seq.," and substituting "chapter 83 of title 41".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from California (Ms. ZOE LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

#### GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6080, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the rules of the House entrust to the Judiciary Committee the responsibilities of revision and codification of the statutes of the United States. This power does not give our committee substantive legislative jurisdiction over all areas of law. It merely confers the authority to organize duly enacted laws into an efficient codification system.

The nonpartisan Office of Law Revision Counsel is responsible for properly codifying public laws into titles and sections of the United States Code. From time to time, that office provides the Judiciary Committee with advice as to how to enact a more user-friendly and cohesive statutory system.

This spring, Republican and Democratic committee staff worked cooperatively with the Office of Law Revision Counsel to develop H.R. 6080. The bill makes technical improvements to title 41 of United States Code, which contains Federal laws that govern public contracts. The bill makes no changes to substantive law.

I encourage my colleagues to support this bill. I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I'm pleased to join my colleague, Judiciary Committee Chairman LAMAR SMITH, in bringing this bill to the floor. This is a commonsense bill. As has been noted, it makes technical revisions to bipartisan legislation

enacted during the 111th Congress that created the new title 41 to the U.S.C., which pertains to public contracts.

This bill was prepared by the Office of Law Revision Counsel as part of its ongoing responsibility to draft and submit to the Committee on the Judiciary, one title at a time, a complete compilation, restatement and revision of the general and permanent laws of the United States.

The bill makes conforming amendments to laws contained in title 41, corrects references that require more particular reference. In addition, the bill omits references to outdated or repealed laws, makes clarifying revisions to sections of title 41 that do not provide meanings for particular words for the purpose of clarity, and corrects two cross-references to public laws that may have been erroneously included.

The bill is not intended to make any substantive changes to the law. As is typical with the codification process, a number of nonsubstantive revisions are made, including the revision of sections into a more coherent overall structure; but these changes, as I've said, are not intended to have any substantive effect.

I urge my colleagues to support this legislation. And I would like to take this opportunity to thank the Office of the Law Revision Counsel for its good work. This makes the practice of law more coherent in the United States.

We have no speakers, and so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6080.

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

A motion to reconsider was laid on the table.

#### REAUTHORIZING CERTAIN VISA PROGRAMS

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3245) to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3245

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

#### SECTION 1. REAUTHORIZATION OF EB-5 REGIONAL CENTER PROGRAM.

Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking "pilot" each place such term appears; and

(2) in subsection (b), by striking "September 30, 2012" and inserting "September 30, 2015".

**SEC. 2. REAUTHORIZATION OF E-VERIFY.**

Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by striking “September 30, 2012” and inserting “September 30, 2015”.

**SEC. 3. REAUTHORIZATION OF SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.**

Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended—

(1) in subclause (II), by striking “September 30, 2012” and inserting “September 30, 2015”; and

(2) in subclause (III), by striking “September 30, 2012” and inserting “September 30, 2015”.

**SEC. 4. REAUTHORIZATION OF CONRAD STATE 30 J-1 VISA WAIVER PROGRAM.**

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) is amended by striking “September 30, 2012” and inserting “September 30, 2015”.

**SEC. 5. NO AUTHORITY FOR NATIONAL IDENTIFICATION CARD.**

Nothing in this Act may be construed to authorize the planning, testing, piloting, or development of a national identification card.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from California (Ms. ZOE LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

**GENERAL LEAVE**

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 3245, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I'd like to thank the Senate Judiciary Committee chairman and ranking member for introducing this legislation and for working with me to help ensure that four key immigration-related programs do not expire at the end of this month.

This Congress must ensure there is a national business climate that fosters the ability of private enterprise to create jobs for Americans and legal workers.

S. 3245, which extends for 3 years the E-Verify, EB-5 Regional Center Pilot, the Conrad 30 J-1 Visa Waiver, and the Special Immigrant Nonminister Religious Worker programs, helps achieve this goal in several ways.

First, the E-Verify program allows employers to electronically verify that newly hired employees are authorized to work in the United States. The program is free, quick, and easy to use. Nearly 400,000 American employers use E-Verify, and over 1,000 new businesses sign up for it every week.

The American public overwhelmingly supports E-Verify. Last year, a Ras-

mussen poll found that 82 percent of likely voters “think businesses should be required to use the Federal Government’s E-Verify system to determine if a potential employee is in the country legally.”

E-Verify has also received bipartisan congressional support in the past. In 2008, the House passed a 5-year extension of E-Verify by a vote of 407-2. And in 2009, the Senate passed a permanent E-Verify extension by voice vote.

Ensuring that businesses have access to E-Verify will help preserve jobs for the 23 million Americans who are currently unemployed or looking for full-time work.

The investor visa program also helps create jobs for Americans. Under this program, 10,000 immigrants can receive permanent residence each year if they engage in a new commercial enterprise, invest between \$500,000 and \$1 million in the business, and see that it creates 10 full-time jobs for American workers.

The Regional Center Pilot Project, which is almost two decades old, has reinvigorated the investor visa program. Investment through a regional center is especially attractive to potential investors because they are relieved of the responsibility of running a new business. They can also count indirect job creation towards the job creation requirement. Most investor visa petitions now involve regional centers.

It appears that investors may feel more confident about a regional center that is operated through a State or city government. In these hard economic times, many State and local governments have turned to regional centers as a method of generating economic growth.

The Association to Invest in the United States of America has estimated the regional center program has created or saved over 65,000 jobs in the U.S. and has led to the investment of over \$3 billion in the U.S. economy.

S. 3245 also extends for 3 years a program that has successfully brought needed doctors to medically underserved areas in the U.S. This program was designed by Senator KENT CONRAD. It allows foreign doctors who have been in the U.S. on exchange programs to stay at the conclusion of their residencies if they agree to practice medicine for at least 3 years in health professional shortage areas. This is a valuable provision, and I support its reauthorization.

□ 1550

Finally, S. 3245 extends the Special Immigrant Nonminister Religious Worker Program. Under this program, 5,000 immigrant visas can be issued to nonminister individuals who have been members of the denomination and who have worked in the capacity for which they are applying for at least the 2 years immediately following the visa applications. Historically, the program has been plagued by fraud, but the Bush administration took steps to help prevent much of the fraud, and now

many churches and religious organizations in the United States rely on these immigrant nonministers. I look forward to making statutory changes aimed at even more fraud prevention, and I support the program’s extension.

Again, I want to thank Senator LEAHY and Senator GRASSLEY for their leadership on this bill. All four of these programs are important, and I urge my colleagues to support S. 3245.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

I do rise in strong support of this bill. Specifically, this bill extends until September 30, 2015, these four long-standing immigration programs that are set to expire otherwise at the end of this month. They are valuable programs, and they serve different purposes.

The one, the Special Immigrant Nonminister Religious Worker Program, allows religious workers to enter the United States to do important work. There are 5,000 religious workers eligible for these visas each year when they are called to a vocation or are in a traditional religious occupation with a bona fide nonprofit religious organization. They are missionaries, counselors, instructors, and pastoral care providers. They really help our country.

The second program, the Conrad “J Waiver,” helps medically underserved communities attract highly skilled physicians. This program literally provides a lifeline for communities that desperately need doctors who received their medical training in the United States. It is absolutely necessary that this program continues to exist so that States can attract medical talent and can keep the doors of small town clinics open.

The third program, the EB-5 Immigrant Investor Pilot Program, allocates 3,000—out of the EB-5 category’s 10,000—visas each year for EB-5 investors who invest in these designated regional centers. This pilot program is important to our Nation’s economy as it represents, actually, billions of dollars in aggregate immigrant investment, and it creates more than 20,000 new direct and indirect jobs each year.

The final program that would be extended under the bill is E-Verify, the basic pilot program first authorized in 1996. Now, Chairman SMITH and I disagree on how effective this bill is. I don’t believe it’s ready for mandatory nationwide use because of errors in the system and, more broadly, because of major dysfunctions in our immigration system, but that doesn’t mean I disagree that this program should be extended. I do. This program is voluntary, and by extending the E-Verify program as it currently exists, it will provide Congress additional time to work toward improving the program and fixing our Nation’s immigration laws so that they work for American families, businesses, and the economy as a whole.

I should note that this bill received unanimous support in the Senate. Likewise, I hope that all of my colleagues in this Chamber will support this bipartisan legislation so that it can be quickly sent to the President's desk for his signature.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I continue to reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, we do have two Members who would like to address this briefly. I yield 2 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of S. 3245, which would, in part, reauthorize the EB-5 visa program for 3 years. This EB-5 program will create good American jobs.

Last year, I worked with Senator LEAHY to write H.R. 2972, the Creating American Jobs Through Foreign Capital Act. That legislation would have reauthorized EB-5 permanently. While the bill before us today extends the program for only 3 years, it is still an important job creator that we must pass. The program allows qualified foreign investors who invest in the U.S. and who create or save at least 10 full-time American jobs to seek U.S. visas. This program brings overseas capital to the U.S. to create jobs for people in my district and across America.

There are two projects in Everett, Washington, currently being financed through the EB-5 program. One is a college building. If this bill is not passed, our area will lose this building and the opportunities associated with it. The second investment is one for a building that houses a regional farmers' market, which is a project that has been in the works and is almost done. This project will help local farmers regionally and create jobs. If this bill is not passed, again, this project, which is set to be finished soon, will not be completed, and all finance and investments will be lost. In another part of my district, in Whatcom County, the local EB-5 center has leveraged more than \$34 million from immigrant investors to create more than 800 good local jobs.

The EB-5 program is a real threefer: It's a win for American workers, who benefit from thousands of new jobs; it's a win for the taxpayer because it doesn't add one penny to the national deficit; third, it helps the U.S. compete on a global scale. The U.S. EB-5 visa program is one of more than 20 similar programs run by other important, growing economies like Hong Kong, New Zealand, Australia, and Singapore.

Our economy cannot afford to do without these investments or these jobs. If we don't keep this road open for foreign investment into the U.S., that investment will choose another country's road. Congress must extend the EB-5 program so that we can continue to create new jobs at a time when we need them most.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlewoman from California, and I thank the gentleman from Texas.

This is terrific. The EB-5 program works. We're doing it together. We're working with the Senate, and we're getting something done. Let me tell you that the place we're getting something done includes the Sugarbush Valley and the Mad River Valley in Vermont, in the Northeast Kingdom, where we've had, among other jobs created, two ski areas that have been able to take advantage of the EB-5 program—to get investor money and to build the infrastructure that is so essential to the tourist economy that we have in Vermont. So this is a program that works, and it is delightful to me to be able to participate in reinstating this program so that it can continue to help create jobs and promote economic development in my State of Vermont.

I thank the gentleman from Texas and the gentlewoman from California for their leadership on this and for the bipartisan team of Senator LEAHY and Senator GRASSLEY in the United States Senate.

Ms. ZOE LOFGREN of California. I have no additional speakers, and I would be happy to yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, in closing, I just want to thank the gentlewoman from California (Ms. LOFGREN) for her continued interest and leadership in the subject of immigration, and I especially appreciate her support of this bill today.

I yield back the balance of my time.

COMMITTEE ON EDUCATION AND THE  
WORKFORCE, HOUSE OF REPRESENTATIVES,

Washington, DC, September 10, 2012.

Hon. LAMAR SMITH,  
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to the consideration of S. 3245, a bill that reauthorizes certain immigration provisions. Thank you for consulting with the Committee on Education and the Workforce with regard to S. 3245 on those matters within the committee's jurisdiction.

In the interest of expediting the House's consideration of S. 3245, the Committee on Education and the Workforce will forgo further consideration on this bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice the committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Committee Report on S. 3245 and in the Congressional Record during consideration of this bill on the

House floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, September 11, 2012.

Hon. JOHN KLINE,

Chairman, Committee on Education and the Workforce, Washington, DC.

DEAR CHAIRMAN KLINE, Thank you for your letter dated September 10, 2012 regarding S. 3245, a bill that reauthorizes certain immigration provisions. I am most appreciative of your decision to forego consideration of the bill so that it may move expeditiously to the House floor.

I acknowledge that although you are waiving formal consideration of the bill, the Committee on Education and the Workforce is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this reply letter memorializing our mutual understanding in the Congressional Record during floor consideration of S. 3245.

Sincerely,

LAMAR SMITH,  
Chairman.

Mr. CALVERT. Mr. Speaker, I rise today in support of Chairman LAMAR SMITH and S. 3245 which reauthorizes the E-Verify program for an additional three years.

First, I would like to thank Chairman SMITH for his leadership and support of the E-Verify program. The Chairman has steadfastly supported E-Verify, helped expand the program and provided for several reauthorizations. I commend his leadership and value his hard work on E-Verify and immigration issues.

S. 3245 provides for a simple three year reauthorization of the popular E-Verify program. In 1996, when I first wrote the legislation that created the E-Verify pilot program, I had humble expectations. Now, 16 years after its inception it has 399,538 employers participating at 1.2 million employer sites. So far in FY 2012, there have been more than 19.6 million queries run through the system. Congress and the entire Federal Government is required to use the system and several states have made use of the program mandatory for their employers.

E-Verify continues to defy expectations: it is 99.5 percent accurate, free to employers and easy to use. It continues to develop new ways to combat illegal employment such as Photo Tool, Self Lock, and Fraud Alert.

The next step, which Chairman SMITH, Subcommittee Chairman GALLEGLY and I have been working on, is to make E-Verify mandatory for all employers in the U.S. With unemployment stuck above 8 percent for the 43rd consecutive month, it is time we ensure that American jobs are going to American workers and those legally authorized to work in the U.S. I am hopeful that the House will consider H.R. 2885 before the end of the year; the only way to truly gain control of our borders is to end the jobs magnet that brings people here illegally.

In the meantime, it is necessary that we reauthorize E-Verify for an additional three years and again, I commend Chairman SMITH and look forward to working with him on our efforts to make E-Verify mandatory.



Mr. SABLAN. Mr. Speaker, I rise today in support of S. 3245, extending authorization of the EB-5 Regional Center program another three years to September 2015. The EB-5 program provides conditional permanent resident status to foreign investors in economic units known as Regional Centers. In doing so, the program promotes economic growth, improves regional productivity, and creates jobs in the geographic area where a Center is located. This is exactly the kind of incentive needed in my district, the Northern Mariana Islands, which has seen gross domestic product decline from \$1.2 billion in 2002 to \$600 million in 2009. Already several proposals have come forward for the Northern Mariana Islands, predicated on the establishment EB-5 Regional Centers, that will inject foreign investment capital and create jobs. These Regional Centers do not just represent jobs and salary for their direct employees—they represent investments in our community. For every new job created, and for every additional dollar of salary paid, our workforce and pay scale are benefitted across the board. The extension of this program provided in S. 3245 will ensure that these opportunities can continue to benefit our economy. I commend Senator LEAHY and Senator GRASSLEY for introducing this bipartisan legislation and the bipartisan House leadership for bringing this bill to the floor for approval.

The SPEAKER pro tempore (Mr. CHAFFETZ). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, S. 3245. The question was taken.

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

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### IMPROVING TRANSPARENCY OF EDUCATION OPPORTUNITIES FOR VETERANS ACT OF 2012

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4057) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4057

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

#### SECTION 1. COMPREHENSIVE POLICY ON PROVIDING EDUCATION INFORMATION TO VETERANS.

(a) COMPREHENSIVE POLICY REQUIRED.—  
(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

“§3698. Comprehensive policy on providing education information to veterans

“(a) COMPREHENSIVE POLICY REQUIRED.—The Secretary shall develop a comprehensive policy

to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning.

“(b) SCOPE.—In developing the policy required by subsection (a), the Secretary shall include each of the following elements:

“(1) The most effective way to inform individuals of the educational and vocational counseling provided under section 3697A of this title.

“(2) A centralized way to track and publish feedback from students and State approving agencies regarding the quality of instruction and accreditation, recruiting practices, and post-graduation employment placement of institutions of higher learning.

“(3) The merit of and the manner in which a State approving agency shares with an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b et seq.) information regarding the State approving agency’s evaluation of an institution of higher learning.

“(4) The manner in which information regarding institutions of higher learning is provided to individuals participating in the Transition Assistance Program under section 1144 of title 10.

“(5) The most effective way to provide veterans and members of the Armed Forces with information regarding postsecondary education and training opportunities available to the veteran or member.

“(c) POSTSECONDARY EDUCATION INFORMATION.—(1) The Secretary shall ensure that the information provided pursuant to subsection (b)(5) includes—

“(A) an explanation of the different types of accreditation available to educational institutions and programs of education;

“(B) a description of Federal student aid programs; and

“(C) for each institution of higher learning, for the most recent academic year for which information is available—

“(i) whether the institution is public, private nonprofit, or proprietary for-profit;

“(ii) the name of the national or regional accrediting agency that accredits the institution, including the contact information used by the agency to receive complaints from students;

“(iii) information on the State approving agency, including the contact information used by the agency to receive complaints from students;

“(iv) whether the institution participates in programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

“(v) the tuition and fees;

“(vi) the median amount of debt from Federal student loans under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) held by students at institution;

“(vii) the cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), of the institution;

“(viii) the enrollment rates, graduation rates, and retention rates;

“(ix) for each program of education offered by the institution that is designed to prepare a student for an occupation that requires a licensure or certification test offered by a Federal, State, or local government or has other preconditions or requirements, the degree to which the program prepares the student for the particular occupation;

“(x) whether the institution provides students with technical support, academic support, and other support services, including career counseling and job placement; and

“(xi) whether the institution accepts academic credit by students who are transferring to the institution, including credits awarded by a proprietary for-profit institution.

“(2) To the extent possible, the Secretary shall provide the information described in paragraph (1) by including hyperlinks on the Internet website of the Department to other websites that

contain such information in a form that is comprehensive and easily understood by veterans, members, and other individuals.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘institution of higher learning’ has the meaning given that term in section 3452(f) of this title.

“(2) The term ‘postsecondary education and training opportunities’ means any postsecondary program of education, including apprenticeships and on-job training, for which the Secretary of Veterans Affairs provides assistance to a veteran or member of the Armed Forces.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 3697A the following new item:

“3698. Comprehensive policy on providing education information to veterans.”.

(b) PROHIBITION ON INDUCEMENTS.—Section 3696 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(e) The Secretary shall not approve an educational institution if the educational institution provides any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance.”.

(c) SURVEY.—In developing the policy required by section 3698(a) of title 38, United States Code, as added by subsection (a), the Secretary shall conduct a market survey to determine the availability of the following:

(1) A commercially available off-the-shelf online tool that allows a veteran or member of the Armed Forces to assess whether the veteran or member is academically ready to engage in postsecondary education and training opportunities and whether the veteran or member would need any remedial preparation before beginning such opportunities.

(2) A commercially available off-the-shelf online tool that provides a veteran or member of the Armed Forces with a list of providers of postsecondary education and training opportunities based on criteria selected by the veteran or member.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report that includes—

(1) a description of the policy developed by the Secretary under section 3698(a) of title 38, United States Code, as added by subsection (a);

(2) a plan of the Secretary to implement such policy; and

(3) the results of the survey conducted under subsection (b), including whether the Secretary plans to implement the tools described in such subsection.

(e) DEFINITIONS.—In this section:

(1) The term ‘commercially available off-the-shelf’ has the meaning given that term in section 104 of title 41, United States Code.

(2) The term ‘postsecondary education and training opportunities’ means any postsecondary program of education, including apprenticeships and on-job training, for which the Secretary of Veterans Affairs provides assistance to a veteran or member of the Armed Forces.

#### SEC. 2. STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING.

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following:

“(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary shall require the State to disclose to the Secretary in writing the following:

“(i) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

“(ii) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty in the Armed Forces and evaluating the documented work experience of such veterans during such service for purposes of approving or denying a certification or license described in subparagraph (B).

“(iii) Identification of areas in which training and experience described in clause (ii) fails to meet criteria described in clause (i).

“(B) A certification or license described in this subparagraph is any of the following:

“(i) A license to be a nonemergency medical professional.

“(ii) A license to be an emergency medical professional.

“(iii) Any commercial driver’s license.

“(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are able to receive a certification or license described in subparagraph (B) from a State.

“(D) The Secretary shall publish on the Internet website of the Department—

“(i) any guidance the Secretary gives the Secretary of Defense with respect to carrying out this section; and

“(ii) any information the Secretary receives from a State pursuant to subparagraph (A).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to a program year beginning on or after October 1, 2013.

**SEC. 3. CONDITIONS ON THE AWARD OF PER DIEM PAYMENTS BY THE SECRETARY OF VETERANS AFFAIRS FOR THE PROVISION OF HOUSING OR SERVICES TO HOMELESS VETERANS.**

(a) CONDITION.—

(1) IN GENERAL.—Paragraph (1) of section 2012(c) of title 38, United States Code, is amended to read as follows:

“(1) Except as provided in paragraph (2), a per diem payment may not be provided under this section to a grant recipient or eligible entity unless the entity submits to the Secretary a certification that the building where the entity provides such housing or services is in compliance with codes relevant to the operations and level of care provided, including the most current Life Safety Code or International Fire Code and all applicable State and local housing codes, licensing requirements, fire and safety requirements, and any other requirements in the jurisdiction in which the project is located regarding the condition of the structure and the operation of the supportive housing or service center.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to an application for a per diem payment under section 2012 of title 38, United States Code, submitted on or after the date of the enactment of this Act.

(b) ANNUAL REPORT.—Section 2065(b) of title 38, United States Code, is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph (6):

“(6) The Secretary’s evaluation of the safety and accessibility of facilities used to provide programs established by grant recipients or eligible entities under section 2011 and 2012 of this title, including the number of such grant recipients or eligible entities who have submitted a certification under section 2012(c)(1).”.

(c) TREATMENT OF CURRENT RECIPIENTS.—In the case of the recipient of a per diem payment under section 2012 of title 38, United States Code, that receives such a payment during the year in which this Act is enacted, the Secretary of Veterans Affairs shall require the recipient to submit the certification required under section 2012(c)(1) of such title, as amended by subsection (a)(1), by not later than two years after the date of the enactment of this Act. If the recipient fails to submit such certification by such date, the Secretary may not make any additional per diem payments to the recipient under such section 2012 until the recipient submits such certification.

**SEC. 4. ESTABLISHMENT OF OPEN BURN PIT REGISTRY.**

(a) ESTABLISHMENT OF REGISTRY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) establish and maintain an open burn pit registry for eligible individuals who may have been exposed to toxic chemicals and fumes caused by open burn pits;

(2) include any information in such registry that the Secretary of Veterans Affairs determines necessary to ascertain and monitor the health effects of the exposure of members of the Armed Forces to toxic chemicals and fumes caused by open burn pits;

(3) develop a public information campaign to inform eligible individuals about the open burn pit registry, including how to register and the benefits of registering; and

(4) periodically notify eligible individuals of significant developments in the study and treatment of conditions associated with exposure to toxic chemicals and fumes caused by open burn pits.

(b) REPORT TO CONGRESS.—

(1) REPORT BY INDEPENDENT SCIENTIFIC ORGANIZATION.—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to develop a report containing the following:

(A) An assessment of the effectiveness of actions taken by the Secretaries to collect and maintain information on the health effects of exposure to toxic chemicals and fumes caused by open burn pits.

(B) Recommendations to improve the collection and maintenance of such information.

(C) Using established and previously published epidemiological studies, recommendations regarding the most effective and prudent means of addressing the medical needs of eligible individuals with respect to conditions that are likely to result from exposure to open burn pits.

(2) SUBMITTAL TO CONGRESS.—Not later than 18 months after the date on which the registry under subsection (a) is established, the Secretary of Veterans Affairs shall submit to Congress the report developed under paragraph (1).

(c) DEFINITIONS.—In this section:

(1) The term “open burn pit” means an area of land located in Afghanistan or Iraq that—

(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

(2) The term “eligible individual” means any individual who, on or after September 11, 2001—

(A) was deployed in support of a contingency operation while serving in the Armed Forces; and

(B) during such deployment, was based or stationed at a location where an open burn pit was used.

**SEC. 5. PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.**

For each of fiscal years 2013 through 2017, the Secretary of Veterans Affairs may not pay more than \$1,000,000 in performance awards under section 5384 of title 5, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from California (Mr. FILNER) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material they may have on H.R. 4057, as amended.

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

There was no objection.

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

H.R. 4057, as amended, is another bipartisan product of the Committee on Veterans’ Affairs’ work to improve the effectiveness of several different benefits and health programs for veterans.

I want to express my appreciation to my good friend Chairman MILLER and to my other good friend Ranking Member BOB FILNER, along with each of the subcommittee chairs—MARLIN STUTZMAN and ANN MARIE BUERKLE—as well as Ranking Members BRUCE BRALEY and MIKE MICHAUD, for bringing, of course, these provisions to the full committee and to the floor today.

□ 1600

The bill has five major sections, Mr. Speaker. Section 1 reflects a slightly modified version of the original text of my bill, H.R. 4057, which I introduced in February. This legislation would improve the ability of GI Bill users to choose the school that best meets their educational needs. As we commemorate September 11 today, it is appropriate that this Congress help this generation of post-9/11 veterans make informed choices by using their educational benefits.

Specifically, this legislation will require the VA to create a comprehensive policy that would meet this goal by informing veterans about their eligibility for educational counseling by creating a centralized complaint database on schools, requiring State approving agencies to better communicate with accrediting agencies, requiring VA to link to certain performance-related data points on the College Navigator and other appropriate Web sites, and identifying commercially off-the-shelf available software that would assist students in choosing a school and software that would evaluate their readiness to attend postsecondary education.

I want to thank the veteran service organizations and higher education associations for the support of this section and providing great feedback on ways to improve this bill.

Section 2 contains provisions originally introduced by Congressman STIVERS and my friend from across the aisle, Congressman TIM WALZ, to require States to take military training

into account in awarding licenses to work as medical technicians and other trades. I thank Mr. STIVERS, another good friend of mine, and Mr. WALZ, for their work on these provisions that will speed up servicemembers' transition to civilian life.

Section 3 contains a provision introduced by Congressman DAVID MCKINLEY which would require per diem payment recipients under VA's Homeless Grant and Per Diem Program to certify compliance with the Life Safety Code or the International Fire Code and other relevant fire safety and building codes. It would also require VA to include an accounting and evaluation of the safety and accessibility of facilities used to provide programs for homeless veterans in the annual report on assistance to homeless veterans.

I'm grateful for Mr. MCKINLEY's advocacy on behalf of our homeless veterans, and I thank him for his hard work to ensure that they are cared for in a safe and secure environment.

Section 4, which incorporates language originally introduced by Representative AKIN, would direct the VA to establish and maintain an open burn pit registry for veterans—very important—veterans of Iraq and Afghanistan who may have been exposed to toxic chemicals and fumes caused by open burn pits during deployment. It would require VA to develop a public information campaign to inform eligible veterans of the registry and periodically notify them of significant developments in the study and treatment of conditions associated with burn pit exposure. It would also direct the VA to contract with an independent scientific organization to develop a report on the effectiveness of actions taken to collect and maintain information on the health effects of burn pit exposure and submit the completed report to Congress.

Many of our servicemembers and veterans have returned from Iraq and Afghanistan with grave concerns about the possible long-term health effects of burn pit exposure. With this provision, I hope we will move one step closer to providing them answers which may lead to getting them more effective health care.

Finally, section 5, which incorporates language offered by Mr. STEARNS, a good friend of mine from the State of Florida, would limit the total amount of bonuses paid to senior VA employees to \$1 million for fiscal years 2013 to 2017. On average, over the last several years, VA paid nearly \$4 million a year to senior executives who are already paid very well. In a tight fiscal climate when so many improvements are needed for veterans, we must prioritize every dollar. Extravagant executive bonuses are to be the least of our priorities. I'm pleased this section would recognize that reality.

Mr. Speaker, I would also note that the cost of these sections are fully paid for.

I encourage all Members to support this bill, and I reserve the balance of my time.

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

I certainly thank the members of the committee and Mr. BILIRAKIS for working in such a bipartisan manner to protect servicemembers and protect veterans. I think Mr. BILIRAKIS gave a very comprehensive overview of the bill. Let me just make a couple of points here.

The Post-9/11 GI Bill, which a Democratic Congress passed a couple of years ago, was really a milestone for our current crop of veterans. Almost 800,000 veterans of Iraq and Afghanistan have now made use of the benefits that this bill provides. We ought to be, as a Congress, very proud of that kind of legislation.

With so many thousands of veterans using their Post-9/11 GI Bill, it's important, obviously, that they understand their benefits and eligibility and have all the information available to them. That's what H.R. 4057 does, which Mr. BILIRAKIS outlined quite nicely. Veterans are going to be able to get the kind of information that they need to get the best educational benefits that are suited to them.

Let me just say one thing about section 4 of the bill, which authorizes the Department of VA to establish a burn pit registry for eligible veterans.

Mr. Speaker, every time that we send men and women into combat, we have to make sure we understand the risks associated with exposures to toxic substances and take responsibility when we expose our own troops to these effects. We haven't done that in the past. We ought to learn more from history. Whether it was atomic testing in World War II, whether it was agent orange in the Vietnam War, whether it was depleted uranium, we've done the same thing over and over again. We've either denied or underestimated the risks. It took years, even decades, to admit the risks. When we finally did that, we still make our veterans undergo lots of bureaucratic hoops to get the benefits that come from exposure to the very substances that we put them at risk for.

Let's not repeat that pattern. This open pit registry will be part of that effort. We want to understand the risks. We want people to know where they have been exposed.

I requested the General Accountability Office to help us in our efforts to better understand health risks associated with the burn pits in Iraq and Afghanistan. We all know that the preliminary reports have shown that the fumes from these pits produce a considerable amount of contaminants that may cause short-term and long-term harm to our servicemembers.

Finally we're having a proactive measure and one which I hope will benefit veterans in an extremely positive way. I thank Mr. BILIRAKIS and his colleagues for working with our col-

leagues for the bill, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I'm happy to yield 3 minutes to a senior member of the Veterans Committee, my good friend from Florida (Mr. STEARNS).

Mr. STEARNS. I thank my distinguished chairman and colleague.

I rise today in support of H.R. 4057, the Improving Transparency of Education Opportunities for Veterans Act of 2012. It has been offered by my colleague from Florida, GUS BILIRAKIS.

My colleagues, this bill would provide veterans and servicemembers the resources that they need to make informed decisions when choosing the right institution or school for the career they wish to pursue. The other provisions included would help veterans with State certification credentials for skills acquired while on active duty. It ensures homeless veterans have access to shelters, in compliance with the State and local codes, and would require the Secretary to establish and maintain a burn pit registry program for individuals who may have been exposed to toxic chemicals.

During the committee markup, I offered an amendment that would limit the amount the VA would pay in performance awards to senior staff from fiscal year 2013 to 2017 to adequately cover the costs associated with H.R. 4057, along with the provisions included from the other three bills.

□ 1610

My colleagues, in the last 3 years, the worst economic climate this country has seen since the Great Depression, almost 800,000 VA employees received monetary awards totaling \$1.1 billion. This limitation amendment I offered affects only the Senior Executive Service, the SES, as they are called, who are considered to be like the generals of the Federal workforce and make between \$120- and \$180,000 a year.

The VA has an agency that has underperformed, yet they continue to provide performance bonuses at the expense of taxpayers and the well-being of our veterans. Today's VA backlog stands at 840,000 claims, of which more than 55 percent have been pending for more than 125 days. It is unconscionable that these senior executive employees are receiving bonuses averaging \$40,000 a year, on top of their six-figure salaries, when the number of backlog claims is close to the number of monetary awards given.

Today, September 11, is a day every American will never forget. I urge all my colleagues to support passage of this bill, and by doing so we honor our veterans and servicemembers by supplying them with these needed resources to help rebuild their lives. Mr. Speaker, today is a day we'll never forget. We'll always remember the sacrifices of those brave men and women, and in passage of this bill we will remind everybody of our appreciation for them.

Mr. FILNER. Mr. Speaker, I yield such time as he may consume to our ranking member of the Health Subcommittee, the gentleman from Maine, a fighter for Veterans' Affairs, Representative MICHAUD.

Mr. MICHAUD. I want to thank the gentleman for his strong support for veterans over the years and look forward to continuing to work with him through the rest of this Congress.

Mr. Speaker, I rise today as a cosponsor and a strong supporter of this bill. Each section of it makes important changes that will improve the care and services we provide our veterans. I'm especially proud that it creates a comprehensive educational outreach policy, recognizes that military service meets the standards of many civilian job certifications, and that it establishes an open burn pit registry.

All three of these provisions are the result of the hard work of veterans and their advocates. I had many meetings with veterans who not only identified these issues, but they also provided solutions for the issues as well.

In my time of serving on the House Veterans' Affairs Committee, I've always appreciated that it's one of the places in Congress where bipartisan efforts are working and things do get done. I'm proud this is the tradition in this particular bill as well.

I want to thank all of my colleagues on the Veterans Affairs Committee, Chairman MILLER of the full committee, Chairwoman BUERKLE of the Health Subcommittee, and TIM WALZ, who has also been a true advocate of veterans' issues, and I thank him for his service as well for this great Nation of ours.

I would encourage my colleagues to support H.R. 4057.

Mr. BILIRAKIS. Mr. Speaker, I yield as much time as she may consume to the chairwoman of the Subcommittee on Health, my good friend, the gentleman from New York (Ms. BUERKLE).

Ms. BUERKLE. Mr. Speaker, I rise today in support of H.R. 4057, as amended, the Improving Transparency of Education Opportunities for Veterans Act of 2012.

As we all know, 11 years ago this morning on September 11, 2001, our country was forever changed when terrorist attacks on American soil resulted in the deaths of over 3,000 innocent souls. Since that time we've been tested like never before, and thanks to the brave service and sacrifices of our Nation's Armed Forces, have emerged as a nation stronger, better, and more resolved to advancing the cause of freedom around the world.

We also have emerged a more grateful Nation, ever mindful of the simple truth that the security and freedoms we enjoy were bought and paid for by the blood, sweat, and tears of those in uniform. Caring for and honoring these heroes is one of our Nation's most sacred obligations and the primary purpose of this bill before us today.

H.R. 4057, as amended, includes two provisions originating from the Sub-

committee on Health, of which I am honored to chair.

Section 3 of the bill would require per diem payment recipients under the Department of VA Homeless Grant and Per Diem program to provide VA with a certification of compliance with a Life Safety Code or the International Fire Code and other relevant fire safety building codes in their jurisdiction. This provision would also require the VA to include an accounting and evaluation of the safety and accessibility of facilities used to provide programs for homeless vets in the annual report on assistance to homeless veterans.

Current law requires the VA to ensure that entities receiving grants under the homeless grant and per diem program meet fire and safety codes. However, VA lacks a similar requirement to ensure per diem recipients are also compliant with these very important codes.

When one of our honored veterans finds him or herself homeless and makes the difficult decision to get help, we must ensure that they are provided the services they need in a safe, secure, and supportive environment. This section of the bill would allow us to do so in a much more comprehensive, effective, and efficient manner.

This provision was introduced by my good friend and colleague from West Virginia, DAVID MCKINLEY, and I thank him for his leadership and his advocacy on behalf of the homeless veterans struggling to rebuild their lives.

Section 4 of the bill would direct the VA to establish and maintain an open burn pit registry for veterans of Iraq and Afghanistan, who may have been exposed to toxic chemicals and fumes caused by open burn pits during deployment. This provision would also require the VA to develop a public information campaign to inform eligible veterans of their registry and periodically notify them of significant developments in the study and treatment of the conditions that may be associated with burn pit exposure.

Further, it would direct the VA to contract with an independent scientific organization to develop a report on the effectiveness of actions taken to collect and maintain information on the health effects of burn pit exposure and submit the completed report to Congress.

I have heard from countless veterans who returned home from a war consumed with concern about the air they breathed in the battle, which was often filled with smoke from the burning of solid waste and could affect their health and well-being. With this provision, we will take first steps towards recognizing and respecting these concerns of our veterans. Importantly, it will also allow us to gather data necessary to discovering new and better ways to care for our veterans today and in future generations.

In closing, I would like to offer my sincere gratitude and appreciation to all of the Members who sponsored the provisions included in this legislation.

I also would like to thank the ranking member on the Health Subcommittee, Mr. MICHAUD of Maine, for his support and all of the work on behalf of our veterans.

I urge all of my colleagues to join me in supporting this legislation. On this day of all days, it is so very important that we support the servicemembers and veterans who have fought for the greatest Nation in the history of mankind, the United States of America.

Mr. FILNER. I yield 3 minutes to the gentleman from Minnesota, the sergeant major of the United States Congress, Mr. WALZ.

Mr. WALZ of Minnesota. I would like to thank the ranking member of Veterans' Affairs. I have had no greater friend since his time here, and we are grateful for the work he has done.

To Mr. BILIRAKIS and the entire committee for what has been said by several of my colleagues, it's fitting and appropriate today that we are passing legislation to serve those who have served us. It also is fitting and appropriate that we conduct ourselves in a manner fitting of their service.

This committee is one, as Mr. MICHAUD said and so many others have said. We are proud of the work we do together. This is just another example.

I would like to comment just briefly on section 2 of this that my good friend and friend of veterans from Ohio (Mr. STIVERS) has been an absolute, outspoken, untiring advocate of to make sure that we employ these veterans when they come home. Last month, President Obama signed in another bill of ours, the Veteran Skills to Jobs Act, that is now the law of the land, making it easier to credential our veterans when they come back.

This Nation spends \$140 billion training our veterans. These are our best and brightest and most dedicated. When they come back home, they're not victims, but we certainly know there are barriers to employment that we should not be putting up in front of them.

□ 1620

If they've driven that truck and served this Nation in Afghanistan, why should we have to repay to get a CDL license? If they've saved their colleagues on the battlefield and passed the credentialing to be a medic, why can't they ride in an ambulance at the Mayo Clinic in my district? And this bill takes it to the next level and sets that credentialing in coordination between the Federal and State to make sure when our veterans return home that we're not putting barriers in front of them, and to be quite honest, that we're not spending precious resources, whether it's giving them unemployment insurance or retraining them through redundant trainings.

In my office, my veterans staffer was the SHAPE commander's Black Hawk pilot in Europe. And he was the top trainer in the military. If he came back out, civilian-wise, he would have to go

to a 48-month course to able to get through some of these things. That makes no sense, and it's putting our veterans at a disadvantage.

So I want to thank Mr. STIVERS for making this possible. The transition can be there. I also want to thank our States that have been so willing to work with us. There are eight States that have already implemented this proposal. It will make it easier. It's the right thing to do for our veterans. It will give employers great dependable employees, and it will make sure these veterans do what we know is best for their mental health, for their family, and for this country—get back to work and start doing the things that they want to do.

With that, I thank everyone involved for this great bill. I encourage my colleagues to support H.R. 4057.

Mr. BILIRAKIS. I am happy to yield 2 minutes to the gentleman from Ohio (Mr. STIVERS), a veteran of Operation Iraqi Freedom.

Mr. STIVERS. I would like to thank the gentleman for yielding, and I would like to thank my colleague, Mr. WALZ, for his help as we've tried to enact the Hire at Home Act, which has been rolled into this bill. The legislation came from a roundtable in my district of veterans last fall. And as veterans return home today with military training they've received, that training is not recognized by civilian authorities and States, and therefore they're forced to go through redundant training to do the job they were doing in the military.

However, if somebody can do a job while serving in a war zone, they can certainly do that same job at home in a safe environment.

With so many veterans returning home from Iraq and Afghanistan, we need to make sure we do everything we can to help get them back to work. It's shameful that the unemployment rate among post-9/11 veterans is 12.7 percent, according to a recent report of the Bureau of Labor Statistics. That's why we introduced the Hire at Home Act. It will help, as Representative WALZ said, remove barriers in front of these soldiers, sailors, airmen, and marines and get them the civilian certifications they need to get them to work as soon as they get home. It forces States to do this by ensuring that in order to receive certain workforce development grants, they have to streamline these certifications.

I would like to thank all those who have helped make this bill happen today: Representative WALZ, Representative BILIRAKIS, Representative MILLER, and Representative STUTZMAN. And I'd like to thank Senator PRYOR for his interest in the Senate. I would like to call on the United State Senate to pass this bill as soon as we get it done. I'd like to thank the Members of this body for their support and urge all the Members to support this legislation.

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

Mr. BILIRAKIS. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman has 6 minutes remaining.

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Thank you, Congressman BILIRAKIS and Chairman MILLER, for bringing this bill to the floor today.

Let me take this opportunity to highlight a segment of the portion dealing with safe housing for homeless veterans. I had previously sponsored this concern in a separate piece of legislation, and it was subsequently amended into this bill that's before us today.

Currently, there are 2,100 community-based homeless veterans service providers across the country and many other homeless assistance programs that have demonstrated impressive success reaching homeless veterans. I've visited some of the shelters in my home district in West Virginia and was struck by how many were not, unfortunately, in compliance with State, local, or Federal building and fire codes.

Consequently, we began to investigate how broad based this issue was across America. It was unsettling to learn about shelter fires where lives have been lost. There's stories of a homeless shelter fire where occupants were killed due to the fact that there was not a required sprinkler system at the facility or dozens were injured when a sprinkler system was not working properly or where doors were closed that needed to be opened.

All of these could have been avoided. Unfortunately, there is no law mandating a homeless shelter meet building and fire safety codes, only a policy within the VA. As a licensed professional engineer, I found this to be an egregious omission in the law concerning homeless shelters for veterans.

The language in this bill would require any organization that seeks funding for VA for services to homeless veterans have documentation that their building meets or exceeds all building codes. This is commonsense legislation that could ensure the well-being of veterans all across America who have fallen on hard times and are in need of the most assistance. As a Nation, it should be unacceptable for us to allow homeless veterans to be housed in potentially unsafe conditions.

I appreciate the support of this legislation and this provision from the American Legion, the Homeless Veterans Coalition, the International Code Council, and the Fire Marshals Association.

Thank you, Mr. Chairman, for including this language in the bill today and for your concern for the safety and the living environment of our veterans.

Mr. BILIRAKIS. I am happy to yield 2 minutes to the chairman of the Sub-

committee on Economic Opportunity, the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. I thank the gentleman from Florida (Mr. BILIRAKIS) for yielding.

Mr. Speaker, I rise today in strong support of H.R. 4057, as amended. This is a bipartisan bill that at its core will help our youngest group of veterans make more informed choices about how to use their VA education benefits. I think it's very appropriate today that as we remember 9/11 and those who died that day and those who have died since defending our Nation that we are discussing this bill on the floor. The post-9/11 GI Bill is a wonderful benefit that thousands of veterans are using or have used to advance their education and training.

H.R. 4057 will further assist these veterans in making decisions on how to best use their GI Bill benefits through new, innovative online tools and by providing greater transparency on certain data from educational institutions. By helping these veterans make more informed choices, we are not only putting them on the path to successful careers, but we are saving taxpayer dollars that may have been misused at a training program that didn't suit the veteran's needs.

As chairman of the Subcommittee on Economic Opportunity, I'm proud of the work that Mr. BILIRAKIS, Mr. BRALEY, and the rest of the members of the subcommittee have done to improve this bill; and thanks to our colleagues on the Health Subcommittee for their provisions as well. I want to thank Chairman MILLER and the ranking member for their support of this legislation. I ask my colleagues to support the bill.

Mr. BILIRAKIS. Mr. Speaker, once again, I encourage all Members to support H.R. 4057, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 4057, as amended.

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

A motion to reconsider was laid on the table.

□ 1630

#### PUBLIC TRANSIT SECURITY AND LOCAL LAW ENFORCEMENT SUPPORT ACT

Mr. TURNER of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3857) to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement

under the Transit Security Grant Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3857

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

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the “Public Transit Security and Local Law Enforcement Support Act”.*

**SEC. 2. CLARIFICATION REGARDING USE OF GRANT FUNDS RELATING TO OPERATIONAL COSTS OF PUBLIC TRANSIT SECURITY.**

*(a) IN GENERAL.—Section 1406(b)(2) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135(b)(2)) is amended—*

*(1) by redesignating subparagraphs (E) through (H) as subparagraphs (F) through (I), respectively; and*

*(2) by inserting after subparagraph (D) the following new subparagraph (E):*

*“(E) specialized patrol teams, as defined by the Secretary in coordination with the recipients of grants under this section, including the sustainment of such teams without fiscal year limitation, as long as the eligible public transportation agency applying for grant funds to fund a specialized patrol team submits a sustainment plan for maintaining in future years the capability or capacity achieved with the grant funds;”.*

*(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act and shall apply to grants made under section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135) on or after such date.*

*(c) AUTHORIZATION OF APPROPRIATIONS.—Section 1406(m)(1) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135(m)(1)) is amended—*

*(1) in subparagraph (D) by striking “and” at the end;*

*(2) in subparagraph (E)—*

*(A) by striking “10 percent” and inserting “50 percent”; and*

*(B) by striking the period and inserting “; and”; and*

*(3) by adding at the end the following:*

*“(F) \$400,000,000 for each of fiscal years 2012 and 2013, except that not more than 50 percent of such funds in each of such fiscal years may be used for operational costs under subsection (b)(2).”.*

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

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today to urge the passage of H.R. 3857, the Public Trans-

portation Security and Local Law Enforcement Support Act, which helps local law enforcement meet national security demands in a troubled economy.

Today, we solemnly remember the tragedy which took place 11 years ago at the Pentagon, in Shanksville, Pennsylvania, and New York City.

I am personally reminded when I travel from my home in New York to D.C., I look toward the southern tip of Manhattan where the Twin Towers once stood.

As we also remember the brave New York firefighters and police officers who ran into the inferno of the World Trade Center with no regard for their own safety, we should think about the brave spirit that lives on in every first responder. They are truly our last line of defense in an increasingly dangerous world, and we should make sure they are provided with access to all of the resources they need to keep us safe.

In large metropolitan areas, public transit systems are among the most vulnerable targets. In New York City, the MTA carries over 8 million people daily on its subways and buses throughout the five boroughs. The Transit Security Grant program provides funds to public transit agencies in high-risk areas for various security projects including the hiring of full-time personnel for specialized anti-terrorist teams, K-9 units, mobile screening, and public awareness campaigns.

The program is authorized by the Implementing Recommendations of the 9/11 Commission Act of 2007 and administered by the Federal Emergency Management Agency in consultation with the Transportation Security Administration.

Grant funds are used to create new specialized anti-terror teams, but until recently could not be used to sustain these teams unless the Department of Homeland Security provided a waiver. This forced law enforcement to face the uncertainty of the waiver process or risk losing vital security assets. Fortunately, the Secretary provided some relief last year so that a waiver was not required, but without this bill, there is nothing to stop the Department of Homeland Security from reinstating another bureaucratic waiver or process.

H.R. 3857 streamlines the grant program to make it easier for the specialized security teams to receive funding. It authorizes the Department of Homeland Security to provide transit security grant programs to sustain teams and also eliminate the bureaucratic steps of requiring eligible transit agencies to apply for a waiver. This will help avoid countless hours of request, preparation, and review.

I urge my colleagues to support this bill because there is nothing more important than protecting our citizens.

We must make it a priority to ensure that the brave men and women who work so hard to keep us safe have the resources they need as soon as they need it.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 3857, the Public Transit Security and Local Law Enforcement Support Act, and I yield myself such time as I may consume.

As the President stated in his weekly address, the anniversary of 9/11 is a time to honor and commemorate first responders, the victims of the attacks, and the members of the Armed Forces serving at home and abroad. It's unfortunate that the Republican majority has decided to discontinue the House's tradition of doing just that by considering a resolution honoring the fallen and commending our Nation's bravest on this date.

For years, majority leaders of both parties have introduced and scheduled consideration of a 9/11 resolution. Surely, if the House has the time to consider the 32 bills scheduled for consideration on the suspension calendar this week, it has the time to commemorate our Nation's first responders, the victims of 9/11, and our troops by considering a resolution doing just that.

Even if some politicians would prefer not to mention it, our Nation is still at war with Afghanistan. Our troops are still in harm's way, a half a world away, fighting a war that was the direct result of the terrorist attacks of 9/11. Accordingly, I would urge the Republican leadership of the House to reconsider their decision to forego consideration of a 9/11 resolution this day.

As to the legislation under consideration today, I support this bill that, thanks to an amendment offered by Representative JACKSON LEE during committee consideration, authorizes \$400 million for the Transit Security Grant Program. The Transit Security Grant Program provides funds to State and local jurisdictions that need help keeping their transportation systems secure.

As State and local budgets continue to face the strain of recovering from the economic collapse that occurred during the previous administration, we have a responsibility to ensure that they have the funding needed to build and sustain the capacity to protect against a terrorist attack. As amended, H.R. 3857 does just that.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. TURNER of New York. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield as much time as she may consume to the gentledady from Houston, Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank Mr. TURNER and the ranking member, Mr. THOMPSON, for their courtesies of yielding to me and allow me to take this moment on the floor on 9/11 to again acknowledge the Members of Congress who this morning joined each other, if you will, two Houses, that came together, on the east steps to be able to acknowledge those who were lost, and I would like to say those



who still live in the backdrop of the tragedy, for many are still pained by the loss of their family members. As we know in New York the reading of the names, and, of course, the laying of the wreath that occurred today at the Pentagon.

We cannot get those lives back, and what we recognize is that those lives represented places around the world, but it also represented moms and dads. Children today have grown up without those loved ones because of the horrific and heinous tragedy, and some might say America's naiveté.

But I am glad to live in a country that believes in her freedom. I am glad to live in a country of which we claim democracy and understand it, understand the freedom of speech and freedom of access, freedom of association. I would not want to live anywhere else.

But we were pained on that day because they attempted to take our naiveté away from us, our innocence. But I am glad that we came together, both in terms of allowing people now still to travel from the east to the west, from the north to the south, to have summer vacations, to lay out in the open sun. This is our Nation.

I am grateful for having the privilege of serving on the Homeland Security Committee. I hold this flag just to indicate that this is a great Nation.

I'd like to thank our early persons who led this committee. Certainly, Mr. Chris Cox, Mr. Jim Turner, the Homeland Security Select Committee and members who were on that committee.

□ 1640

I want to acknowledge my outstanding ranking member, Mr. THOMPSON, who has been a great leader on these issues. He has been diligent; he has been patriotic; he has been loving of this country, along with the chairman, Mr. KING, who has worked for the common good as we have tried to work together. It has not been a perfect unity because we have had disagreements. Many of us disagree on the interpretation of democracy and civil liberties, but we all believe in one Nation under God, but more importantly, the security of this Nation. Mr. THOMPSON, I want to thank you for allowing me to serve with you and for your leadership.

It is in that spirit that I rise today to speak to H.R. 3857, which amends the Implementing Recommendations of the 9/11 Commission Act of 2007.

I might just say, Mr. TURNER, that there were those of us who were here—and you come from New York, and so I know that more than likely there were people in and around your area, the Queens area, who lost their lives, or family members. So we acknowledge the regions that were impacted, from Boston to New York to Pennsylvania. And certainly those families whose family members were on those airlines, we understand, but cannot feel, the deep pain that they have today.

The 9/11 Commission, of course, came about mainly through the many fami-

lies that walked the halls. And let me, of course, acknowledge those families who even in their pain, again, came to the Halls of Congress and asked us to do something. So this particular legislation is amending the 9/11 Commission Act of 2007 to allow public transportation agencies to be eligible for grants for security improvements to be used for specialized patrol teams, including the sustainment of such teams without fiscal year limitation, as long as the agency applying for grant funds submits a sustainment plan for maintaining in future years the capability or capacity achieved with the funds. That is a good step. It allows local jurisdictions to expand their services as long as they're able to sustain it.

In January 2007, soon after Democrats took control of the House after being in the minority, I joined with my colleagues across both sides of the aisle and we passed the 9/11 Commission Act of 2007. This legislative landmark was critical in strengthening our Nation's homeland security efforts. Specifically, the 9/11 Act established the Transportation Security Grant Program, which provides a vital source of funding for our transportation systems across the United States.

Shortly thereafter, I remember a conference where the House and Senate came together, and I remember the opportunity to establish transportation security centers of excellence. I am grateful that we established one at Texas Southern University, among other Historically Black Colleges, where we looked at ways of improving transportation security.

Having just been briefed by Texas Southern University, I know that they are finishing their work, and I want to thank the team that led on that program. Those funds were truly used productively, efficiently, and effectively to provide new technology, new techniques and vetting procedures on how we can truly secure America.

Since the demise of Osama bin Laden—led by the outstanding military of the United States of America, guided, directed, of course, by the Commander in Chief, President Obama, and the excellent military leadership, the National Security Agency, that provided all of the guidance for this enormous task—it has been revealed in the public domain that terrorists continue to be interested in developing plots to sabotage mass transit systems, and of course the aviation system. This threat, however, is not new. Today, as I indicated, marks the 11th anniversary since the 9/11 attacks, and as such we must take every step to commemorate the men and women we lost on that day. We also have the responsibility to make sure that we do not allow another catastrophic loss of life like the one we faced that day.

In the course of the years since 9/11 we have seen incidents in London and Spain, we've seen incidents in Mumbai, tragic incidents on mass transit. We have also seen the individual efforts

that have been made to bring down another airline over American soil, or certainly en route to the United States of America. Therefore, it is imperative that Congress examine how the Department of Homeland Security and the Transportation Security Administration are addressing the current and evolving threat to our transportation systems and continue to support programs that have yielded a positive security impact, such as TSA's Transportation Security Grant Program. I have seen in my own transit system the utilization of these funds. I've seen the utilization, as it has been very effective in canine units.

Let's come together around recognizing that the security of America is holistic—first, of course, the frontliners, meaning the United States military; then, of course, the men and women who overlap in jurisdiction under Homeland Security, the many different law enforcements that every day work on the border, work on internal enforcement, work at airports, coalesce and collaborate with the FBI and DEA and ATF, and others, around the question of security.

I am glad these programs are being expanded for security purposes, for efficiency purposes, for utilization of our tax dollars in the right way. That is why I am pleased to see that the majority and the ranking member, along with members of the Democratic part of the committee, at my request and submission of an amendment, accepted my amendment during committee consideration to authorize \$400 million for the Transportation Security Grant Program for FY12 and FY13. This funding will ensure that transportation agencies have the resources needed to secure our public and mass transit system. I would argue that it complements what we're doing in aviation, which, together, maintains the nucleus, if you will, of transportation security.

So I'm hoping that this will move quickly through the United States Senate and find itself on the President's desk. It is crucial. I then hope that my colleagues can come together for us to put on the floor a Transportation Security Administration reauthorization. We've done it before; I know we can do it now. And I ask my colleagues to come together in the name not only of security, but of the families, the 9/11 Commission, who now bear the brunt of that tragic day, along with so many others.

Thank you to our first responders, and of course to the men and women who now serve around the world and those who have come home. I ask my colleagues to support H.R. 3857.

H.R. 3857, "Public Transit Security and Local Law Enforcement Support Act—Amends the Implementing Recommendations of the 9/11 Commission Act of 2007 to allow grants to eligible public transportation agencies for security improvements to be used for specialized patrol teams, including the sustainment of such teams without fiscal year

limitation, as long as the agency applying for grant funds submits a sustainment plan for maintaining in future years the capability or capacity achieved with the funds.”

TUESDAY, SEPTEMBER 11, 2012

Mr. Speaker, I rise in support of H.R. 3857, the Public Transit Security and Local Law Enforcement Support Act.

Mr. Speaker, In January 2007, soon after Democrats took control of the House, I, along with my colleagues across both sides of the aisles, championed the 9/11 Commission Act of 2007.

This legislative landmark was critical in strengthening our Nation's homeland security efforts. Specifically, the 9/11 Act established the Transportation Security Grant Program which provides a vital source of funding for our transportation systems across the United States.

Since the demise of Osama bin Laden, it has been revealed in the public domain that terrorists continue to be interested in developing plots to sabotage mass transit systems.

This threat, however, is not new.

Today marks the 11th anniversary since the 9/11 attacks. And as such, we must take every step to commemorate the men and women we lost on that day.

We also have the responsibility to make sure that we do not allow another catastrophic loss of life, like the one we faced that day.

Therefore, it is imperative that we, Congress, examine how the Department of Homeland Security and the Transportation Security Administration are addressing the current and evolving threat to our transportation systems and continue to support programs that have yielded a positive security impact, such as TSA's Transportation Security Grant Program.

Which is why I am pleased to see that the Majority, at my request, accepted my amendment during Committee consideration to authorize \$400 million for the Transportation Security Grant Program (TSGP) for FY 12 and FY 13.

This funding will ensure that transportation agencies have the resources needed to secure our public and mass transit systems.

Mr. TURNER of New York. Mr. Speaker, I have no more speakers. If the gentleman from Mississippi has no further speakers, I am prepared to close once the gentleman does.

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

Mr. Speaker, on this day, above all others, we turn our thoughts to those who were lost in the tragic events of 9/11. It is unfortunate that the Republican leadership of the House has decided not to continue this body's tradition of considering a resolution to commemorate first responders, the victims of the attack, and members of the Armed Forces serving at home and abroad.

Mr. Speaker, I urge my colleagues to join me in calling for the consideration of a 9/11 resolution, and in support of H.R. 3857. H.R. 3857 authorizes funds critical to ensuring our Nation's transportation systems are secure. It does so to the tune of \$400 million, dollars that State and local jurisdictions desperately need.

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

Mr. TURNER of New York. Mr. Speaker, I urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TURNER) that the House suspend the rules and pass the bill, H.R. 3857, as amended.

The question was taken.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1650

#### NO-HASSLE FLYING ACT OF 2012

Mr. WALSH of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6028) to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6028

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “No-Hassle Flying Act of 2012”.

#### SEC. 2. PRECLEARANCE AIRPORTS.

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

“(4) PRECLEARANCE AIRPORTS.—

“(A) IN GENERAL.—For a flight or flight segment originating at an airport outside the United States and traveling from an airport outside the United States where U.S. Customs and Border Protection has established preclearance operations, the Assistant Secretary (Transportation Security Administration) may, in coordination with U.S. Customs and Border Protection, determine whether such baggage must be re-screened in the United States by an explosives detection system before such baggage continues on any additional flight or flight segment.

“(B) LIMITATION.—The Assistant Secretary may not exercise the authority under subparagraph (A) unless an agreement is in effect between the United States and the country from which the flight originates requiring the implementation of security standards and protocols that are determined by the Assistant Secretary in coordination with U.S. Customs and Border Protection to be comparable to those of the United States and therefore sufficiently effective to enable passengers to deplane into sterile areas of airports in the United States.

“(C) REPORT.—The Assistant Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report on the re-screening of baggage

under this paragraph. Each such report shall include the following for the year covered by the report:

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

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

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

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

The Chair recognizes the gentleman from Illinois.

Mr. WALSH of Illinois. Mr. Speaker, I yield myself such time as I may consume.

GENERAL LEAVE

Mr. WALSH of Illinois. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. WALSH of Illinois. Mr. Speaker, earlier this year I introduced H.R. 6028, the No-Hassle Flying Act, which is a very simple bill that streamlines baggage security measures for international flights.

Over the past decade, the U.S. Customs and Border Patrol has designated 14 international airports as preclearance airports. They are located in Canada, the Caribbean, and Ireland, and continue to exhibit comparable security standards to ours right here in the United States. When passengers originate from one of these airports and fly into the U.S., they are not required to go through security again because they have already been fully vetted. Unfortunately, an ambiguity in U.S. law does not exempt their bags as well.

U.S. law today requires all baggage entering the United States to be re-screened by a TSA agent, regardless of where it originates. That means that passengers, often on short or late-night layovers, must exit security, claim their bags from baggage claim, recheck them, and go through security again. This double security does not equal double safety. It equals missed flights, more hassles, and it wastes taxpayer dollars.

Therefore, all this bill does is give CBP and TSA the authority to exempt baggage coming from one of those 14 preclearance airports from being re-screened as well. This issue was brought to my attention by TSA, and H.R. 6028 has come together with a great deal of their help.

I would like to also especially thank the staffs of Representatives THOMPSON and SHEILA JACKSON LEE for helping improve upon this bill. With their help, H.R. 6028 has been redrafted to clarify the intent of the bill, which is that baggage originating only from preclearance airports can enter the United States without being re-screened.

As TSA and CBP gravitate toward more efficient risk-based security measures instead of 100 percent blanket checks, this type of bipartisan legislation will make that process easier. It will also save travelers time and allow security officers to focus on higher-risk baggage from overseas locations.

I also want to thank Subcommittee Chairman ROGERS and his staff for their assistance on this bill.

I urge Members to vote in support. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 6028, the No-Hassle Flying Act of 2012, and yield myself such time as I may consume.

Mr. Speaker, while I support the legislation we are considering today, I'm concerned that on this, the anniversary of the terrorist attack of September 11, we are not considering a bipartisan package of legislation.

On this day, 11 years ago, our country was attacked and came together like never before to face the immense challenges of rebuilding and restructuring our security systems. With the creation of the 9/11 Commission, the Transportation Security Administration and, ultimately, the Department of Homeland Security, we demonstrated that homeland security is an American issue, not a partisan one.

Why then, I must ask, are we not considering a bipartisan package of legislative proposals that have previously received the unanimous support of the Committee on Homeland Security?

Why is this bill, which never received committee consideration, being put on the House floor ahead of H.R. 1165, the Transportation Security Administration Ombudsman Act? That bill, introduced by Representative JACKSON LEE, received the unanimous support of the Committee on Homeland Security. Despite that, it has sat idle on the Union Calendar for over 10 months.

Why are we not considering H.R. 6328, a thoughtful proposal introduced by Representative HOCHUL that would require TSA to transfer unclaimed clothing found at security checkpoints to veterans in need? With the wars in Iraq and Afghanistan that were fought in the aftermath of 9/11 over and coming to an end, respectively, I could think of no more appropriate legislation for this body to consider today than a bill aimed at supporting our veterans.

Mr. Speaker, I support the bill we are considering today because it is a commonsense proposal that will make air travel more convenient for a select few and has the potential to enhance effi-

ciencies. When we can eliminate duplicative screening without compromising security, I will lend my support.

Accordingly, I support this legislation that the Obama administration proposed and the gentleman from Illinois, Representative WALSH introduced.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. WALSH of Illinois. Mr. Speaker, I'm prepared to close. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield for as much time as she may consume to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the ranking member for his courtesies of extending the time, and let me acknowledge the gentleman from Illinois for the work on this bill and working with my office.

At the first glance, though, this has been proposed by the Obama administration, one would wonder why we were lessening any oversight over baggage. But this is a process that I think is in compliance with all of our commitment to safety and security.

And, in particular, on this day, I do appreciate the fact that there are certain airports which this will cover, that this responds in particular to friends to the north of us, Canada, which has the most sophisticated technology, and a number of other airports.

Also, I think, because of the oversight of the Secretary of Homeland Security, in case there is a need to review this particular process which allows for a bag of an entering person to continue on with them as they come into the country going on to their domestic location. This is, again, an item of trust, but also an item of technology and an item of oversight.

This is an administrative proposal that came by way of the White House in order to establish an administrative process to which the flying public can travel with minimum security disruption.

I always emphasize, however, the importance of ensuring in the most—the highest of responsibilities, the security of this Nation. I believe that we, as Congress, have the responsibility to ensure that aviation security is not compromised through any efforts that ease travel for the flying public.

The Obama administration has taken great strides in enhancing our transportation security, particularly that in aviation. Although Osama bin Laden, as I've repeated before on this floor, is dead, the threat to our aviation safety and security continues to evolve because we're well aware of franchise terrorism. Not only did the administration lead a successful attack to remove one of the most dangerous terrorists in the world, the Obama administration has also taken significant steps to enhance policies that protect the American flying public.

In December, the Department will successfully meet a Congressional

cargo screening mandate of screening 100 percent cargo aboard passenger flights traveling in the United States and those inbound to the United States from foreign countries. This is a noteworthy accomplishment, since several in Washington, D.C., touted that it could not be done. It's a day of celebration. It's something that the 9/11 families welcome.

Today marks 11 years since we experienced the devastating loss of life, and 9/11 marked all of our lives by exposing doubts. But as I indicated in my earlier statement, this is a great country, and of course we continue to emphasize not only our democracy, but our rights, along with our security.

There's no doubt today that we are resilient and that we are survivors. Let's not forget the progress we've made in transportation security policies, and we must continue to support measures that take us forward.

That is why I support H.R. 6028 and ask that my colleagues do so, because not only does it help to expedite, it helps to be efficient, but it is in conjunction with security. That is the right step and a collaborative way that we can work together.

Again, I ask support for this legislation.

Mr. Speaker, H.R. 6028, The No-Hassle Flying Act of 2012, grants the Assistant Secretary of Homeland Security (Transportation Security Administration [TSA]) discretion to determine whether checked baggage on a flight or flight segment originating at an airport outside the United States must be re-screened in the United States for explosives before it can continue on any additional flight or flight segment if the baggage has already been screened in the foreign airport in accordance with an aviation security preclearance agreement between the United States and the country in which the airport is located.

TUESDAY, SEPTEMBER 11, 2012

Mr. Speaker, I stand here today in support of this legislation we are considering today.

H.R. 6028 came to this chamber as an administrative proposal by the White House in order to establish an administrative process through which the flying public can travel with minimal security disruption.

I believe that we, as Congress, have the responsibility to ensure that aviation security is not compromised through any efforts that ease travel for the flying public.

The Obama Administration has taken great strides in enhancing our transportation security, particularly that in aviation.

Although Osama bin Laden is dead, the threat to our aviation safety and security continues to evolve. Not only did this Administration lead a successful attack to remove one of the most dangerous terrorists in the world, the Obama Administration has also taken significant steps to enhance policies that protect the American flying public.

In December, the Department will successfully meet a Congressional cargo-screening mandate of screening 100% cargo aboard passenger flights traveling in the United States and those inbound to the United States from foreign countries.

This is a noteworthy accomplishment; since several in Washington, DC touted that this could not be done.

Today marks 11 years since we experienced a devastating loss of life.

9/11 marked all of our lives by surfacing doubts of our resiliency as a Country.

There is no doubt, today, that we are resilient and that we are survivors. Let's not forget the progress we have made in transportation security policies and we must continue to support measures that take us forward and provide a more safe and secure transportation for all Americans.

That is why I support H.R. 6028 and ask that my colleagues do the same.

□ 1700

Mr. THOMPSON of Mississippi. Mr. Speaker, I have no more speakers. If the gentleman from Illinois has no more speakers, then I am prepared to close.

Mr. WALSH of Illinois. I have no more speakers.

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

Mr. Speaker, on this day above all others, we turn our thoughts to those who were lost in the tragic events of 9/11. It is unfortunate that the House has missed the opportunity today to consider noncontroversial Homeland Security legislation introduced by both Democrats and Republicans, thus showing that on 9/11 we put partisan politics aside and focused on doing the right thing.

Before closing, I would like to extend my congratulations to the gentleman from Illinois, Representative WALSH, for having bills on the floor for consideration for the first time today. I suspect that he is as surprised as I am that one of his first bills to reach the floor was proposed to Congress by the Obama administration.

With that, Mr. Speaker, I urge the passage of this proposal from the Obama administration, and I yield back the balance of my time.

Mr. WALSH of Illinois. I thank the ranking member.

I urge all Members, Mr. Speaker, to join me in support of this bipartisan bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 6028, as amended.

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

A motion to reconsider was laid on the table.

#### HAZARDOUS WASTE ELECTRONIC MANIFEST ESTABLISHMENT ACT

Mr. MURPHY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (S. 710) to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system, as amended.

The Clerk read the title of the bill.

The text of the amendment is as follows:

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Hazardous Waste Electronic Manifest Establishment Act".

#### SEC. 2. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

(a) IN GENERAL.—Subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) is amended by adding at the end the following:

#### "SEC. 3024. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

"(a) DEFINITIONS.—In this section:

"(1) BOARD.—The term 'Board' means the Hazardous Waste Electronic Manifest System Advisory Board established under subsection (f).

"(2) FUND.—The term 'Fund' means the Hazardous Waste Electronic Manifest System Fund established by subsection (d).

"(3) PERSON.—The term 'person' includes an individual, corporation (including a Government corporation), company, association, firm, partnership, society, joint stock company, trust, municipality, commission, Federal agency, State, political subdivision of a State, or interstate body.

"(4) SYSTEM.—The term 'system' means the hazardous waste electronic manifest system established under subsection (b).

"(5) USER.—The term 'user' means a hazardous waste generator, a hazardous waste transporter, an owner or operator of a hazardous waste treatment, storage, recycling, or disposal facility, or any other person that—

"(A) is required to use a manifest to comply with any Federal or State requirement to track the shipment, transportation, and receipt of hazardous waste or other material that is shipped from the site of generation to an off-site facility for treatment, storage, disposal, or recycling; and

"(B)(i) elects to use the system to complete and transmit an electronic manifest format; or

"(ii) submits to the system for data processing purposes a paper copy of the manifest (or data from such a paper copy), in accordance with such regulations as the Administrator may promulgate to require such a submission.

"(b) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a hazardous waste electronic manifest system that may be used by any user.

"(c) USER FEES.—

"(1) IN GENERAL.—In accordance with paragraph (4), the Administrator may impose on users such reasonable service fees as the Administrator determines to be necessary to pay costs incurred in developing, operating, maintaining, and upgrading the system, including any costs incurred in collecting and processing data from any paper manifest submitted to the system after the date on which the system enters operation.

"(2) COLLECTION OF FEES.—The Administrator shall—

"(A) collect the fees described in paragraph (1) from the users in advance of, or as reimbursement for, the provision by the Administrator of system-related services; and

"(B) deposit the fees in the Fund.

"(3) FEE STRUCTURE.—

"(A) IN GENERAL.—The Administrator, in consultation with information technology vendors, shall determine through the contract award process described in subsection (e) the fee structure that is necessary to recover the full cost to the Administrator of providing system-related services, including—

"(i) contractor costs relating to—

"(I) materials and supplies;

"(II) contracting and consulting;

"(III) overhead;

"(IV) information technology (including costs of hardware, software, and related services);

"(V) information management;

"(VI) collection of service fees;

"(VII) reporting and accounting; and

"(VIII) project management; and

"(ii) costs of employment of direct and indirect Government personnel dedicated to establishing, managing, and maintaining the system.

"(B) ADJUSTMENTS IN FEE AMOUNT.—

"(i) IN GENERAL.—The Administrator, in consultation with the Board, shall increase or decrease the amount of a service fee determined under the fee structure described in subparagraph (A) to a level that will—

"(I) result in the collection of an aggregate amount for deposit in the Fund that is sufficient and not more than reasonably necessary to cover current and projected system-related costs (including any necessary system upgrades); and

"(II) minimize, to the maximum extent practicable, the accumulation of unused amounts in the Fund.

"(ii) EXCEPTION FOR INITIAL PERIOD OF OPERATION.—The requirement described in clause (i)(II) shall not apply to any additional fees that accumulate in the Fund, in an amount that does not exceed \$2,000,000, during the 3-year period beginning on the date on which the system enters operation.

"(iii) TIMING OF ADJUSTMENTS.—Adjustments to service fees described in clause (i) shall be made—

"(I) initially, at the time at which initial development costs of the system have been recovered by the Administrator such that the service fee may be reduced to reflect the elimination of the system development component of the fee; and

"(II) periodically thereafter, upon receipt and acceptance of the findings of any annual accounting or auditing report under subsection (d)(3), if the report discloses a significant disparity for a fiscal year between the funds collected from service fees under this subsection for the fiscal year and expenditures made for the fiscal year to provide system-related services.

"(4) CREDITING AND AVAILABILITY OF FEES.—Fees authorized under this section shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts.

"(d) HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND.—

"(1) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund, to be known as the 'Hazardous Waste Electronic Manifest System Fund', consisting of such amounts as are deposited in the Fund under subsection (c)(2)(B).

"(2) EXPENDITURES FROM FUND.—

"(A) IN GENERAL.—Only to the extent provided in advance in appropriations Acts, on request by the Administrator, the Secretary of the Treasury shall transfer from the Fund to the Administrator amounts appropriated to pay costs incurred in developing, operating, maintaining, and upgrading the system under subsection (c).

"(B) USE OF FUNDS BY ADMINISTRATOR.—Fees collected by the Administrator and deposited in the Fund under this section shall be available to the Administrator subject to appropriations Acts for use in accordance with this section without fiscal year limitation.

"(C) OVERSIGHT OF FUNDS.—The Administrator shall carry out all necessary measures to ensure that amounts in the Fund are used only to carry out the goals of establishing, operating, maintaining, upgrading, managing, supporting, and overseeing the system.

"(3) ACCOUNTING AND AUDITING.—

"(A) ACCOUNTING.—For each 2-fiscal-year period, the Administrator shall prepare and submit to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations

of the House of Representatives a report that includes—

“(i) an accounting of the fees paid to the Administrator under subsection (c) and disbursed from the Fund for the period covered by the report, as reflected by financial statements provided in accordance with—

“(I) the Chief Financial Officers Act of 1990 (Public Law 101-576; 104 Stat. 2838) and amendments made by that Act; and

“(II) the Government Management Reform Act of 1994 (Public Law 103-356; 108 Stat. 3410) and amendments made by that Act; and

“(ii) an accounting describing actual expenditures from the Fund for the period covered by the report for costs described in subsection (c)(1).

“(B) AUDITING.—

“(i) IN GENERAL.—For the purpose of section 3515(c) of title 31, United States Code, the Fund shall be considered a component of an Executive agency.

“(ii) COMPONENTS OF AUDIT.—The annual audit required in accordance with sections 3515(b) and 3521 of title 31, United States Code, of the financial statements of activities carried out using amounts from the Fund shall include an analysis of—

“(I) the fees collected and disbursed under this section;

“(II) the reasonableness of the fee structure in place as of the date of the audit to meet current and projected costs of the system;

“(III) the level of use of the system by users; and

“(IV) the success to date of the system in operating on a self-sustaining basis and improving the efficiency of tracking waste shipments and transmitting waste shipment data.

“(iii) FEDERAL RESPONSIBILITY.—The Inspector General of the Environmental Protection Agency shall—

“(I) conduct the annual audit described in clause (ii); and

“(II) submit to the Administrator a report that describes the findings and recommendations of the Inspector General resulting from the audit.

“(e) CONTRACTS.—

“(1) AUTHORITY TO ENTER INTO CONTRACTS FUNDED BY SERVICE FEES.—After consultation with the Secretary of Transportation, the Administrator may enter into 1 or more information technology contracts with entities determined to be appropriate by the Administrator (referred to in this subsection as ‘contractors’) for the provision of system-related services.

“(2) TERM OF CONTRACT.—A contract awarded under this subsection shall have a term of not more than 10 years.

“(3) ACHIEVEMENT OF GOALS.—The Administrator shall ensure, to the maximum extent practicable, that a contract awarded under this subsection—

“(A) is performance-based;

“(B) identifies objective outcomes; and

“(C) contains performance standards that may be used to measure achievement and goals to evaluate the success of a contractor in performing under the contract and the right of the contractor to payment for services under the contract, taking into consideration that a primary measure of successful performance shall be the development of a hazardous waste electronic manifest system that—

“(i) meets the needs of the user community (including States that rely on data contained in manifests);

“(ii) attracts sufficient user participation and service fee revenues to ensure the viability of the system;

“(iii) decreases the administrative burden on the user community; and

“(iv) provides the waste receipt data applicable to the biennial reports required by section 3002(a)(6).

“(4) PAYMENT STRUCTURE.—Each contract awarded under this subsection shall include a provision that specifies—

“(A) the service fee structure of the contractor that will form the basis for payments to the contractor; and

“(B) the fixed-share ratio of monthly service fee revenues from which the Administrator shall reimburse the contractor for system-related development, operation, and maintenance costs.

“(5) CANCELLATION AND TERMINATION.—

“(A) IN GENERAL.—If the Administrator determines that sufficient funds are not made available for the continuation in a subsequent fiscal year of a contract entered into under this subsection, the Administrator may cancel or terminate the contract.

“(B) NEGOTIATION OF AMOUNTS.—The amount payable in the event of cancellation or termination of a contract entered into under this subsection shall be negotiated with the contractor at the time at which the contract is awarded.

“(6) NO EFFECT ON OWNERSHIP.—Regardless of whether the Administrator enters into a contract under this subsection, the system shall be owned by the Federal Government.

“(f) HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM ADVISORY BOARD.—

“(1) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a board to be known as the ‘Hazardous Waste Electronic Manifest System Advisory Board’.

“(2) COMPOSITION.—The Board shall be composed of 9 members, of which—

“(A) 1 member shall be the Administrator (or a designee), who shall serve as Chairperson of the Board; and

“(B) 8 members shall be individuals appointed by the Administrator—

“(i) at least 2 of whom shall have expertise in information technology;

“(ii) at least 3 of whom shall have experience in using or represent users of the manifest system to track the transportation of hazardous waste under this subtitle (or an equivalent State program); and

“(iii) at least 3 of whom shall be a State representative responsible for processing those manifests.

“(3) DUTIES.—The Board shall meet annually to discuss, evaluate the effectiveness of, and provide recommendations to the Administrator relating to, the system.

“(g) REGULATIONS.—

“(1) PROMULGATION.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, after consultation with the Secretary of Transportation, the Administrator shall promulgate regulations to carry out this section.

“(B) INCLUSIONS.—The regulations promulgated pursuant to subparagraph (A) may include such requirements as the Administrator determines to be necessary to facilitate the transition from the use of paper manifests to the use of electronic manifests, or to accommodate the processing of data from paper manifests in the electronic manifest system, including a requirement that users of paper manifests submit to the system copies of the paper manifests for data processing purposes.

“(C) REQUIREMENTS.—The regulations promulgated pursuant to subparagraph (A) shall ensure that each electronic manifest provides, to the same extent as paper manifests under applicable Federal and State law, for—

“(i) the ability to track and maintain legal accountability of—

“(I) the person that certifies that the information provided in the manifest is accurately described; and

“(II) the person that acknowledges receipt of the manifest;

“(ii) if the manifest is electronically submitted, State authority to access paper printout copies of the manifest from the system; and

“(iii) access to all publicly available information contained in the manifest.

“(2) EFFECTIVE DATE OF REGULATIONS.—Any regulation promulgated by the Administrator

under paragraph (1) and in accordance with section 3003 relating to electronic manifesting of hazardous waste shall take effect in each State as of the effective date specified in the regulation.

“(3) ADMINISTRATION.—The Administrator shall carry out regulations promulgated under this subsection in each State unless the State program is fully authorized to carry out such regulations in lieu of the Administrator.

“(h) REQUIREMENT OF COMPLIANCE WITH RESPECT TO CERTAIN STATES.—In any case in which the State in which waste is generated, or the State in which waste will be transported to a designated facility, requires that the waste be tracked through a hazardous waste manifest, the designated facility that receives the waste shall, regardless of the State in which the facility is located—

“(1) complete the facility portion of the applicable manifest;

“(2) sign and date the facility certification; and

“(3) submit to the system a final copy of the manifest for data processing purposes.

“(i) AUTHORIZATION FOR START-UP ACTIVITIES.—There are authorized to be appropriated \$2,000,000 for each of fiscal years 2013 through 2015 for start-up activities to carry out this section, to be offset by collection of user fees under subsection (c) such that all such appropriated funds are offset by fees as provided in subsection (c).”.

(b) CONFORMING AMENDMENT.—The table of contents of the Solid Waste Disposal Act (42 U.S.C. 6901) is amended by inserting at the end of the items relating to subtitle C the following: “Sec. 3024. Hazardous waste electronic manifest system.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MURPHY) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on S. 710.

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

There was no objection.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

The enactment of S. 710 will enable the EPA to employ current technology to sharply reduce paperwork regulatory requirements at the same time it makes crucial information more accessible for States, first responders, and the public.

When people create hazardous waste, we require them to carefully track the movement and disposition. That way we know that, when a drum full of some hazardous waste is removed from a factory, the same amount winds up where it belongs—in a proper disposal facility—and that none of it is tossed into a sewer or a vacant lot. But for years, guaranteeing this actually happened meant keeping up with the reporting requirement—filling out multiple copies of paper forms and mailing them to the EPA and State officials, as

well as keeping paper copies at each place of business.

The inefficiency of this system in today's electronic business-to-business world certainly stands out to anyone. In fact, we learned of a case when first responders arrived at the scene of a chemical plant fire and they needed to know what substances were inside the plant before they started fighting the fire. In the whole city, the only copies of the forms identifying the hazardous waste were inside the building and were consumed in the fire. Now, there has got to be a better way.

With an electronic system, instead of filling out long forms and mailing them, the critically needed data, with a few computer key strokes, can be sent wherever it is needed. State regulators, first responders, and others will be able to pull it up on their computers and track the materials in real time. The changeover will not only save millions of dollars for regulated businesses, but quite frankly, it will save lives. So, even though the e-manifest system in S. 710 is funded by user fees, I want to note it will not be a burden on small businesses. Users pay only when and to the extent they file manifests. Otherwise, the new system will work like the old paper system, where the process to identify discrepancies in shipments is preserved.

Mr. Speaker, S. 710 was a good bill when it arrived here from the other body, but we made it better. First, we converted it from so-called "mandatory" spending to "discretionary." That will allow our colleagues on the Appropriations Committees an annual chance to review the program and make sure that money collected from users and money spent on the system is only enough to get the job done. Next, in working with our friends from the Committee on Transportation and Infrastructure, we added language to help the EPA harmonize its changeover to electronic filing with the Department of Transportation. The DOT also has its own requirements for handling and reporting hazardous materials, and we want the agencies to talk to each other and their computers to speak the same language.

So, Mr. Speaker, I urge the House to send S. 710, as amended, back to the other body, where we expect it to be approved without further amendment so that the President can sign it into law.

I reserve the balance of my time.

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

I rise in strong support of the Hazardous Waste Electronic Manifest Establishment Act, as amended by the Energy and Commerce Committee. This legislation will establish a centralized, Federal electronic manifest system for tracking hazardous waste for both the Federal Government and the States, and will pay for it through the collection of user fees.

Protecting the public from hazardous waste is certainly a critical mission of

the Department of Transportation and the EPA. Both departments, in coordination with industry and State agencies, have been vigilant in the treatment and transport of hazardous waste because of the safeguards established by the hazardous waste manifest system. Paper manifests provide shipping information to help with the tracking of potentially dangerous materials and information about the contents of each shipment for emergency responders.

The requirements of the current system were established over 30 years ago. Since 2001, the EPA has proposed a nearly paperless manifest system, which would reduce the financial burden of paperwork on States and the industry. EPA Administrator Lisa Jackson described the adoption of an electronic system for manifests as "an investment in modernizing the system that will pay off in efficiency later." That is why this legislation has wide support from hazardous waste generators, shippers, and processors, in that it reduces administrative and paperwork burdens.

The Congressional Budget Office estimates that this program will yield net annual savings for industry and the States of over \$100 million per year. The CBO also estimates that about 114,000 shippers would use this new system in the year 2016, with shipping users almost doubling in later years to 227,000.

Environmental groups also support this legislation because it will lead to "reductions in regulatory burden while simultaneously increasing the timeliness and availability of hazardous waste data" and "better protecting our environment." Those are their quotes.

I think the gentleman from Pennsylvania made reference to this a moment ago. In 2006, a fire erupted at a hazardous waste disposal facility in my home State of North Carolina. When first responders arrived on the scene, they could not access information about the hazardous chemicals inside of the facility because the paper manifests were inside the building that was burning.

We should bring this system, Mr. Speaker, into the 21st century. Technology has advanced. We all know that. There has been such advancement in technology over the last 32 years, and we should no longer be relying on carbon copies to track potentially dangerous shipments. Today's proposed legislation also maintains flexibility for small businesses by making participation in the electronic reporting program voluntary. It's not compulsory. It is a voluntary proposal. So, if any firm chooses, it can still use paper-based reporting methods.

As it passed the Senate, S. 710 embodied concepts that are widely supported, but it carried significant costs and direct spending, and deviated from the common practice of making the collection and utilization of user fees subject to appropriation.

□ 1710

But Chairman SHIMKUS worked closely with the Democratic members of the Environment and Economy Subcommittee to craft a substitute bill that addresses concerns while preserving the benefits of the legislation. The bill passed out of our subcommittee and the full Energy and Commerce Committee on voice votes with strong bipartisan support. I believe, Mr. Speaker, it has a high likelihood of being accepted by the Senate and the President. We will certainly give them that opportunity. I urge my colleagues to support this bill so we can finally see this significant improvement signed into law.

I want to thank Mr. MURPHY and all of the other Members who worked to expedite this legislation and get it to the floor today. I'm going to ask my colleagues to join with us in passing this bill.

With that said, Mr. Speaker, I reserve the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I have no more speakers on this bill, and I'm prepared to close if the gentleman from North Carolina is prepared to close, as well.

Mr. BUTTERFIELD. I don't have any more speakers, and I too am prepared to close.

Mr. Speaker, as the final speaker, I yield myself such time as I may consume.

Mr. Speaker, let me again thank Mr. MURPHY, the gentleman from Pennsylvania, and Mr. SHIMKUS, and the chair and the ranking member of all the committees of jurisdiction for their extraordinary work on this bill.

This is a critical piece of legislation. All of the stakeholders who are involved in disposing of chemicals and shipping chemicals are all in agreement that this is necessary. In fact, the time has passed that we pass this type of legislation. We live in a new age of technology now, so there's no excuse for us not automating these procedures. This bill today enables that to happen.

I want to thank all of my colleagues on both sides of the aisle for their spirit of bipartisanship in getting this to the floor. I ask my colleagues to please vote "yes" on this important legislation.

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask that all Members support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURPHY) that the House suspend the rules and pass the bill, S. 710, as amended.

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

A motion to reconsider was laid on the table.



U.S. SAFE WEB ACT OF 2006  
EXTENSION ACT

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6131) to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6131

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

**SECTION 1. EXTENSION OF THE U.S. SAFE WEB ACT OF 2006.**

Section 13 of the U.S. SAFE WEB Act of 2006 (Public Law 109-455; 15 U.S.C. 44 note) is amended to read as follows:

**“SEC. 13. SUNSET.**

“Effective September 30, 2020, this Act, and the amendments made by this Act, are repealed, and any provision of law amended by this Act shall be amended to read as if this Act had not been enacted into law.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 6131.

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

There was no objection.

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

Mr. Speaker, as chairman of the House Subcommittee on Commerce, Manufacturing and Trade, I rise today in strong support of H.R. 6131, a bill to reauthorize the U.S. SAFE Web Act of 2006.

I would like to thank Energy and Commerce Committee Chairman UPTON for his leadership on this important issue, as well as Ranking Member WAXMAN. But a special thank you also goes out to my good friend and lead co-author of H.R. 6131, our subcommittee's ranking member, Mr. BUTTERFIELD of North Carolina, for his strong bipartisan support.

When it comes to the future of electronic commerce, consumer trust and online privacy are trending topics that Americans care very deeply about. Today, the Internet serves billions of users worldwide with e-commerce in the U.S. topping \$200 billion last year for the first time and up a remarkable 15 percent so far this year. But lurking online are hackers, cyberthieves, and even organized crime rings.

As someone who is deeply involved in online privacy issues, as well as consumer protection, I'm very concerned that e-commerce will cease to grow and

flourish if Americans lose faith in their ability to be protected from online predators, jeopardizing future innovation, as well as our Nation's fragile economic recovery.

One important tool in combating crossborder fraud, spam, and spyware is this act, which is set to expire next year. H.R. 6131 reauthorizes important crime-fighting and consumer protection law for another 7 years.

By any measure, the U.S. SAFE Web Act has been extremely effective, allowing the Federal Trade Commission to better protect U.S. consumers from fraud, deception, spam and spyware, and crossborder cases involving threats originating both domestically and abroad. And to give you an idea of just how well it's working, no opposition to reauthorizing the law has been expressed from either the business community or by advocacy groups.

Most importantly, the U.S. SAFE Web Act enhances the FTC's investigative and enforcement functions by authorizing information sharing with foreign enforcement agencies, something the commission may not do without express authorization. The act only allows information sharing with countries whose law on data sharing is substantially similar to that governing the FTC, and the FTC may share data only under conditions where the information will be treated confidentially and a country will reciprocate information sharing with the FTC. Clearly, we would be fighting an uphill battle if these critically important consumer protections were not in place.

About a decade ago, the Federal Trade Commission began to highlight the growing problems that it encountered in effectively combating Internet scams and fraud directed at American citizens by foreign operators, oftentimes involving organized crime rings. By 2005, an estimated 20 percent of consumer complaints the FTC received involved fraud originating outside of the U.S., costing American consumers hundreds of millions of dollars each year.

In order to expand its ability to effectively fight online fraud, the FTC sent Congress legislative recommendations in 2005 seeking additional authorities. Without objection, Congress passed the U.S. SAFE Web Act on December 6, 2006, and it was signed into law 2 weeks later by President Bush. For American consumers, the U.S. SAFE Web Act has been a clear success to date, and it should be reauthorized before its expiration next year.

Mr. Speaker, I strongly urge the passage of H.R. 6131, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in strong support of H.R. 6131, a bill that will reauthorize certain powers granted to the Federal Trade Commission under the U.S. SAFE Web Act that are set to expire very soon.

Congresswoman BONO MACK, the chair of the Commerce, Manufacturing

and Trade Subcommittee of Energy and Commerce and I and our staffs worked together in a bipartisan manner to quickly get this very important reauthorization language out of the committee and onto the House floor.

When the bill was first authored in the 109th Congress, it was overwhelmingly supported by both Republicans and Democrats and passed the House under suspension of the rules. So I am happy to see that this reauthorization is proceeding in much the same way.

This law provides the Federal Trade Commission with expanded and enhanced authorities with the aim of combating crossborder spyware and spam attacks against the U.S., as well as helping protect consumers from phony Internet rip-offs and telemarketing scams. The enhanced authority has empowered the FTC to better protect American consumers through robust crossborder information sharing, investigative assistance, and coalition building with foreign consumer protection agencies.

In a 2009 report to Congress, the FTC noted the significant role the act has played in facilitating crossborder cooperation in investigations and enforcement proceedings, along with the growing need for continued cooperation to combat new and existing global fraud. Simply put, Mr. Speaker, the expanded authorities are working to protect the American people, and Congress needs to make sure they remain in place so the Federal Trade Commission can effectively combat crossborder scams.

The original SAFE Web Act passed in the 109th Congress included a sunset provision that will cause these enhanced authorities to expire in December of next year. H.R. 6131 will extend these authorities to September of the year 2020.

Mr. Speaker, I am a strong supporter of granting the FTC the powers it needs to effectively protect consumers against fraud, whether originating here or abroad.

□ 1720

So I joined my good friend, Congresswoman BONO MACK, in pushing the 7-year extension in this bill. It is important to highlight that each and every FTC Commissioner, all of them, of both political parties, have called for a permanent reauthorization.

I joined with the FTC in calling for the sunset clause in the U.S. SAFE WEB Act to be completely repealed, and it is still, it is still my opinion and the opinion of several in our committee that this is a better approach.

Nonetheless, Mr. Speaker, both parties can agree, and the FTC's enforcement record shows, that this has been a successful law, so we should not delay. We should not delay or disrupt the FTC's ability to protect the American people from those who want to take advantage of them. I hope my colleagues will agree with us and will join with us in supporting this measure.

Again, I want to thank the gentlelady from California for her friendship and her leadership on the committee. You have just been extraordinary. I also want to thank the chairman of the full committee, Mr. UPTON, the gentleman from Michigan, as well as my ranking member, Mr. WAXMAN, from California. All of us, all of us have worked together so diligently to make this happen, and I thank you so very much.

I will close by simply reiterating what I have said the last 3 or 4 minutes. This is a good bill. We have bipartisan support for this bill. It has been expedited to the House floor. I ask my colleagues to join with us and get it passed, and let's get it enacted into law.

I yield back the balance of my time.

Mrs. BONO MACK. Mr. Speaker, in closing, I just would like to say that today, with nearly 1.5 billion credit cards now in use in the U.S., nearly everyone has a stake in making certain that the FTC has the powers that it needs to combat cross-border fraud, spam, and spyware.

Rather than give the FTC more power, the U.S. SAFE WEB Act is simply giving the FTC the tools it needs to carry out its mission more effectively; and it's done so without increasing the cost to American taxpayers, without any new rulemaking, and without any new investigative authority. Reauthorizing the U.S. SAFE WEB Act as soon as possible will avoid disrupting ongoing investigations, allowing the FTC to continue to pursue cross-border fraud complaints and to continue important information-sharing agreements with foreign law enforcement agencies.

Again, let me just emphasize that this is a critically important consumer protection bill, it enjoys broad bipartisan support, it doesn't cost any additional money, and the clock is ticking. The law needs to be reauthorized now.

It's good for American consumers, and it's good for the future of e-commerce. It sends an important signal to the rest of the world that online crooks, no matter where they're located, will be tracked down and prosecuted.

Mr. Speaker, I urge the adoption of H.R. 6131, and I yield back the balance of my time.

Mr. STEARNS. Mr. Speaker, in 2006 when the original SAFE WEB Act was signed into law, I was Chairman of the Energy and Commerce Committee's Subcommittee on Commerce, Trade, and Consumer Protection. I believed then, as I believe now, that this bill provided needed authority to the Federal Trade Commission to address cross border fraud.

Essentially, the SAFE WEB Act ensures that the FTC can effectively combat Internet scams and fraud being perpetrated against U.S. citizens by foreign operators. Throughout my tenure in Congress I have worked to pass strong data security and cyber protections for consumers, and the SAFE WEB Act directly correlates with this mission.

Without reauthorization, the Act and its grant of authorities to the FTC will expire on

December 22, 2013. I appreciate Chairman BONO MACK's attention to this issue and focus on reauthorizing this bill before it expires. Delay in reauthorization could threaten the strong relationships the FTC has been able to build with foreign countries, such as Canada, these past six years.

I am also pleased to see that while today's bill will extend the SAFE WEB Act for an additional seven years, it also makes clear that the law will sunset if not again reauthorized. While I applaud what the FTC has done so far, I support sun-setting laws that provide independent agencies with new authorities. Such action guards against bureaucratic overreach and preserves important Congressional oversight.

In conclusion, I believe this is an important bill and I encourage all my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 6131.

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

A motion to reconsider was laid on the table.

#### AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2012

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5865) to promote the growth and competitiveness of American manufacturing, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5865

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "American Manufacturing Competitiveness Act of 2012".

#### SEC. 2. NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY.

Not later than June 1, 2014, and June 1, 2018, the President shall submit to Congress, and publish on a public website, a strategy to promote growth, sustainability, and competitiveness in the Nation's manufacturing sector, create well-paid, stable jobs, enable innovation and investment, and support national security.

#### SEC. 3. MANUFACTURING COMPETITIVENESS BOARD.

(a) IN GENERAL.—On the first day of each of the two Presidential terms following the date of enactment of this Act, there is established within the Department of Commerce an American Manufacturing Competitiveness Board.

(b) MEMBERS.—Members of the Board shall be appointed as follows:

(1) PUBLIC SECTOR MEMBERS.—The President shall appoint to the Board—

(A) the Secretary of Commerce;

(B) Governors of two States, from different political parties, after consulting with the National Governors Association; and

(C) two other members who are current or former officials of the executive branch of government.

(2) PRIVATE SECTOR MEMBERS.—

(A) CRITERIA.—Ten individuals from the private sector shall be appointed to the

Board in accordance with subparagraph (B) from among individuals with experience in the areas of—

(i) managing manufacturing companies, including businesses with fewer than 100 employees;

(ii) managing supply chain providers;

(iii) managing labor organizations;

(iv) workforce development;

(v) finance;

(vi) analyzing manufacturing policy and competitiveness;

(vii) conducting manufacturing-related research and development; and

(viii) the defense industrial base.

(B) APPOINTMENT.—The Speaker of the House of Representatives and the majority leader of the Senate shall each appoint 3 members to the Board. The minority leader of the House of Representatives and the minority leader of the Senate shall each appoint 2 members to the Board.

(c) TERMINATION.—The Board shall terminate 60 days after submitting its final report pursuant to section 4(c)(3).

(d) CO-CHAIRMEN.—The co-chairmen of the Board shall be the Secretary of Commerce (or the designee of the Secretary) and a member elected by the private sector members of the Board appointed pursuant to subsection (b)(2).

(e) SUBGROUPS.—The Board may convene subgroups to address particular industries, policy topics, or other matters and to take advantage of the expertise of other individuals and entities in matters to be addressed by the Board. Such subgroups may include members representing any of the following:

(1) Other Federal agencies, as the co-chairmen determine appropriate.

(2) State, tribal, and local governments.

(3) The private sector.

(f) QUORUM.—Ten members of the Board shall constitute a quorum for the transaction of business but a lesser number may hold hearings with the agreement of the co-chairmen.

(g) MEETINGS AND HEARINGS.—

(1) TIMING AND FREQUENCY OF MEETINGS.—The Board shall meet at the call of the co-chairmen, and not fewer than 2 times.

(2) PUBLIC HEARINGS REQUIRED.—The Board shall convene public hearings to solicit views on the Nation's manufacturing sector and recommendations for the national manufacturing competitiveness strategy.

(3) LOCATIONS OF PUBLIC HEARINGS.—The locations of public hearings convened under paragraph (2) shall ensure the inclusion of multiple regions and industries of the manufacturing sector.

(h) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 of such Act, shall apply to the Board, including any subgroups established pursuant to subsection (e).

#### SEC. 4. DUTIES OF THE BOARD.

(a) IN GENERAL.—The Board shall—

(1) advise the President on issues affecting the Nation's manufacturing sector;

(2) conduct a comprehensive analysis in accordance with subsection (b); and

(3) develop a national manufacturing competitiveness strategy in accordance with subsection (c).

(b) COMPREHENSIVE ANALYSIS.—In developing a national manufacturing competitiveness strategy under subsection (c), the Board shall conduct a comprehensive analysis of the Nation's manufacturing sector, taking into consideration analyses, data, and other information previously compiled, as well as relevant reports, plans, or recommendations issued by Federal agencies, Federal advisory boards, and the private sector. Such analysis shall, to the extent feasible, address—

(1) the value and role of manufacturing in the Nation's economy, security, and global leadership;

(2) the current domestic and international environment for the Nation's manufacturing sector, and any subsector identified by the Board as warranting special study for competitiveness or for comparison purposes;

(3) Federal, State, tribal, and local policies, programs, and conditions that affect manufacturing;

(4) a summary of the manufacturing policies and strategies of the Nation's 10 largest trading partners, to the extent known;

(5) new, emerging, or evolving markets, technologies, and products for which the Nation's manufacturers could compete;

(6) the identification of redundant or ineffective government programs related to manufacturing, as well as any programs that have improved manufacturing competitiveness;

(7) the short- and long-term forecasts for the Nation's manufacturing sector, and forecasts of expected national and international trends and factors likely to affect such sector in the future;

(8) the manner in which Federal agencies share information and views with respect to the effects of proposed or active regulations or other executive actions on the Nation's manufacturing sector and its workforce;

(9) the recommendations of the Department of Commerce Manufacturing Council, whether such recommendations have been implemented, and the effect of such recommendations; and

(10) any other matters affecting the growth, stability, and sustainability of the Nation's manufacturing sector or the competitiveness of the Nation's manufacturing environment, particularly relative to that of other nations, including—

(A) workforce skills, gaps, and development;

(B) productivity and the extent to which national economic statistics related to manufacturing accurately measure manufacturing output and productivity growth;

(C) trade policy and balance;

(D) energy policy, forecasts, and developments;

(E) expenditures on basic and applied research related to manufacturing technology;

(F) programs to help small and mid-sized manufacturers become more competitive;

(G) the impact of Federal statutes and regulations;

(H) the impact of domestic and international monetary policy;

(I) the impact of taxation;

(J) financing and investment, including challenges associated with commercialization and scaling up of production;

(K) research and development;

(L) job creation and employment disparities;

(M) levels of domestic production;

(N) adequacy of the industrial base for maintaining national security;

(O) protections for intellectual property and the related policies, procedures, and law on technology transfer; and

(P) customs enforcement and counterfeiting.

(c) NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY.—

(1) DEVELOPMENT.—The Board shall develop a national manufacturing competitiveness strategy, based on—

(A) the results of the comprehensive analysis conducted under subsection (b); and

(B) any other information, studies, or perspectives that the Board determines to be appropriate.

(2) GOALS AND RECOMMENDATIONS.—

(A) GOALS.—The Board shall include in the national manufacturing competitiveness

strategy short- and long-term goals for improving the competitiveness conditions of the Nation's manufacturing environment, taking into account the matters addressed in the comprehensive analysis conducted under subsection (b).

(B) RECOMMENDATIONS.—The Board shall include in the national manufacturing competitiveness strategy recommendations for achieving the goals provided under subparagraph (A). Such recommendations may propose—

(i) actions to improve manufacturing competitiveness to be taken by the President, Congress, State and local governments, and the private sector;

(ii) actions to improve government policies and coordination among entities developing such policies;

(iii) the consolidation or elimination of government programs;

(iv) actions to improve government interaction with the manufacturing sector and communication regarding the effects of proposed or active government regulations or other executive actions on the manufacturing sector and its workforce;

(v) the reform or elimination of regulations that place the United States manufacturing sector at a disadvantage relative to other nations; and

(vi) actions to reduce business uncertainty, including, where appropriate, finalization of regulations applicable to manufacturers.

(3) REPORT.—

(A) DRAFT.—Not later than 150 days before the date on which the President is required to submit to Congress a report containing a national manufacturing competitiveness strategy under section 2, the Board shall publish in the Federal Register and on a public website a draft report containing a national manufacturing competitiveness strategy. At the same time, the Board shall make available to the public the comprehensive analysis required by subsection (b) and any underlying data or materials necessary to an understanding of the conclusions reached.

(B) PUBLIC COMMENT; REVIEW AND REVISION.—A draft report published under subparagraph (A) shall remain available for public comment for a period of not less than 30 days from the date of publication. The Board shall review any comments received regarding such draft report and may revise the draft report based upon those comments.

(C) PUBLICATION.—Not later than 60 days before the date on which the President is required to submit to Congress a report containing a national manufacturing competitiveness strategy under section 2, the Board shall submit to the President for review and revision a final report containing a national manufacturing competitiveness strategy, and shall publish such final report on a public website.

(D) CONTENTS OF REPORT.—The final report submitted under subparagraph (C) shall, to the extent feasible, include—

(i) an estimate of the short- and long-term Federal Government outlays and revenue changes necessary to implement the national manufacturing competitiveness strategy and an estimate of savings that may be derived from implementation of the national manufacturing competitiveness strategy;

(ii) a detailed explanation of the methods and analysis used to determine the estimates included under clause (i);

(iii) recommendations regarding how to pay for the cost of implementation estimated under clause (i); and

(iv) a plan for how the recommendations included in the report will be implemented and who is or should be responsible for the implementation.

(d) CONSULTATION; NONDUPLICATION OF EFFORTS.—The Board shall consult with and

not duplicate the efforts of the Defense Science Board, the President's Council of Advisors on Science and Technology, the Manufacturing Council established by the Department of Commerce, the Economic Security Commission, the Labor Advisory Committee for Trade Negotiations and Trade Policy, and other relevant governmental entities conducting any activities related to manufacturing.

#### SEC. 5. REQUIREMENT TO CONSIDER NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY IN BUDGET.

In preparing the budget for each of the fiscal years from fiscal year 2016 through fiscal year 2022 under section 1105(a) of title 31, United States Code, the President shall include information regarding the consistency of the budget with the goals and recommendations included in the national manufacturing competitiveness strategy.

#### SEC. 6. DEFINITIONS.

In this Act:

(1) BOARD.—The term "Board" means—

(A) during the first Presidential term that begins after the date of enactment of this Act, the American Manufacturing Competitiveness Board established by section 3(a) on the first day of such term; and

(B) during the second Presidential term that begins after the date of enactment of this Act, the American Manufacturing Competitiveness Board established by section 3(a) on the first day of such term.

(2) PRIVATE SECTOR.—The term "private sector" includes labor, industry, industry associations, academia, universities, trade associations, nonprofit organizations, and other appropriate nongovernmental groups.

(3) STATE.—The term "State" means each State of the United States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 5865.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 5865, the American Manufacturing Competitiveness Act.

Throughout our Nation's long history, a growing and robust manufacturing sector has helped to make America great. It's been a driving force in our economy since the Industrial Revolution.

But as our Nation has moved from the atomic age to the space age, the information age, manufacturing has not kept up, losing nearly 6 million American jobs since the beginning of the

21st century. Aging, rusting, and abandoned factories litter the U.S. landscape.

Statistics show the manufacturing sector was the hardest hit in terms of job losses during the Great Recession. While manufacturing accounts for just one-tenth of our Nation's jobs, manufacturing has suffered a third of our Nation's job losses.

We have a chance now to reverse this trend, and I applaud the hard work of Mr. LIPINSKI and Mr. KINZINGER in developing a bipartisan plan for improving manufacturing in the U.S.

I would also like to thank Chairman UPTON, Ranking Member WAXMAN, and subcommittee Ranking Member BUTTERFIELD for their hard work in bringing this important bill to the floor for a vote.

The American Manufacturing Competitiveness Act calls for two Presidential reports to Congress outlining the strategy for promoting growth, sustainability, and competitiveness in the manufacturing sector. The reports are due in April of 2014 and again in 2018.

Now, why is this so important? Well, for one thing, manufacturing has the highest job multiplier of any industry in our economy, producing \$1.35 for every \$1 in direct spending. Just as importantly, manufacturing is responsible for two-thirds of all private R&D spending in the U.S., and it drives technology innovation. But on the flip side, for every manufacturing job lost in America, another 2.3 jobs are also lost throughout our economy.

Here's the bottom line: If America is going to continue to lead the world in innovation, we must foster a more conducive environment for manufacturing.

H.R. 5865 establishes a manufacturing competitiveness board made up of 15 members. Five public sector members are appointed by the President, and the remaining 10 private sector members are appointed by House and Senate leaders. That gives both the executive branch and the legislative branch a shared role as well as a shared stake in making sure that this process is ultimately successful.

Mr. Speaker, H.R. 5865 is a sound, bipartisan approach to improving manufacturing in America, and I strongly urge its passage.

With that, I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 5865, the American Manufacturing Competitiveness Act of 2012.

The lead bipartisan cosponsors of this bill are two gentlemen from Illinois, Congressman DANIEL LIPINSKI and my colleague on the Energy and Commerce Committee, Congressman ADAM KINZINGER. I want to thank both of them for their work on this bill and, in particular, for working with me and Chairwoman BONO MACK to move this bill in a form that both sides can support.

H.R. 5865 aims to build upon the recent growth of the U.S. manufacturing sector with the end goal being the return of more and more individuals to stable and good-paying jobs.

Specifically, Mr. Speaker, the American Manufacturing Competitiveness Act requires the President to prepare and submit to Congress in 2014 and 2018 a national manufacturing strategy with assistance from the American Manufacturing Competitiveness Board established by the bill.

The board will be comprised of the Secretary of Commerce, State Governors, and officials from the executive branch, in addition to 10 individuals from the private sector appointed by the majority and minority leadership of the House and the Senate.

There is no more important issue to Americans than the ability to get and keep a job, provide for their families, and ensure that when their children grow up they too can succeed. This is the promise of the American Dream, and it's a promise that, despite the slow climb out of the deep recession caused by the reckless bets in Wall Street, that I and most Americans still believe in. Moreover, it's a promise that we here in Congress have been entrusted by our constituents to work towards by promoting initiatives and enacting policies that will lead to the creation of new jobs to replace and supplement those that have been lost.

This is something that the Obama administration has taken very seriously, and the administration has rightfully made growing the manufacturing sector a key element to getting Americans back to work. This has also been a priority of the House Democratic leadership through its Make It In America policy initiatives.

And we are seeing results, Mr. Speaker, we are seeing results. Over the past 2 years, the manufacturing sector has added more than 450,000 jobs.

□ 1730

That is worth repeating. Over the past 2 years, the manufacturing sector has added more than 450,000 jobs. Not since the Clinton administration has this sector seen such fast growth.

In my own State of North Carolina, we know all too well about the loss of manufacturing jobs, but those jobs have begun to return. And we are feeling it and we are seeing it. North Carolina is the fifth largest manufacturing State in the country and the largest in the Southeast. Our manufacturing sector provides about \$80 billion to our GDP—roughly 20 percent of the total. The nearly 11,000 manufacturing companies in North Carolina employ almost 15 percent of the total workforce, and well over half a million of these jobs pay more than \$65,000 annually.

American manufacturing is primed for a renaissance. The House Democrats' Make It in America agenda provides even greater opportunities for success. Several of these initiatives have already become law, including

bills that cut taxes and create loans for small businesses, speed up the patent process, and lower the cost of raw materials and help to end tax loopholes so that companies are discouraged from shipping jobs overseas.

Mr. Speaker, in the 111th Congress, House Democrats led efforts to support American clean-energy firms, invest in job-training partnerships, and hold China accountable for unfair currency manipulation that cost us in America very precious jobs. When more products are made in America, more families can make it in America. The American Manufacturing Competitiveness Act promises to build on and complement the Obama administration's efforts and our efforts to grow manufacturing in the United States of America.

Mr. Speaker, I support this bill. I thank my colleagues on the other side of the aisle for their cooperation with bringing this to the floor and getting it for a vote today. I thank not only the chair and the ranking member of the full committee, but the chair of our subcommittee, who works with us on so many of these important issues.

I reserve the balance of my time.

Mrs. BONO MACK. Mr. Speaker, I yield 4 minutes to the coauthor of the legislation, a very hardworking member of the Subcommittee on Commerce, Manufacturing, and Trade, the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I would like to thank Chairman BONO MACK for the time and her work in getting this bill to the floor.

Mr. Speaker, I rise today in support of the American Manufacturing Competitiveness Act. It's an honor to stand here with my colleague from Illinois (Mr. LIPINSKI) in support of this forward-thinking, bipartisan legislation, especially at a time when Americans feel like Republicans and Democrats are unable to work together.

Mr. Speaker, the world is becoming more competitive, as evidenced by the recent report from the World Economic Forum announcing that the U.S. has fallen from first to seventh in global competitiveness. And I tell you what actually really gets to me is the fact that I feel like many Americans are starting to accept the fact that we are just going to lose our competitive edge and we're going to lose our manufacturing power base to a country like China. And I don't think that's something that we have to accept.

We've heard from the manufacturing base in this country. They need a simpler Tax Code. They need an education system that prepares students in math and science, trade policies that are open and fair, and regulations that protect the health and welfare of our citizens with the lowest cost on business. The purpose of this legislation is to build on the consensus and ensure government policies promote a competitive environment for manufacturers in the decades to come.

Mr. Speaker, we are the biggest economy in the world because of our manufacturing resources. We produce 21 percent of global manufactured goods, with an estimated 18.6 million jobs. Manufacturing jobs are some of the highest paying in our economy, with the average job making upwards of \$77,000 annually. With the right policies in place, we can usher in a manufacturing renaissance in this legislation, and this legislation will help ensure our global competitiveness for decades to come.

Mr. Speaker, in Illinois alone, over 600,000 people are employed in manufacturing. This is an industry that's vital to the health of our economy and our national security. This Nation is blessed to have some of the hardest working and most innovative people in the world. When I go home to Illinois and I speak directly to a small or large manufacturer, they're ready to compete on the global stage, and they're ready to compete with China. They only need government to ensure that they are playing on a level playing field. That means fair trade, a simple tax policy, educated students, and the least burdensome regulations possible.

This legislation will bring together private sector and government leaders to create a manufacturing strategy that both Congress and the President can implement. It's time to get politics out of supporting the middle class. The American people are tired of stalemates. They're ready for action. They're ready for both parties to focus their energy on the people who elected them. Now is the time to act before this window of opportunity for a manufacturing renaissance passes us by. I'm proud of this legislation. I think it's a strong first step in finding solutions to help our Nation's economy. And I urge my colleagues to support this legislation.

Mr. BUTTERFIELD. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. HOYER), who is also the minority whip of the House Democratic Caucus and is a great friend of the manufacturing sector.

Mr. HOYER. I thank the gentleman for yielding, and I want to congratulate DAN LIPINSKI for authoring this legislation. It is one of the key pieces of our Make It in America agenda, which my distinguished friend from North Carolina has discussed. I also want to thank my dear and good friend, MARY BONO MACK, for her leadership on this effort.

As the gentleman said, and I can adopt the remarks of the previous speaker, Mr. KINZINGER, we do need a manufacturing policy. We do need a manufacturing renaissance. And we do need a psychology that America is going to be number one and stay number one and create the kind of good-paying jobs for our people that manufacturing provides.

Andrew Liveris, who's the chief CEO of Dow Chemical, wrote a book. The

name of that book is "Make It in America." Manufacture it in America. Grow it in America. Sell it here and sell it around the world.

Mr. Speaker, I rise in support of Mr. LIPINSKI's bill, the American Manufacturing Competitiveness Act. This passed out of committee unanimously 4 months ago. This bill is a key part of House Democrats' Make It in America plan to strengthen American manufacturing. But it's not a Democratic plan. It's not a Republican plan. It's an American plan. All of us can resoundingly support this and take ownership of a renaissance in manufacturing.

For the past 2 years, our manufacturing sector was a bright spot in our economic recovery, seeing the first increase in manufacturing jobs since the nineties. But for the last 3 months that sector has begun to contract a little bit, a symptom of Congress' failure, in my opinion, to take serious action on legislation like Make It in America. And, yes, taxes and regulations. The gentleman was correct. That's why we need the American Manufacturing Competitiveness Act. This bill will bring the public and private sectors together with labor and other stakeholders to craft plans to develop comprehensive national manufacturing strategies in 2014 and 2018.

Ladies and gentlemen, none of you doubt that our competitors across this globe are doing this. We are late to this ball game. But the good news is we are the most able, productive economy in the world, and we can compete with anybody. All we need is a good plan. Other nations around the globe have strategies to increase the manufacturing to keep America competitive. It is imperative that we have a plan as well. Not to pick winners and losers, but to create the environment of which the gentleman spoke just before me about an environment that allows manufacturing to grow.

I want to thank, again, the ranking member for his very compelling statement that he made. The Obama administration focused on revitalizing the manufacturing sector, and Representative LIPINSKI's bill ensures that the U.S. Government will continue to pursue policies that bolster manufacturing and add jobs. I want to commend Representative LIPINSKI for his leadership on this issue, as well as Ranking Member WAXMAN, Ranking Member BUTTERFIELD, whom I've already referenced, and other Democrats on the Energy and Commerce Committee.

□ 1740

But I also want to commend those Republican leaders on the Commerce Committee, and Mr. MANZULLO, who is sitting here, my dear friend, who heads up the Small Business Committee, is focused on growing jobs in America. I also want to thank Chairman UPTON and I have already thanked Chairman BONO MACK, but she is my good friend so I'll thank her again, for their work to make sure this bill came to the floor with bipartisan support.

Mr. Speaker, the Energy and Commerce Committee reported this bill in June with a bipartisan vote. I am sure it will receive a bipartisan vote tonight.

I will tell you there is no place in America you can go—not the most conservative district, not the most liberal district, not the most Republican district or the most Democratic district. And you could talk about make it in America, and you'll get heads nodding in agreement.

This is not an issue of philosophy. It's a pragmatic issue of growing our economy, creating the kinds of jobs that our people need, jobs that pay well, give them good benefits, and a bright future for them, their families, and their children.

So I commend both the Republican and Democratic side for bringing this piece of legislation to the floor and urge its unanimous adoption by this Congress.

Mrs. BONO MACK. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, as the co-founder and co-chair of the House Manufacturing Caucus, I cannot overstate the importance of manufacturing in America and the need for this important legislation.

The U.S. is still the largest manufacturer in the world, churning out about \$1.7 trillion in value annually, and one in six jobs is tied directly or indirectly to manufacturing.

Manufacturing drives innovation by conducting two-thirds of all research and development and creating the bulk of technology in our Nation and nearly 70 percent of all exported goods from the United States in 2011 originated from the manufacturing sector.

In the U.S., every one dollar in final sales in manufacturing goods supports \$1.35 in output from other sectors of the economy. That multiplier effect is higher than any other economic sector. Many other jobs, such as those in financial services, depend on somebody else making a product. If no one makes anything in America anymore, than those service sector jobs disappear also.

I spend about two-thirds of my time in Congress studying and working on manufacturing issues, from raw materials and minerals all the way through export controls. In fact, earlier today, I co-hosted a bipartisan briefing with administrative officials on its export control reform initiative.

I have been in over 500 factories all over the world in China, Japan, Europe, and the United States. I've studied manufacturing schooling and the educational process in Switzerland and how important manufacturing is to that tiny country.

Every few years the manufacturing sector in the United States experiences a crisis. In response, various administrations have prepared strategy reports on how to best respond. The last report

was issued in 2004. This report was extremely helpful in identifying and reforming regulations that were unduly burdensome on the manufacturing sector that produced little or no public benefit.

The bill before us today will institutionalize this process by requiring a national manufacturing report so that we can keep the focus of our government on how to best help the strongest economic engine of our economy.

My office spent years developing a chart to identify the numerous Federal programs and agencies that support manufacturing. It is still difficult to have a central focal point to know who is manufacturing and who is doing research in a particular area. For example, if somebody wants to do research on machining titanium, there is no central portal through which that person can go to determine exactly what programs there are and who is doing the research. Fundamentally, it's very important to have this report. Why? Because Americans need to know the importance of manufacturing.

If we don't have manufacturing, agriculture, and mining in this country, we become a Third World nation. If we can't make things with our hands, then we become hindered in maintaining our status as a world leader.

I would call upon the House to vote affirmatively for this great bill, the American Manufacturing Competitiveness Act of 2012, H.R. 5865.

Mr. BUTTERFIELD. Mr. Speaker, at this time I yield 6 minutes to the author of this bill, Mr. LIPINSKI from the great State of Illinois, who has worked very hard on this bill not only in this Congress but in the previous bill as well.

Mr. LIPINSKI. Thank you, Ranking Member BUTTERFIELD, for yielding and for your support on this bill.

Mr. Speaker, I rise today in strong support of H.R. 5865, the American Manufacturing Competitiveness Act, a bipartisan bill that I introduced to boost American manufacturing.

This bill represents what the American people want us to be doing, working together in a bipartisan manner to advance policies that promote the creation of good-paying jobs for middle class Americans.

I want to thank Representative KINZINGER for being willing to work with me across the aisle to bring this bill to the floor. I also want to thank Chairwoman BONO MACK as well as Representative POMPEO for their work on this bill. Mr. MANZULLO was just on the floor. I want to thank him for the work he's done to advance manufacturing, the work we've done together in the 8 years that I've been in the Congress with him.

In addition, I want to thank Democratic Whip HOYER for his steadfast advocacy of Make It in America policies.

Manufacturing is a linchpin of our Nation's economy. It provides the American middle class with a source of quality jobs making everything from

the goods we rely on for everyday needs, to the equipment that we need for national security.

But in the first decade of the century, American manufacturing took a hard hit. Almost one-third of American manufacturing jobs disappeared. After 110 years as the world's top manufacturing Nation, America got knocked off its perch by China.

I have seen the devastation in my district and across northeastern Illinois. And I get frustrated, just like countless other Americans do, when I go to the store and I cannot find the words "made in the U.S.A." on any product.

Some say this is inevitable but it does not have to be. While we have been seeing signs of a resurgent American manufacturing sector, with jobs increasing by nearly half a million in the past few years, we still have a long way to go.

America relies on the entrepreneurial spirit of private enterprise. There is no doubt there would be no American manufacturing base without the innovators and the risk takers. The great growth in American manufacturing in the 20th century would have been impossible without the hard work of the middle class.

But it is also clear that the government interacts with and affects manufacturing in countless ways. From tax and trade, to regulation, to research, education, and workforce development, government policies have a significant effect on our manufacturers.

That is why we need a comprehensive, coordinated strategy promoting American manufacturing. While many other countries—China, India, Germany, to name a few—have developed manufacturing strategies, the United States manufacturing policy is uncoordinated and largely ad hoc. If we want American manufacturing to compete and succeed in a global economy, it is vital that we develop a strategy to coordinate our policies that impact manufacturers. And that is exactly what this bill does.

Based on the Quadrennial Defense Review, the Pentagon's policy planning process, this bill proposes that every 4 years we convene a group of manufacturing experts from the private and the public sectors. This group, assembled from appointments made by congressional leaders and the President, will analyze domestic and global economics and propose recommendations to Congress, the President, States, and industry, to pursue to make all the types of American manufacturing more competitive.

At the end of the day, this bill is about setting aside politics and implementing policies that will create an environment conducive to the flourishing of American manufacturing, which is vital for middle class American jobs and is vital for our national security.

□ 1750

If we continue to muddle through without a coordinated plan, govern-

ment will still be impacting manufacturing, but in an uncoordinated, often inefficient, and sometimes wasteful manner.

After a couple of tough decades, I still have a number of small and medium-size manufacturers in my district in northeastern Illinois. One of these is Atlas Tool & Die of Lyons, Illinois, a 94-year-old family-owned business. The director of development for the company, Zach Mottl, said this about H.R. 5865:

As a business owner, I know planning is critical. When an organization doesn't operate with a plan, what occurs is a plan to fail. Right now, the United States is operating without a manufacturing strategy in a world where other countries are intensely focused on helping their manufacturers to compete. The American Manufacturing Competitiveness Act will bring all sides and stakeholders together to forge a strategy with broad support and the momentum needed to produce action.

Mr. Speaker, I urge my colleagues to come together today and help start forging this strategy by passing H.R. 5865, and we can all look forward to proudly seeing the "Made in the USA" label on more shelves and in more showrooms.

Mrs. BONO MACK. I reserve the balance of my time at this point. I have no further speakers.

Mr. BUTTERFIELD. I have no additional speakers, Mr. Speaker; therefore, I will ask my colleagues to join with us in passing this good legislation.

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

Mrs. BONO MACK. Mr. Speaker, I just want to begin by thanking Mr. LIPINSKI for crossing the center aisle and coming to our side to offer his legislation and to work with us early on in the year, to stress to us how important it was for him. And I thank him for his willingness to work with us to make sure we could move this bill.

In closing, I just want to make one very important point, that this is not a top-down, government-knows-best approach to the problems facing manufacturing today. Instead, we're creating a public-private partnership that will help to develop a comprehensive, modern strategy—identifying impediments to manufacturing and providing much needed recommendations on how to create an environment that will once again allow American manufacturers to thrive.

While our goal is to produce an important economic blueprint for the future of America, these recommendations are not binding on Congress. H.R. 5865 will expand upon previous studies and reports on manufacturing by requiring a comprehensive analysis of factors affecting manufacturing. Those would include: the identification of redundant or ineffective government programs related to manufacturing; trade policy; energy policy; taxation; and the



impact of Federal regulations on manufacturing and job creation.

This legislation appropriately gives the Manufacturing Board the flexibility it needs to do its job efficiently and expeditiously. The Board is not required to reinvent the wheel and re-study every single subject already examined by other government agencies and nongovernmental bodies, but the Board is specifically directed to consult with other Federal entities to avoid duplication of efforts. In the end, the Board will develop and publish for public comment a draft manufacturing strategy based on its analysis and any other information the Board determines is appropriate. This strategy will include both short-term and long-term goals for improving competitiveness of U.S. manufacturing, as well as recommendations for action.

Mr. Speaker, considering the importance of manufacturing in the American economy and to the future of our Nation, I strongly urge the adoption of H.R. 5865, the American Manufacturing Competitiveness Act, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LONG). The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 5865, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### VIETNAM HUMAN RIGHTS ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1410) to promote freedom and democracy in Vietnam, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1410

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Vietnam Human Rights Act of 2012”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purpose.
- Sec. 3. Prohibition on increased nonhumanitarian assistance to the Government of Vietnam.
- Sec. 4. United States public diplomacy.
- Sec. 5. Annual report.

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade be-

tween the two countries reaching over \$20,000,000,000 in 2011.

(2) The Government of Vietnam’s transition toward greater economic freedom and trade has not been matched by greater political freedom and substantial improvements in basic human rights for Vietnamese citizens, including freedom of religion, expression, association, and assembly.

(3) The United States Congress agreed to Vietnam becoming an official member of the World Trade Organization in 2006, amidst assurances that the Government of Vietnam was steadily improving its human rights record and would continue to do so.

(4) Vietnam remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to deny the right of citizens to change their Government.

(5) Although in recent years the National Assembly of Vietnam has played an increasingly active role as a forum for highlighting local concerns, corruption, and inefficiency, the National Assembly remains subject to the direction of the CPV and the CPV maintains control over the selection of candidates in national and local elections.

(6) The Government of Vietnam forbids public challenge to the legitimacy of the one-party state, restricts freedoms of opinion, the press, and association and tightly limits access to the Internet and telecommunication.

(7) Since Vietnam’s accession to the WTO on January 11, 2007, the Government of Vietnam arbitrarily arrested and imprisoned numerous individuals for their peaceful advocacy of religious freedom, democracy, and human rights, including Father Nguyen Van Ly, human rights lawyers Nguyen Van Dai, Le Thi Cong Nhan, Cu Huy Ha Vu, and Le Cong Dinh, and bloggers Nguyen Van Hai and Phan Thanh Hai.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict, or otherwise restrict persons for the peaceful expression of dissenting political or religious views.

(9) The Government of Vietnam has also failed to improve labor rights, continues to arrest and harass labor leaders, and restricts the right to organize independently.

(10) The Government of Vietnam continues to limit the freedom of religion, restrict the operations of independent religious organizations, and persecute believers whose religious activities the Government regards as a potential threat to its monopoly on power.

(11) Despite reported progress in church openings and legal registrations of religious venues, the Government of Vietnam has halted most positive actions since the Department of State lifted the “country of particular concern” (CPC) designation for Vietnam in November 2006.

(12) Unregistered ethnic minority Protestant congregations, particularly Montagnards in the Central and Northwest Highlands, suffer severe abuses because of actions by the Government of Vietnam, which have included forced renunciations of faith, arrest and harassment, the withholding of social programs provided for the general population, confiscation and destruction of property, subjection to severe beatings, and reported deaths.

(13) There has been a pattern of violent responses by the Government to peaceful prayer vigils and demonstrations by Catholics for the return of Government-confiscated church properties. Protesters have been harassed, beaten, and detained and church properties have been destroyed. Catholics also continue to face some restrictions on selection of clergy, the establishment of seminaries and seminary candidates, and individual cases of travel and church registration.

(14) In May 2010 the village of Con Dau, a Catholic parish in Da Nang, faced escalated violence during a funeral procession as police attempted to prohibit a religious burial in the village cemetery; more than 100 villagers were injured, 62 were arrested, five were tortured, and at least three died.

(15) The Unified Buddhist Church of Vietnam (UBCV) suffers persecution as the Government of Vietnam continues to restrict contacts and movement of senior UBCV clergy for refusing to join the state-sponsored Buddhist organization, the Government restricts expression and assembly, and the Government continues to harass and threaten UBCV monks, nuns, and youth leaders.

(16) The Government of Vietnam continues to suppress the activities of other religious adherents, including Cao Dai and Hoa Hao Buddhists who lack official recognition or have chosen not to affiliate with the state-sanctioned groups, including through the use of detention, imprisonment, and strict Government oversight.

(17) During Easter weekend in April 2004, thousands of Montagnards gathered to protest their treatment by the Government of Vietnam, including the confiscation of tribal lands and ongoing restrictions on religious activities. Credible reports indicate that the protests were met with violent response as many demonstrators were arrested, injured, or went into hiding, and that others were killed. Many of these Montagnards and others are still serving long sentences for their involvement in peaceful demonstrations in 2001, 2002, 2004, and 2008. Montagnards continue to face threats, detention, beatings, forced renunciation of faith, property destruction, restricted movement, and reported deaths at the hands of Government officials.

(18) Ethnic minority Hmong in the Northwest Highlands of Vietnam also suffer restrictions, abuses, and persecution by the Government of Vietnam, and although the Government is now allowing some Hmong Protestants to organize and conduct religious activities, some Government officials continue to deny or ignore additional applications for registration, and to persecute churches and believers who do not wish to affiliate with Government-controlled religious entities.

(19) In 2007, the Government of Vietnam arrested, beat, and defrocked several ethnic Khmer Buddhists in response to a peaceful religious protest. The Government continues to restrict Khmer Krom expression, assembly, association, and controls all religious organizations and prohibits most peaceful protests.

(20) The Government of Vietnam controls all print and electronic media, including access to the Internet, jams the signals of some foreign radio stations, including Radio Free Asia, and has detained and imprisoned individuals who have posted, published, sent, or otherwise distributed democracy-related materials.

(21) People arrested in Vietnam because of their political or religious affiliations and activities often are not accorded due legal process as they lack full access to lawyers of their choice, may experience closed trials, have often been detained for years without trial, and have been subjected to the use of torture to admit crimes they did not commit or to falsely denounce their own leaders.

(22) Vietnam continues to be a source country for the commercial sexual exploitation and forced labor of women and girls, as well as for men and women legally entering into international labor contracts who subsequently face conditions of debt bondage or forced labor, and is a destination country for child trafficking and continues to have internal human trafficking.

(23) Although the Government of Vietnam reports progress in combating human trafficking, it does not fully comply with the minimum standards for the elimination of trafficking, and is not making substantial efforts to comply.

(24) United States refugee resettlement programs, including the Humanitarian Resettlement (HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, general resettlement of boat people from refugee camps throughout Southeast Asia, the Amerasian Homecoming Act of 1988, and the Priority One Refugee resettlement category, have helped rescue Vietnamese nationals who have suffered persecution on account of their associations with the United States or, in many cases, because of such associations by their spouses, parents, or other family members, as well as other Vietnamese nationals who have been persecuted because of race, religion, nationality, political opinion, or membership in a particular social group.

(25) While previous programs have served their purposes well, a significant number of eligible refugees from Vietnam were unfairly denied or excluded, including Amerasians, in some cases by vindictive or corrupt Vietnamese officials who controlled access to the programs, and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. In addition, the Government of Vietnam has denied passports to persons who the United States has found eligible for refugee admission.

(26) The Government of Vietnam holds tens of thousands of people in government-run drug detention centers and treats them as slave laborers.

(27) To date, over 60,000 people have signed a petition calling on the Administration to not expand trade with communist Vietnam at the expense of human rights.

(28) Congress has passed numerous resolutions condemning human rights abuses in Vietnam, indicating that although there has been an expansion of relations with the Government of Vietnam, it should not be construed as approval of the ongoing and serious violations of fundamental human rights in Vietnam.

(b) PURPOSE.—The purpose of this Act is to promote the development of freedom and democracy in Vietnam.

### SEC. 3. PROHIBITION ON INCREASED NON-HUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM.

#### (a) ASSISTANCE.—

(1) IN GENERAL.—Except as provided in subsection (b), the Federal Government may not provide nonhumanitarian assistance to the Government of Vietnam during any fiscal year in an amount that exceeds the amount of such assistance provided during fiscal year 2011 unless—

(A) the Federal Government provides assistance, in addition to the assistance authorized under section 4, supporting the creation and facilitation of human rights training, civil society capacity building, non-commercial rule of law programming, and exchange programs between the Vietnamese National Assembly and the United States Congress at levels commensurate with, or exceeding, any increases in nonhumanitarian assistance to Vietnam;

(B) with respect to the limitation for fiscal year 2012, the President determines and certifies to Congress, not later than 30 days after the date of the enactment of this Act, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(C) with respect to the limitation for subsequent fiscal years, the President deter-

mines and certifies to Congress, in the most recent annual report submitted pursuant to section 5, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period covered by the report.

(2) REQUIREMENTS.—The requirements of this paragraph are the following:

(A) The Government of Vietnam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention.

(B) The Government of Vietnam has made substantial progress toward—

(i) respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference, harassment, or involvement of the Government, for all of Vietnam's diverse religious communities; and

(ii) returning estates and properties confiscated from the churches and religious communities.

(C) The Government of Vietnam has made substantial progress toward respecting the right to freedom of expression, assembly, and association, including the release of independent journalists, bloggers, and democracy and labor activists.

(D) The Government of Vietnam has made substantial progress toward repealing or revising laws that criminalize peaceful dissent, independent media, unsanctioned religious activity, and nonviolent demonstrations and rallies, in accordance with international standards and treaties to which Vietnam is a party.

(E) The Government of Vietnam has made substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs.

(F) The Government of Vietnam has made substantial progress toward respecting the human rights of members of all ethnic and minority groups.

(G) Neither any official of the Government of Vietnam nor any agency or entity wholly or partly owned by the Government of Vietnam was complicit in a severe form of trafficking in persons, or the Government of Vietnam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

#### (b) EXCEPTION.—

(1) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the Government of Vietnam to meet the requirements of subsection (a)(2), the President may waive the application of subsection (a) for any fiscal year if the President determines that the provision to the Government of Vietnam of increased nonhumanitarian assistance would promote the purpose of this Act or is otherwise in the national interest of the United States.

(2) EXERCISE OF WAIVER AUTHORITY.—The President may exercise the authority under paragraph (1) with respect to—

(A) all United States nonhumanitarian assistance to Vietnam; or

(B) one or more programs, projects, or activities of such assistance.

#### (c) DEFINITIONS.—In this section:

(1) NONHUMANITARIAN ASSISTANCE.—The term “nonhumanitarian assistance” means—

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(i) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(ii) assistance which involves the provision of food (including monetization of food) or medicine;

(iii) assistance for environmental remediation of dioxin-contaminated sites and related health activities;

(iv) assistance to combat severe forms of trafficking in persons;

(v) assistance to combat pandemic diseases;

(vi) assistance for refugees; and

(vii) assistance to combat HIV/AIDS, including any assistance under section 104A of that Act; and

(B) sales, or financing on any terms, under the Arms Export Control Act.

(2) SEVERE FORM OF TRAFFICKING IN PERSONS.—The term “severe form of trafficking in persons” means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106 09386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act and shall apply with respect to the provision of nonhumanitarian assistance to the Government of Vietnam during fiscal year 2013 and subsequent fiscal years.

### SEC. 4. UNITED STATES PUBLIC DIPLOMACY.

(a) RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.—It is the sense of Congress that the United States should take measures to overcome the jamming of Radio Free Asia by the Government of Vietnam and that the Broadcasting Board of Governors should not cut staffing, funding, or broadcast hours for the Vietnamese language services of the Voice of America and Radio Free Asia, which shall be done without reducing any other broadcast language services.

(b) UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIETNAM.—It is the sense of Congress that any programs of educational and cultural exchange between the United States and Vietnam should actively promote progress toward freedom and democracy in Vietnam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

### SEC. 5. ANNUAL REPORT.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act and every 12 months thereafter, the Secretary of State shall submit to the Congress a report on the following:

(1) The determination and certification of the President that the requirements of subparagraphs (A) through (G) of section 3(a)(2) have been met, if applicable.

(2) Steps taken to carry out section 3(a)(1)(A), if applicable.

(3) Efforts by the United States Government to promote access by the Vietnamese people to Radio Free Asia transmissions.

(4) Efforts to ensure that programs with Vietnam promote the policy set forth in section 102 of the Human Rights, Refugee, and Other Foreign Policy Provisions Act of 1996 regarding participation in programs of educational and cultural exchange.

(5) Lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of Vietnam due to their pursuit of internationally recognized human rights. In compiling such lists, the Secretary shall exercise appropriate discretion, including concerns regarding the safety and security of, and benefit to, the persons who may be included on the lists and their families. In addition, the Secretary shall include a list of such persons and their families who may qualify for protections under United States refugee programs.

(6) A description of the development of the rule of law in Vietnam, including—

(A) progress toward the development of institutions of democratic governance;

(B) processes by which statutes, regulations, rules, and other legal acts of the Government of Vietnam are developed and become binding within Vietnam;

(C) the extent to which statutes, regulations, rules, administrative and judicial decisions, and other legal acts of the Government of Vietnam are published and are made accessible to the public;

(D) the extent to which administrative and judicial decisions are supported by statements of reasons that are based upon written statutes, regulations, rules, and other legal acts of the Government of Vietnam;

(E) the extent to which individuals are treated equally under the laws of Vietnam without regard to citizenship, race, religion, political opinion, or current or former associations;

(F) the extent to which administrative and judicial decisions are independent of political pressure or governmental interference and are reviewed by entities of appellate jurisdiction; and

(G) the extent to which laws in Vietnam are written and administered in ways that are consistent with international human rights standards, including the requirements of the International Covenant on Civil and Political Rights.

(b) CONTACTS WITH OTHER ORGANIZATIONS.—In preparing the report under subsection (a), the Secretary shall, as appropriate, seek out and maintain contacts with nongovernmental organizations and human rights advocates (including Vietnamese-Americans and human rights advocates in Vietnam), including receiving reports and updates from such organizations and evaluating such reports. The Secretary shall also seek to consult with the United States Commission on International Religious Freedom for appropriate sections of the report.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

#### GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous materials into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1410, the Vietnam Human Rights Act. The Socialist Republic of Vietnam remains a gross human rights violator even as its trade with the U.S. grows. The people of Vietnam continue to be oppressed by their Communist jailers, unable to change their government or enjoy any semblance of the rule of law. Indeed, the most recent elections of May 2011 were neither free nor fair. Much like those living under the ruthless Castro regime in my native Cuba, Vietnamese citizens are subject to brutal treatment from police, inhumane prison conditions, and denial of the right to a fair and speedy trial.

The judicial system is plagued by endemic corruption and inefficiency, and

the Communist government has increasingly limited privacy rights and freedoms of the press, speech, assembly, movement, and association. Freedom of religion is subject to interpretation by Communist authorities, with significant problems occurring at provincial and village levels.

Violence and discrimination against women, as well as trafficking in persons, continue to torment the population. The sexual exploitation of children, as well as hate crimes and discrimination based on ethnicity, sexual orientation, and HIV/AIDS status, all persist. As is the case with all Communist regimes, police often act with impunity. Cowardly hiding this egregious brutality from the civilized world, the Communist government prohibits independent human rights organizations from operating within its borders. All of this occurs while the U.S. continues to broaden trade with the Vietnamese dictators, completing a Trade and Investment Framework Agreement, or TIFA, in 2007.

We have increased our trade with Vietnam every year and have held a trade deficit with Vietnam every year since 1997. Mr. Speaker, that is not the message that we should send to these thugs. We should not reward this Communist dictatorship until the Government of Vietnam has made substantial progress respecting political freedoms, media freedoms, and religion freedoms.

Vietnam must also protect its minorities, give access to U.S. refugee programs, act to end trafficking in persons, and release its approximately 4,000 political prisoners.

I urge my colleagues to join me in showing our solidarity and support for the people of Vietnam by passing this important bill today.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in support of H.R. 1410, as amended, and I yield myself such time as I may consume.

I'd like to thank the sponsor of this legislation, Mr. SMITH of New Jersey, and the chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on human rights and on this particular issue.

Despite Vietnam's transition to a more open economy, political and religious freedoms for the people of Vietnam remain severely curtailed. The bilateral relationship between Washington and Hanoi has deepened since diplomatic ties were established over 15 years ago, but lack of greater progress in protecting basic rights and civil liberties will limit closer cooperation in the future.

In a speech last year on the Obama administration's Asia policy, Secretary of State Hillary Clinton stated:

We have made it clear to Vietnam that if we are to develop a strategic partnership, as both nations desire, Vietnam must do more to respect and protect its citizens' rights.

The United States must use both diplomatic and economic leverage with

Vietnam to promote political openness and improve human rights.

□ 1800

This bill, the Vietnam Human Rights Act of 2011, takes an important step in the right direction by prohibiting an increase in nonhumanitarian assistance to Vietnam above fiscal year 2011 levels unless Hanoi makes significant progress on these critical issues. The bill makes it clear to Vietnam that the only factor limiting aid is positive action by the Vietnamese Government on political, human, and religious rights.

The Government of Vietnam has an important choice to make. Will it protect human rights and provide religious and political freedom to its citizens, or will it shirk these responsibilities and forsake the closer relationship that it wants with the United States?

I urge my colleagues to support this legislation, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm so pleased to yield 6 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, who is the author of this important bill.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank the distinguished gentlelady, our good chairwoman, for her leadership on this important issue and so many human rights issues around the globe. Thank you, ILEANA ROS-LEHTINEN for again bringing to the floor a very important bill and series of bills, many of which are directed at human rights.

And to Mr. BERMAN, thank you for your kind comments and your strong support for this effort to try to bring freedom and hope to the people of Vietnam—who, while as you pointed out so rightly, have enjoyed some economic progress, regrettably, political rights, human rights, fundamental rights have gone in the opposite direction—and so thank you for that.

I want to thank the original cosponsors of the bill—Mr. ROYCE, Mr. WOLF, Ms. ZOE LOFGREN, and Ms. LORETTA SANCHEZ—for being original cosponsors of this legislation, and I hope the membership will roundly and soundly back its enactment or its passage today.

Mr. Speaker, many of us on both sides of the aisle have been trying for decades to help the Vietnamese people secure their fundamental human rights and their democratic institutions. From assisting the boat people in the 1970s and all of the human rights work that was done to help so many Vietnamese, individuals who were in reeducation camps and who were dealt with so severely by the dictatorship in Hanoi, Congress and the Presidents over the years have tried nobly to assist them, as have other human rights activists around the world.

As far back as 1996 I sponsored the Human Rights Restoration Act, PL 104-319, which included an important

provision directing the U.S. Information Agency to take steps to provide opportunities for human rights and democracy leaders of Vietnam to come here for educational and cultural exchange programs. We found that so often it was the communist leaders and their families and friends who were benefiting from these trips to the United States, not the people who were the best and the bravest and the brightest of Vietnam.

I visited Vietnam on several occasions, met with dissidents throughout the country in Quay, Ho Chi Minh City, as well as Hanoi; met with pastors—Catholic, Protestant, Evangelicals—and have met with, as some of my other colleagues have as well, the venerable Thich Quang Do, who's done a magnificent job speaking up for the Unified Buddhist Church of Vietnam, which has been outlawed by the dictatorship in Hanoi.

Regrettably, our efforts, and especially, those heroic efforts by the women and men in Vietnam itself, have not resulted in respect for fundamental human rights.

I would note, parenthetically, that Bloc 8406, a great group of individuals who signed on to this charter of human rights, one by one have been singled out after signing that charter, believing that an easing was taking place, signed on. It was just like Vaclav Havel's Charter 77 and many other great statements made by the East Bloc countries during the dictatorships of that era. Bloc 8406, that is to say, April 8, 2006, one by one those individuals have been hunted down, and many of them have found themselves in prison.

The Africa, Global Health, and Human Rights Subcommittee, which I chair, heard from witnesses at a hearing earlier this year that the Vietnamese Government remains an egregious violator of a broad array of human rights. Their testimony confirmed that religious, political, and ethnic persecution continue and in many cases is actually increasing, and that the Vietnamese officials are still laying out the welcome mat for forced labor and sex traffickers.

For example, we heard from Dr. Nguyen Dinh Thang, the executive director of Boat People SOS who had recently traveled to Thailand to investigate human rights trafficking violations and other violations in Vietnam. Dr. Thang testified that the Government of Vietnam has not investigated, let alone prosecuted, a single human trafficking violation by Vietnamese labor export companies, many of which are state owned. Instead, police have interrogated and threatened victims who have spoken out against this modern-day slavery.

Almost routinely, according to Dr. Thang—and his information comports with other information our subcommittee has received—the Vietnamese Government has sent its officials from Hanoi to trouble spots, in-

cluding American Samoa, Jordan, and Malaysia, in order to silence the victims, take sides with the traffickers, or to impede justice.

The subcommittee also heard testimony of a Vietnamese woman who courageously fought for her own rights and those of her coworkers when they were trafficked to Jordan with the complicity of the Vietnamese Government officials. In addition, our witnesses provided deeply disturbing photographs, evidence of torture, and showed a video of the Vietnamese military destroying an entire village of Hmong Christians.

It is imperative that the U.S. Government send an unequivocal message to the Vietnamese regime that it must end its human rights abuses against its own citizens.

I would note, Mr. Speaker, that negotiators of the Trans-Pacific Partnership, which includes Vietnam, are currently meeting in nearby Leesburg, Virginia. Within the next 2 years, or a year or 2, Congress will likely be asked to approve a free trade agreement between the U.S. and Vietnam as part of this initiative. I hope the administration is using those negotiations to strongly encourage the Vietnamese Government to finally, at long last, respect human rights.

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

Ms. ROS-LEHTINEN. I yield the gentleman an additional minute.

Mr. SMITH of New Jersey. I thank my colleague.

H.R. 1410 would institute effective measures toward improving human rights in Vietnam. As reported by our committee, the bill prohibits any increase in nonhumanitarian assistance to the Government of Vietnam above fiscal 2011 levels unless the government makes substantial progress in establishing freedom of religion, releasing political prisoners, respecting the rights of journalists, and the bill lays out a whole series of mutually reinforcing steps it must take and the people it must protect.

The bill does not prevent increased funding for the Vietnamese Government for certain humanitarian assistance—and I want to underscore that—such as food, medicine, agent orange remediation, and activities to combat human trafficking. The freeze on foreign assistance at 2010 levels can be waived if the President determines that increased nonhumanitarian aid to Vietnam would promote democracy and freedom or would otherwise be in the national interest.

Mr. Speaker, we've passed this bill twice in various forms before by huge majorities. It is time to pass it, and hopefully the Senate will take it up and get it to President Obama.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 5 minutes to the gentleman from California (Mr. ROYCE), the chairman of our Subcommittee on Terrorism, Nonproliferation, and Trade of our Committee on Foreign Affairs.

Mr. ROYCE. Mr. Speaker, I'm an original cosponsor of this bill, H.R. 1410. This is the Vietnam Human Rights Act. And I guess it's no surprise to a lot of us that have followed what has happened in Vietnam, it denies its citizens basic human rights.

But here's the problem: The conditions there with respect to abuse of rule of law are getting worse and worse.

It used to be that we would watch show trials in terms of the abridgement of rights of the citizens of Vietnam; now they don't even have the show trials. Now the government just places those dissidents in police detention, and they do it without alerting the family, without alerting anyone. And at that point, you just have to say the rule of law has become nonexistent.

We received a really stark reminder recently. Human rights dissident Nguyen Quoc Quan was arrested by Vietnamese officials. He had attempted to enter the country at Ho Chi Minh City's airport, and the charge that he was held on was terrorism. Terrorism was the original charge.

□ 1810

He didn't come to Vietnam equipped with guns or explosives. What's the terrorism charge? Well, he came to Vietnam to meet with other grassroots organizations committed to peaceful discussions on human rights inside the country. To the Vietnamese Communist Government, that's terrorism. That really says it all.

The case of Nguyen Quoc Quan is not an isolated case. His treatment there has become the rule, not the exception for those who are trying to push for some modicum of free speech or religious freedom, and so you have a whole slew of dissidents who are treated like this or even worse. When I say "worse," I want to give you another example.

It is that of Pastor Nguyen Cong Chinh, a pastor of an outlawed Mennonite church. He was recently sentenced to 11 years in prison during a 1-day trial for "sowing division between the Communist government and its citizens." Now, this treatment is nothing new for this particular pastor. To date, he has been aggressively interrogated over 300 times. He has suffered dozens of beatings, and some of us have seen the photographs of the aftermath of some of those brutal beatings. He has been forcefully removed from his residence many times and has been thrown in jail.

That is why it is imperative, my friends, that we pass the Vietnam Human Rights Act. I think the important point here is that this kind of action can be an inspiration to the brave dissidents inside Vietnam who continue to be brutally repressed. Part of this is to provide for information from Radio Free Asia to better be able to broadcast into the country, to better be able to shed light on this kind of activity, to leverage for change, and to

bring objective news—to bring the truth—to be a surrogate-free radio station for the Vietnamese people. The spread of democratic values in Asia, frankly, is critical to our security interests as well.

I, myself, have met with some of the Vietnamese dissidents discussed here today, and I've been denounced by the Vietnamese Government for simply meeting with those whose only wish is the freedom to speak their minds. That tells me that the Vietnamese Government is sensitive to international criticism and that the United States must continue to speak out about this issue. I don't think silence is an option for us in the U.S.

In closing, I want to thank Chairwoman ROS-LEHTINEN for her focus on human rights. I want to thank the author here, CHRIS SMITH, for his efforts, and HOWARD BERMAN, Congressman from California, for his work on behalf of the Vietnamese people.

Mr. BERMAN. I am very pleased to yield 2 minutes to the gentlelady from California (Mrs. DAVIS).

Mrs. DAVIS of California. Thank you.

I rise today to express my strong support for H.R. 1410 and also for H. Res. 484. This bill and resolution really embody a great concern of many of my constituents at home as well as of Americans across this country.

As Americans, we often take for granted the rights and privileges that are guaranteed to each and every individual in this country. We can speak out at town halls, and we can protest in front of the Capitol steps. When all else fails, we can register our votes at the polls to make our voices heard. Those rights and privileges that we enjoy are being denied every single day to the people of Vietnam.

So, today, we vote on this bill and this resolution in order to send a clear message that these abuses will not be tolerated. We must make it clear that progress needs to be made on these issues before we can move forward on other issues that are important to both of our countries, including the issue of trade. Our efforts are aimed at bringing about a brighter future in Vietnam where citizens are not in prison for the songs they write and where individuals are not arrested for carrying books on nonviolent resistance. It's sad, but these remain to be the facts of life for the people of Vietnam. In the words of one of my constituents, We can make a difference if we come together.

Let's start by voting "yes" on H.R. 1410 and also on the resolution that we will next be talking about, H. Res. 484.

Ms. ROS-LEHTINEN. I would like to ask Mr. BERMAN if he has any other requests for time.

Mr. BERMAN. I have no further requests for time. If the gentlelady is prepared to close, I am prepared to relinquish my remaining time.

Mr. Speaker, I urge support for the legislation, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, in closing, our Nation has always served as a beacon of hope for all who are oppressed and suffer under regimes such as the one in Vietnam, which has shown a blatant disregard for fundamental human rights and universal freedoms. We must continue to serve as such a beacon. We must not waver in our commitment to standing with the oppressed and not with their oppressors. This bill serves as an important guidepost in doing that.

The Vietnam regime continues its oppression. On August 5, they arrested about 30 peaceful demonstrators who were protesting China's activities in the South China Sea. It included the arrest of an 81-year-old activist. Also, the threatened trial of three well-known human rights bloggers has been further postponed, thus extending their unjust legal limbo.

This human rights legislation is long overdue. It contains a provision prohibiting an increase in nonhumanitarian assistance to the Government of Vietnam unless certain human rights benchmarks are met. Of course, it has a Presidential waiver, but it authorizes the President to provide assistance through appropriate nongovernmental organizations and the Human Rights Defenders Fund for the support of individuals and organizations that are promoting internationally recognized human rights in Vietnam. This is an American principle. This should be a universal principle of human rights and respect for minority rights.

I hope that our colleagues will join us in passing Mr. SMITH's bill. The time for it is long overdue. With that, Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in support of H.R. 1410, the Vietnam Human Rights Act. I am an original co-sponsor of this legislation, and I thank Mr. SMITH for introducing it.

This bill would prohibit any increase in U.S. non-humanitarian aid to Vietnam until significant progress is made with regard to political and religious rights for the people of Vietnam, including the release of political and religious prisoners, and the repeal or revision of laws that criminalize peaceful dissent and otherwise impede democratic freedoms.

The human rights situation in Vietnam is dire, and shows no signs of improvement. Reporters Without Borders ranks Vietnam as 172nd of 179 in its Press Freedom Index (last in Southeast Asia, and only two spots above China) and an article in Foreign Policy magazine recently referred to Vietnam as "the most repressive country in Southeast Asia."

According to the U.S. Commission on International Religious Freedom's (USCIRF) 2012 Annual Report, "The government of Vietnam continues to control all religious communities, restrict and penalize independent religious practice severely, and repress individuals and groups viewed as challenging its authority . . . The U.S. government should use its diplomatic and political resources to advance religious freedom and related human rights in Vietnam."

I agree. We need to send a message to the Vietnamese government and make it clear that

we do not condone its repression of free speech and democracy. I also want to add that on April 17th, the American democracy activist Nguyen Quoc Quan was arrested in Vietnam and remains in detention. I urge the Vietnamese government to release Dr. Quan, and I urge my colleagues to stand up to the Vietnamese government and support this bill.

Mr. FALEOMAVAEGA. Mr. Speaker, as a Vietnam veteran, I rise in opposition to H.R. 1410.

In 1967, I was deployed to Vietnam and served my country in Nha Trang. My brother also served, and has since passed away.

On the matter of human rights, the U.S. cannot assume the moral high ground when it comes to Vietnam. From 1961 to 1971, the U.S. sprayed more than 11 million gallons of Agent Orange in Vietnam, subjecting millions of innocent civilians to dioxin—a toxic known to be one of the deadliest chemicals made by man. Despite the suffering that has occurred ever since, there seems to be no real interest on the part of the U.S. to clean up the mess we left behind.

Instead, we spend our time offering up language like this which fails to make anything right. While I appreciate that more than 1 million Vietnamese-Americans still have strong feelings about the Vietnam War, the fact is it is time for us to rebuild our relationship with Vietnam just like we did with Germany and Japan after WWII.

Regrettably, H.R. 1410 has an adverse impact on our efforts. H.R. 1410 purports to promote the development of freedom and democracy in Vietnam but fails in its purpose. As noted by the Congressional Research Service, "the bill could chill the recent warming of bilateral political and security ties and could weaken economic reformers in ongoing domestic political battles inside Vietnam."

Put another way, H.R. 1410 is not in the best interest of the United States or the Vietnamese-American community. H.R. 1410 is shortsighted in its approach, and contrary to the efforts of the Clinton, Bush, and Obama Administrations which have sought to strengthen our partnership with Vietnam.

Long after the Vietnam War, the U.S. is now about the business of coordinating a multi-country diplomatic push back against Chinese encroachment in the oil-rich and strategically important South China Sea. H.R. 1410 is not helpful to our cause.

In conversations with the Department of State, they share my concerns that measures in H.R. 1410 could adversely affect our security relationship with Vietnam as well as our ability to work with Vietnam on trafficking in persons. H.R. 1410 could also greatly reduce our chances of negotiating a roadmap on human rights.

Moreover, Section 3(a)(2)(G) significantly alters the standard by which the Government of Vietnam's efforts to combat Trafficking in Persons (TIP) are measured, and restricts non-humanitarian assistance to FY2011 levels pending certification in an annual report by the President of the United States.

The Trafficking Victims Protection Act (TVPA) created a set of minimum standards to assess a government's efforts to combat trafficking in persons (TIP). These standards are based on agreed upon international protocols. H.R. 1410 goes beyond the protocols and holds the Government of Vietnam to a higher standard.

By holding the Government of Vietnam to a higher standard that is not applicable to any other foreign government, or to the U.S. government's own efforts, the Act would have an adverse impact on our ability to conduct diplomacy with the Government of Vietnam on improving its anti-TIP efforts.

So while Vietnam may have work to do on improving its human rights record, we also have work to do. First and foremost, we need to work on being fair. We need to work on treating Vietnam the same as we treat other foreign governments. Simply put, it is wrong to hold Vietnam to a higher standard than the rest of the world.

Also, let us be clear about the sincere and measurable progress Vietnam has made. Let us not cherry-pick bits of truth and put forward old data. H.R. 1410 is based on old data—the same data that has been put forward over and over again by those who have never served in Vietnam or visited Vietnam or met with Vietnam's leaders. After serving in Vietnam in 1967, I returned some 40 years later after becoming Chairman of the Subcommittee on Asia and the Pacific. All I can say is the Vietnam I fought against is not the Vietnam I know today.

So, I encourage my colleagues to re-think Vietnam and pursue a path of cooperation that does not undermine the progress we are making. I also ask that the Embassy of Vietnam's statement and the following excerpts from the State Department's International Religious Freedom Report 2010 be made part of the record.

The Report notes, "respect for religious freedom and practice improved in some regards," and that "the government took further steps to implement its 2004 Ordinance on Religion and Belief and supplemental decrees on religious policy issued in 2005." The report also recognizes that the Vietnamese "government also facilitated construction of new churches, prayer houses, pagodas, and training facilities for furthering the education of thousands of monks, priests, nuns, and pastors" permitting "the expansion of religious organizations" charitable activities."

The Report also made note of the meeting between President Nguyen Minh Triet and Pope Benedict XVI at the Vatican. "Vietnam and the Holy See agreed to a Vatican appointment of a non-resident Representative for Vietnam as a first step toward the establishment of full diplomatic relations." The report also states that "new congregations were registered in many of the 64 provinces, and one new religious group and two Protestant denominations received national registration or recognition."

"The Catholic Church, Protestant congregations, and other smaller religious groups reported that their ability to gather and worship generally improved and that the government allowed registered religious groups to assign new clergy with limited restrictions. The government also permitted the Buddhist, Catholic, Cao Dai, Hoa Hao, and Protestant faiths to hold several historic large-scale religious services throughout the country, some with over 100,000 participants."

The State Department also confirmed the Vietnam's Government assertion that "some ethnic minorities in the Central Highlands were operating a self-styled "Dega Church," which reportedly mixed religious practice with political activism and called for "ethnic minority

separatism." Regarding the Con Dau incident, the report notes that the arrested six Catholic parishioners "reportedly started a physical altercation with police."

In light of these facts and many more, it is my hope that the U.S. Senate will disregard H.R. 1410 and put forward an approach that allows us to strengthen our economic and security ties with Vietnam while negotiating a roadmap on human rights that is based on accurate information—not on misinformation intended to topple Vietnam's current government.

In the U.S. House of Representatives, I hope that the advocates of H.R. 1410—if they are truly sincere about human rights—will apply their efforts to assisting Vietnam with Agent Orange clean-up because the mess we left behind is a serious violation of human rights that needs to be corrected once and for all.

EMBASSY OF VIETNAM TO THE UNITED STATES  
ON RELIGIOUS FREEDOM IN VIET NAM

Viet Nam is a country of many faiths, with the presence of major world religions including Buddhism, Catholicism, Protestantism and Islam. It has the second largest Catholic community in Southeast Asia. Approximately 80 percent of the population are religious or spiritual believers. Of these, 22.3 million are followers of one religion or another, constituting one fifth of the population. There are 25,000 places of worship in Vietnam.

The government of Viet Nam pursues a consistent policy of respecting religious freedom and facilitating the practice of religion and faith by all citizens. Viet Nam attaches importance to the policy of religious solidarity and concord, ensuring equality and non-discrimination for all religions. Religious activities are protected by law but the abuse of religion to provoke hatred, division and conflict which threatens national security and stability is strictly prohibited.

Religious freedom and protection of religious freedom are provided for in Viet Nam's laws including the 1992 Constitution (Article 70), the Civil Code (Article 47), the 1999 Penal Code (Article 129), the Ordinance on Religion and Belief ("the Ordinance") and Decree 22/2005/ND-CP dated 1st March, 2005 providing for implementation of the Ordinance.

Since the issuance of the Ordinance, religious freedom has been reinforced throughout the country. Religious life in Viet Nam has seen strong vitality in recent years, thus contributing significantly to national development. There are now 4 Buddhist institutes, 32 intermediate Buddhist schools, hundreds of elementary Buddhist courses, 6 Catholic Seminaries and one Protestant Institute of Bible and Theology in Viet Nam. Thousands of religious dignitaries are trained in those schools each year, of which 1,177 are engaging in governance, working as delegates in the National Assembly or People's Councils. The Evangelical Church of Viet Nam has organized theological courses. A series of religious websites are being operated by the Viet Nam Bishops' Council and the Spiritual Council of the Baha'i Community of Viet Nam. Places of worship have been built throughout the country with the government's sponsorship. These include the construction of the Khmer Theravada Buddhist University in Can Tho province and the expansion of the La Vang Parish in Quang Tri province.

Religious activities in Viet Nam are in full swing now. The 2,555th Buddhist Vesak Day

was observed in many provinces. In May, 2011, a Vietnamese delegation participated in the United Nations' Vesak Day in Thailand. The Catholic Church's Jubilee Year in 2011 was prominently celebrated and its closing ceremony was attended by 1,000 priests, 2,000 clergies and 500,000 parishioners. The celebration was honoured by the presence of Cardinal Ivan Dias, Head of the Vatican's Missionary Department, Special Envoy of Pope Benedict XVI.

The year 2011 also marked the 100th anniversary of Protestantism in Viet Nam. Big celebrations were held in Ha Noi, Da Nang and Ho Chi Minh City, attended by Protestants from all provinces and cities.

Local authorities have made important contributions to these achievements of Vietnamese religious communities. However, progress has been slower in certain more distant areas of Vietnam due to poverty, low level of socio-economic development and geographical disadvantages. This is particularly true in mountainous and border provinces. In addition, the educational level and training of some local officials have been limited, making it more difficult for them to full realize our policy.

RECOGNITION AND REGISTRATION OF RELIGIOUS  
ORGANISATIONS

The registration of religious activities and the recognition of the legal entity of new religious organisations are the basis for religious organisations and congregations to be protected by law, rather than an administrative measure to hinder religious freedom and belief. Eligibility for legal recognition of a religious organization or congregation is clearly stipulated in the 2004 Ordinance on Religion and Belief.

To date, the State has recognized 18 religious organisations representing 9 religions, of which 6 are new ones. These include Baha'i, Tu An Hieu Nghia (Four Debts of Gratitude), Buu Son Ky Huong, The Pure Land Buddhist Home-Practice Association, Minh Su and Minh Ly. Seven other Protestant denominations also achieved recognition, bringing the total number of recognized religious organisations in Viet Nam up to 34. Prior to the introduction of the Ordinance, only 16 organisations representing 6 religions were recognized by our government.

Registration of Protestant groups has shown a particular increase: Upon the issuance and implementation of the Ordinance on Religion (2004) and Directive No. 01 on Protestantism, Protestantism has grown exponentially in Viet Nam in terms of the number of followers, congregations as well as the diversity of worship practices. In 2011, the number of Protestants in Viet Nam was roughly 1.17 million people, of which 110 thousand lived in the northwest region of Viet Nam, 360 thousand in the Central Highlands, and the remaining 700 thousand throughout the country. The number of registered places of worship has increased to over 1,700 groups and congregations (in the northwest: 258 groups, in the Central Highlands: 1,284 groups and 189 congregations). The government has organized 8 conferences to do outreach about our policies and laws concerning Protestantism to 1,600 participants who are the leaders of places of worship.



## PROTESTANT REGISTRATION DATA (AS OF DECEMBER 2011)

	2009	2010	2011
Central Highlands			
1. Number of congregations of the General Confederation of Evangelical Churches of Vietnam (Southern) and United World Mission .....	164	178	189
2. Land right and church building licenses (including church and land) .....	50	60	80
3. Number of groups registered .....	325	1210	1284
4. Appointments of pastors .....		336	NA
North West			
1. Number of groups registered	208	247	258

The registration of Protestant groups in the northwest region is making slow progress mainly due to socio-economic conditions in the local areas, which are the most disadvantaged regions in the country, with treacherous terrain, frequent natural disasters, and local social practices which hamper development. During the past period, the government of Viet Nam has invested in many projects and programs to promote economic, cultural and educational development in these regions. However, many difficulties remain in these regions. In addition, cultural conflicts between Protestantism and communities affiliated to other religions and faiths in this area need some time to be resolved.

In the near future, related ministries, agencies and localities will coordinate with each other to promote religious expression and ensure effective implementation of the Ordinance on Religion and the Prime Minister's Directive 01 on Evangelicalism in these regions.

Publication of the Bible in Latin—H'Mong language: The government has always paid attention to and facilitated the religious activities of national minority followers, including the publication of bilingual Bibles: Viet—Bahnar, Viet—Ede, Viet—Jarai. For the Bible in the H'Mong language, there are two types of H'Mong script, of which the traditional script has been stipulated by law as the sole script allowed in publications. Thus, the publishing the Bible in the H'Mong script will require resolution of this legal issue, as well as the consideration of a professional board from the Ministry of Education. Relevant Vietnamese agencies will continue to work together to expedite this project.

## RESOLUTION OF LAND ISSUES RELATING TO RELIGIONS

The right to ownership of land is clearly stipulated in the Constitution and other laws of Viet Nam. The land belongs to the whole people. The State represents this ownership right and exercises unified management over the land. Thus, in Viet Nam, there is no private ownership of land. The State acts as the representative of the people in arranging and managing land use according to the legitimate needs of individuals and organisations.

The issue of land in Viet Nam is very complex since the country has experienced many ordeals stemming from history. Resolution No. 2312003/QH11 of the National Assembly, dated November 26th 2003 affirms: "The State does not recognize any claims to take back lands that have been managed and put into use by the State. Thus, claims to take back lands, including lands which may have been historically used for religious practices, are not consistent with our law.

For religion-related lands which are now are being managed or allocated by State to the agencies/organisations, the latter must use the lands in full conformity with stipulated purpose

and in an effective manner in order not to have any negative impact on the feelings of religious followers (Directive No. 1940/CT-TTg of the Prime Minister dated December 31st, 2008).

In the event that religious organisations have legitimate need for additional land or housing for religious purposes, the government may consider allocating appropriate areas for them. The consideration of land allocation for religious organisations must comply with the law and regulations.

Recently, the government has allocated large areas of land for religious organisations to use for religious purposes. For instance, Ho Chi Minh City has allocated over 10,000 m<sup>2</sup> to the Southern Evangelical Church of Vietnam for construction of the Evangelical Institute for Bible and Theology. Similarly, Dak Lak province allocated over 11,000 m<sup>2</sup> for the construction of the Archbishopric of Buon Ma Thuot. Da Nang City also allocated over 9,000 m<sup>2</sup> for the Da Nang Archbishopric. Quang Tri province re-allocated 20 hectares of the Shrine of the Lady of La Vang to the La Vang Parish. Likewise, Ha Noi City has recently allocated land for the Viet Nam Buddhist Association to build a Buddhism University.

## RELIGIOUS ORGANISATIONS AND CHARITABLE ACTIVITIES

The government pursues a policy of facilitating and encouraging religious organisations' participation in philanthropic works in accordance with the law (Article 33 of the Ordinance on Religion). Many religious organisations in Viet Nam are very active in social and charitable activities such as free medical checkup and medical treatment, care for children in particularly difficult circumstances, and people living with HIV. Many religious officials have taken part in fundraising campaigns for natural disaster relief.

There are more than 80 religion-related international NGOs in Viet Nam.

## ENSURING EQUALITY AND NON-DISCRIMINATION AMONG RELIGIONS

Vietnamese law provides that "all religions are equal before the law." Missionary activities of religious groups are carried out customarily, according to Vietnamese law, without any discrimination.

The policy and law of Viet Nam guarantees equality among all citizens as a principle, regardless of their sex, religion, race or age. All citizens have the right to nominate themselves and, if elected, participate in the administration and leadership of society. In fact, a number of the current members of the National Assembly are representatives from different religions (19 religious followers and officials were nominated for the 13th National Assembly, 8 of whom were elected, 2 more than the 12th National Assembly). Many religious followers and officials are now members of the Viet Nam Fatherland Front or hold leadership positions in the government at every level.

## THE HANDLING OF CASES INVOLVING RELIGIOUS BELIEVERS

Vietnamese law clearly states that no person may be arrested, imprisoned or sanctioned in any manner because of their exercise of their religious or spiritual beliefs. However, as in every country, those who commit crimes that violate the law cannot hide behind their religious affiliation to avoid the legal process. Those individuals are not subject to litigation because of their religious affiliation but because of their violation of the law that every Vietnamese citizen is expected to abide by.

Their cases are handled in accordance with Vietnamese law in a country which follows the rule of law.

Below is some information on some specific cases:

Nguyen Van Ly: On March 30, 2007, the People's Court of Thua Thien Hue province sentenced Nguyen Van Ly to 8 years of imprisonment and 5 years of probation (according to Article 88 of the Penal Code). While serving his sentence, Nguyen Van Ly was put in a separate cell with access to TV, newspapers, religious materials, and provided with nutritious food and healthcare. His family and representatives of the Hue Archbishopric and Ambassadors of the U.S., Canada and the U.S. Commission on International Religious Freedom were allowed to visit him.

In March 2010, due to the condition of Nguyen Van Ly and our humanitarian approach, his imprisonment was suspended for 12 months starting on March 15, 2010. During the suspension, Ly continued to conduct provocative activities violating the law and disturbing order in his hometown. After that period, health improved and Nguyen Van Ly and his family did not file a request for further suspension. Thus, on July 25, 2011, he was sent back to prison to continue serving his sentence in accordance with Viet Nam's law on execution of court judgements.

After his return to prison, his sister Nguyen Thi Hieu, his nephew Nguyen Cong Hoang and representatives of the U.S., Canadian and Australian Embassies have visited him at Nam Ha prison. At this moment, his health is stable and he is living in good conditions and receiving the same treatment as other inmates, according to Vietnamese law.

Thich Quang Do: During the movement for the unification of Vietnamese Buddhism in 1981, while all other Buddhist organisations and denominations in the country came together in common purpose, the An Quang sect under the Viet Nam Unified Buddhist Church led by Thich Huyen Quang and Thich Quang Do failed to reach an agreement with other Buddhists.

In following years, Thich Huyen Quang and Thich Quang Do continued to act against the government by organizing their followers in an attempt to restore the Viet Nam Unified Buddhist Church. Thich Quang Do's activities have been supported by the Viet Nam Unified Buddhist groups in exile, who designated him as the Head of the "Institute for the Dissemination of the Dharma". Worse than that, Thich Quang Do and the so-called "Viet Nam Unified Buddhist Church" do not cease to distort the policies of the State of Viet Nam and continue to engage in provocative acts to undermine national unity and religious solidarity.

Thai Ha: In November 2011, some extremist clergymen from the Christ's Redemption branch of Thai Ha Parish took advantage of a land dispute to spread false and malicious slander against the government and incite people to gather, riot and trespassed in order to try to illegally take over the land. However the local authorities have been in full compliance with the law in designating the land for the construction of a drainage system for Dong Da Hospital in order to protect and keep the environment clean.

In early December 2011, some followers and priests of the Thai Ha Parish gathered in front of the Ha Noi People's Committee to submit a petition. They were sent to the place

designated for submitting petitions and returned home that same day. However, some people falsely characterized and distorted what happened, claiming that the government suppressed and detained the petitioners. At present, the land-related petition of the Thai Ha Parish is being handled by the responsible agency according to the law.

**Muong Nhe:** In late April and early May 2011, in the Muong Nhe district of Dien Bien province, some H'Mong extremists deceived, incited, displaced and even forced a number of H'Mong people from several localities to move to some villages in the Muong Nhe district of Dien Bien province. The extremists then called for the establishment of a H'Mong kingdom, to secede from Viet Nam Attempting to foment secession from the Vietnamese nation violates Vietnam's law and causes other threats to law and order. The actions of these extremists also negatively affected the people's lives and livelihood. Due to the bad weather and bad living conditions at the place where the extremists took people, some got sick and one child died.

After the bad experiences suffered by those tricked into following the extremists, the authorities and people's mass organisations in Muong Nhe district were easily able to explain to people how they were misled by the unscrupulous secessionists. The people returned home voluntarily, with local authorities providing them with transportation, food, medication and financial support to help in their resettlement. Only the extremists who broke the law were detained. Those who failed to ignite a split among our people have now spread false and malicious rumours about fighting between the army and demonstrators claiming 'many are wounded and dead'. Nothing could be further from the truth. Now that the people are back in their homes, peace and order has been restored.

In spite of economic difficulties, the Vietnamese government always cares about and supports people in mountainous and remote areas, including the H'Mong people. The government goes to great lengths to help stabilise their lives through socio-economic development programmes and poverty reduction projects as well as promoting their indigenous cultures and languages. In future, the Vietnamese government will continue to promote and fund programmes in housing, healthcare, education and development of production and infrastructure.

Viet Nam has facilitated the travel of foreign press, foreign diplomatic missions (including the U.S. Embassy, EU Delegation and Norwegian embassy) and international media to Muong Nhe to cover the news and learn about the reality there.

**Cau Ram Parish:** The current Cua Nam garden in Cua Nam ward of Vinh City was formerly the old Cau Ram church. This church was completely destroyed by U.S. bombing. At that time, the authorities of Nghe An allowed Cau Ram parish to build a new church on another plot of land, where the church still stands today. The former site of the church was allocated by the Nghe An People's Committee to the Vinh City People's Committee for the development of a public garden to provide 8 green space to city residents. Since the Cau Ram parish received land for its church to replace the site that was destroyed by U.S. bombs and its former site is now zoned for use as a public park, the request for the return of the former site is groundless.

Local authorities have handled the Cau Ram parish's and parishioners' request in accordance with the law. The Nghe An People's Committee sent an official note to the officials in charge of the Vinh diocese and Cau Ram parish responding to the proposal made by the Cau Ram parish, making clear the government's policy regarding use of public lands. Public opinion also supports the use of the land as a garden. The People's Committee collected public opinion in the newspapers regarding the location for a Martyrs' Memorial, and propose Cua Nam garden as one of 5 possible locations. However, the Nghe An People's Committee did not selected Cua Nam Garden as the place to build the Martyrs' Memorial

On August 17, 2011, the Cau Ram parish held a meeting to sum up its theological works and reward young parishioners. They then made a procession from Cau Ram church to Yen Dai Parish to attend a mass for the Blessed Virgin. As the procession went on, some parishioners violated traffic rules, causing public disorder. Following the mass, parishioners dispersed voluntarily. There was no such thing as building the Martyrs' Memorial as given in some news. No one was arrested or detained.

**Con Dau:** In Con Dau an urban planning project was implemented—a project that had been announced in advance and discussed with the public and was supported by most households, both religious and non-religious, in the area. To assure harmony, Catholic households who lost land due to eminent domain were given increased compensation by the Da Nang authorities. Despite the fact that this project was carried out in accordance with all laws and regulations, some persons with malicious intentions took advantage of a Christian funeral to incite people and cause chaos, cynically attempting to turn a sacred religious ceremony into a place to vent their hostility.

**Ky Dong:** In the past, the Redemptorist Church donated the house at No. 8 Ba Huyen Thanh Quan Street, which was just in front the house at No. 38 Ky Dong, District 3, Ho Chi Minh City, to the government to turn it into a school. Now the school has been renovated and has become 'Pre-school No. 9'. The Redemptorist Church would like to now change its mind and has asked for the building back. However, as the transfer was voluntary and accomplished in accordance with Vietnamese law and the building is now properly being used as a school for the education of the children of the district, the church has no legal or other claim as to the site.

#### CONCLUSION

Vietnam is a diverse country of many nationalities, cultures and religions. We treasure this diversity, including the many religions and faiths that arise from our history and shape our future. In recent years, our laws have developed in parallel with our commitment to freedom of religious expression and worship. As is the case with every country, not every law is always perfectly applied in practice in every instance. However Viet Nam aspires and is working to apply our laws in keeping with our policy of guaranteeing religious rights to our people.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend

the rules and pass the bill, H.R. 1410, as amended.

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

A motion to reconsider was laid on the table.

#### NORTH KOREAN REFUGEE ADOPTION ACT OF 2011

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1464) to develop a strategy for assisting stateless children from North Korea, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1464

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "North Korean Refugee Adoption Act of 2011".

#### SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) thousands of North Korean children do not have families and are threatened with starvation and disease if they remain in North Korea or as stateless refugees in surrounding countries;

(2) thousands of United States citizens would welcome the opportunity to adopt North Korean orphans living outside North Korea as de jure or de facto stateless refugees; and

(3) the Secretary of State and the Secretary of Homeland Security should make every effort to facilitate the immediate care, family reunification, and, if necessary and appropriate, the adoption of any eligible North Korean children living outside North Korea as de jure or de facto stateless refugees.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) FOREIGN-SENDING COUNTRY.—The term "foreign-sending country"—

(A) means—

(i) the country of the orphan's citizenship; or

(ii) if the orphan is not permanently residing in the country of citizenship, the country of the orphan's habitual residence; and

(B) excludes any country to which the orphan—

(i) travels temporarily; or

(ii) travels as a prelude to, or in conjunction with, his or her adoption or immigration to the United States.

(2) HAGUE COUNTRY.—The term "Hague country" means a country that is a signatory of the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

(3) NON-HAGUE COUNTRY.—The term "non-Hague country" means a country that is not a signatory of the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

#### SEC. 4. STRATEGY ON ADOPTION OF NORTH KOREAN CHILDREN BY UNITED STATES CITIZENS.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall develop a comprehensive strategy for facilitating the adoption of North Korean children by United States citizens.

(b) CONSIDERATIONS.—In developing the strategy under this section, the Secretary shall—

(1) consider the challenges that United States citizens would encounter in attempting to adopt children from North Korea who are currently living in Hague countries and non-Hague countries regardless of their legal status in such countries;

(2) propose solutions to dealing with the situation in which a North Korean refugee child does not have access to a competent authority in the foreign-sending country;

(3) propose solutions to dealing with North Korean refugee children who are not considered habitual residents of the countries in which they are located;

(4) evaluate alternative mechanisms for foreign-sending countries to prove that North Korean refugee children are orphans when documentation, such as birth certificates, death certificates of birth parents, and orphanage documentation, is missing or destroyed;

(5) provide suggestions for working with South Korea to establish pilot programs that identify, provide for the immediate care of, assist in the family reunification of, and assist in the international adoption of, orphaned North Korean children living within South Korea;

(6) provide suggestions for working with international adoption agencies and aid organizations in Asia to identify and establish pilot programs for the identification, immediate care, family reunification, and international adoption of North Korean orphans living outside North Korea as de jure or de facto stateless refugees;

(7) identify other nations in which large numbers of stateless, orphaned children are living who might be helped by international adoption; and

(8) propose solutions for assisting orphaned children with Chinese fathers and North Korean mothers who are living in China and have no access to Chinese or North Korean resources.

(c) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a written report to Congress that contains the details of the strategy developed under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

#### GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I kindly ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to insert extraneous materials into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1464, the North Korean Refugee Adoption Act, of which I am a proud cosponsor.

I want to thank my good friend from California (Mr. ROYCE), who is the chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade on our Foreign Affairs Committee and who is a longtime advocate on North Korean human rights and refugee issues, for introducing this important bill.

We are all too keenly aware of the extreme repression, the malnutrition, and the poverty suffered by so many inside North Korea today. Those threats often take the greatest toll on children.

□ 1820

Imagine what happens when a child's natural protectors—parents—are no longer in the picture. Imagine what happens when that child is born or orphaned inside China when the child lacks legal status or dependable access to social services: malnutrition, abuse, exploitation, lack of education. These are the horrors that are faced by orphans of North Korean origin who are effectively stateless and without protection.

Mr. Speaker, the United States is home to the largest ethnic Korean population outside of Northeast Asia, and many of the nearly 2 million Americans of Korean descent have family ties to North Korea. Numerous American families would like to provide caring homes to these stateless North Korean orphans. H.R. 1464 is a responsible first step toward making that possible.

This bill does not ignore the unique challenges involved with ensuring that North Korean adoptees are genuine orphans and not fraudulent victims of trafficking. It does not change U.S. immigration law, nor the legal standards for adoption. It does not reduce the need for China to begin abiding by its refugee convention obligations to vulnerable North Koreans within its borders. And it does not diminish our commitment to assisting intact refugee families or to reunifying families that are separated.

What it does do, Mr. Speaker, is require that our State Department take a broad look at the diplomatic and documentation challenges facing American families who would like to adopt North Korean orphans and report to Congress on potential strategies to address them.

Doing the right thing is not always easy.

I especially want to applaud those adoptive parents, both past and future, who invest their own lives and homes to provide loving families for some of the world's most endangered children. H.R. 1464 is a welcome step forward, Mr. Speaker, and deserves our unanimous support.

With that, I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.R. 1464.

I would like to thank the sponsor of this legislation, the gentleman from California (Mr. ROYCE), as well as the chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on this issue and for their work in supporting the plight of North Korean refugees.

Despite North Korea's efforts to appear "strong and prosperous" this year

to celebrate the 100th birthday of the country's founder, vast numbers of its people live in dire conditions. Sadly, the North Korean regime's misguided priorities, pouring hundreds of millions of dollars into its so-called "space program," its nuclear programs, and its massive military only underscore its cold-hearted callousness and blatant disregard for its own citizens.

Thousands of North Korean children do not have families to care for them and are threatened with starvation and disease if they remain in North Korea or as refugees in neighboring countries, especially China. Many of the children that have fled the north are hiding and live in mortal fear of being caught and sent back to North Korea where they would face severe punishment and even death. Equally terrifying is the prospect of being sold into bondage by human traffickers in China.

As a beacon of hope for the rest of the world, the United States must do all it can to help these vulnerable and destitute children. That's why I'm proud to be a cosponsor of Mr. ROYCE's legislation, H.R. 1464, the North Korea Refugee Adoption Act. This bill calls on the Secretaries of State and Homeland Security to formulate and report to Congress on a strategy for facilitating the adoption of North Korean children by U.S. citizens. Passage of this bill will be the first step in helping the thousands of North Korean child refugees living alone in foreign lands, and it would provide a glimmer of hope to the American families who would welcome the opportunity to adopt North Korean orphans.

The impending passage of this bill speaks to the broad bipartisan consensus in Congress regarding the atrocious human rights situation in North Korea. As innocent men, women, and children flee the repressive North Korean regime at great personal risk, we have a moral obligation to assist them. H.R. 1464 is not merely about adoption, but also an issue of human rights for the North Korean people. We must continue working to ensure that the North Korean people are not forgotten and that orphaned North Korean children will get the care and support they need.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm so pleased to yield 6 minutes to the other gentleman from California (Mr. ROYCE), the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation and Trade, and the author of this important bill.

Mr. ROYCE. I thank the gentlelady for yielding.

Mr. Speaker, this is the North Korean Refugee Adoption Act of 2011, and I want to thank Chairman ROS-LEHTINEN and Ranking Member BERMAN for their support of this bill, and also I think we should thank the numerous Korean American organizations

from around this country that tirelessly advocated on behalf of its passage. They are the groups that originally came to me with the heart-wrenching problem that these orphans face, and they suggested an idea for a solution. I would like to recognize the Defense Forum Foundation, the North Korea Freedom Coalition, the Korean Church Coalition for North Korea Freedom, the Korean American Coalition, the Korean Churches for Community Development, the 300 Pastoral Coalition, and the 318 Partners. These are the groups that suggested that with a lot of hard work we might get this legislation through. They put through countless phone calls and meetings and rallies up here on Capitol Hill and I think really helped generate the widespread support that this bill has today.

Of course, the bill stems from the problem that for over 50 years North Korea has been one of the world's most repressive regimes. Every imaginable freedom that we enjoy here—speech or assembly or association or worship, and actually oddly enough, even the right to smile—is denied in North Korea by one statute or another. Meanwhile, the regime's elites live in luxury. Of course, the people, especially in the rural areas of North Korea, starve.

It is little wonder why tens of thousands of North Koreans, many of them women and children, flee to China. For many, it's a last resort. It's a final chance to avoid starvation for those children and avoid unspeakable oppression. Yet that choice is not always an easy one. That path to freedom is very perilous. Those fleeing North Korea often make their journey during the winter, and they cross over that Tumen River as it's frozen. Those temperatures there are subzero, and the terrain is treacherous. It is an obstacle course of checkpoints and of informants, and they make that a very dangerous journey. Sadly, but not surprisingly, many refugees succumb to the elements. There are many bodies frozen along that bank.

Those that survive also face dangers from human traffickers. As one dissident told National Geographic, crossing the Tumen was easy compared to what happened next as she was tricked into getting into a car that belonged to a sex trafficker. For the next year, she remained locked in a room, forced into selling her body. The result of all of this is that many North Korean orphans are left in China. Worse yet, they are stateless and they are without identification. Estimates show that thousands of children are left stateless in the border region between North Korea and China, and there they suffer. If they're sent back to North Korea, they suffer unimaginably.

Mr. Speaker, this is why we need to pass this legislation. This bill is a good first step in responding to this human rights crisis. Specifically, this bill would have the State Department develop a strategy for assisting stateless children from North Korea.

□ 1830

While many American families would welcome the opportunity to adopt a North Korean orphan, many hurdles remain. For example, children must certify that they have lost their parents or legal guardians and that they have absolutely no one to rely on. A child orphan in North Korea would have a very hard time proving that attestation.

Most of these children have great difficulty proving this to their own understanding, and they have no death certificate of parents, and many have no proof that they truly are orphans. By passing this bill, we will be taking an important step towards solving these problems.

We are not committing to any particular policies, but we are committing to doing what we can to help these defenseless children. We are trying to create a win/win for these desperate young ones, orphans living in deplorable conditions and their potential new families.

Again, I thank you, Chairman ROS-LEHTINEN, I thank you for your support, and we thank the numerous American Korean organizations, and we thank Ranking Member BERMAN for all of this help. I urge my colleagues to support this important bill.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I urge support for the legislation.

I yield back the balance of my time. Ms. ROS-LEHTINEN. Mr. Speaker, I think Mr. ROYCE did a wonderful job in summing up our bipartisan position.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1464.

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

A motion to reconsider was laid on the table.

#### CALLING ON VIETNAM TO RESPECT BASIC HUMAN RIGHTS AND CEASE ABUSING VAGUE NATIONAL SECURITY PROVISIONS

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 484) calling on the Government of the Socialist Republic of Vietnam to respect basic human rights and cease abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code, which are often the pretext to arrest and detain citizens who peacefully advocate for religious and political freedom, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 484

Whereas article 79, which penalizes "carrying out activities aimed at overthrowing

the people's administration", carries a maximum penalty of death and is used by the Government of the Socialist Republic of Vietnam to crack down on citizens advocating for political pluralism or associating with prodemocracy parties, including—

(1) Le Cong Dinh, Tran Huynh Duy Thuc, Nguyen Tien Trung, Le Thang Long, and Tran Anh Kim arrested in 2009;

(2) Cao Van Tinh, Duong Kim Khai, Nguyen Chi Thanh, Nguyen Thanh Tam, Pham Minh Hoang, Pham Ngoc Hoa, Pham Van Thong, and Tran Thi Thuy arrested in 2010; and

(3) Dang Xuan Dieu, Ho Duc Hoa, Ho Van Oanh, Nguyen Dinh Cuong, Nguyen Van Duyet, Nguyen Van Oai, Nguyen Xuan Anh, Nong Hung Anh, Paulus Le Son, Thai Van Dung, and Tran Minh Nhat arrested during the summer of 2011;

Whereas article 88, which penalizes "conducting propaganda against the State", carries a maximum sentence of 12 years imprisonment and is used by the Government of Vietnam to detain writers and bloggers, including—

(1) Father Nguyen Van Ly, Nguyen Phong, and Tran Quoc Hien arrested in 2007;

(2) Nguyen Van Hai ("Dieu Cay"), Nguyen Xuan Nghia, Pham Thanh Nghien, and Pham Van Troi arrested in 2008;

(3) Cu Huy Ha Vu, Phan Thanh Hai, and Vi Duc Hoi arrested in 2010; and

(4) Chu Manh Son, Dinh Dang Dinh, Dinh Van Nhung, Do Van Hoa, Hoang Phong, Lu Van Bay, Nguyen Kim Nhan, Ta Phong Tan, Tran Huu Duc, and Viet Khang arrested in 2011;

Whereas Vietnam is a signatory to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights; and

Whereas closer economic and security ties between the United States and Vietnam are ultimately contingent on the Government of Vietnam's respect for basic freedoms: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) condemns the continued and worsening crackdown in the Socialist Republic of Vietnam against community organizers, bloggers, and democracy activists;

(2) calls on the Government of Vietnam to repeal articles 79 and 88 of the Vietnamese penal code and similar vague national security measures used to persecute peaceful political opposition and dissent;

(3) calls on the Government of Vietnam to release all political prisoners, especially all activists, writers, and bloggers who have been detained or sentenced under articles 79 and 88 of the Vietnamese penal code; and

(4) urges the United States Department of State to monitor rule of law developments in Vietnam, to help ensure that Vietnamese laws are administered in ways that are consistent with Vietnam's international human rights commitments.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The recognizes the gentlewoman from Florida.

#### GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Resolution 484, a bipartisan resolution of LORETTA SANCHEZ, a bill of which I am a cosponsor.

This resolution calls on the Vietnamese authorities to “respect basic human rights and cease abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code.” These draconian legal measures are often used to arrest and detain citizens who peacefully advocate for political and religious freedom.

When the Bush administration signed the bilateral trade agreement with Vietnam in the year 2006, which paved the way for Vietnam joining the World Trade Organization the next year, the Congress was assured that trade liberalization with Hanoi would lead, inevitably, to political liberalization.

This proved, however, to be as spurious a promise as one made by the Clinton administration, which vowed that the liberalization of trade would open the door to democracy and human rights in China. The siren song that trade is the panacea for ending totalitarian oppression is directly contradicted by reports of deteriorating human rights conditions in both Vietnam and China.

As Hanoi comes increasingly to Washington seeking strategic support for its dispute with the Chinese in the South China Sea, one can only ask, why are we not using Hanoi’s concerns in the South China Sea as leverage to win greater concessions on the dismal human rights conditions in Vietnam?

Why would we even consider helping Vietnam against Chinese bullying as long as Hanoi holds behind bars United States citizen Dr. Quan. Dr. Quan is a mathematician, and he has been detained in Vietnam since he returned there for a family visit in April.

This resolution spells out in great detail how Hanoi makes use of the security provisions contained in articles 79 and 88 to continue to detain such noted democracy advocates as Father Ly.

Article 88’s provision regarding propaganda against the State gives Hanoi great leeway in detaining and imprisoning human rights activists, writers, those who advocate for democracy, journalists, Internet bloggers, the list goes on.

The repeal of articles 79 and 88, and the release of all political prisoners, as called for in this important resolution, would represent first steps away from the continued totalitarian oppression of the Vietnamese regime. Our State Department should not put concern for human rights and the protection of the rights of U.S. citizens on a back burner while we pursue commercial and strategic opportunities with the leaders in Hanoi.

We in Washington must be of one voice in strongly condemning the continuing crackdown on human rights and democracy in Vietnam. We should

also remember that without the rule of law, it is not only democracy advocates who are put at risk, but also those whose special contracts will prove to be worthless pieces of paper.

Therefore, Mr. Speaker, I urge my colleagues to give their strong and unwavering support for this resolution.

With that, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in support of H. Res. 484, as amended, and I yield myself such time as I may consume.

First, I want to thank the sponsor of the legislation, the gentlewoman from California (Ms. LORETTA SANCHEZ). For her entire time in this Congress she has been a passionate and eloquent spokesperson on behalf of the Vietnamese people and their right to have their political, individual, and religious rights. The same goes for the chair of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, who in all human rights issues has been a true congressional leader.

This resolution calls on Vietnam’s government to respect basic human rights for its people and to stop using vague national security laws as a pretext to arrest and detain citizens who peacefully advocate for religious and political freedom. This resolution demonstrates America’s commitment to human rights, democracy, and the rule of law by calling on the Government of Vietnam to release all political prisoners, including activists, writers, and bloggers, who have been unfairly detained or sentenced. The names of over 40 of these political dissidents and activists who were peacefully expressing their views and posed no threat to Vietnam’s national security are included in this resolution.

Vietnam must stop criminalizing free speech and peaceful political activism and begin upholding the universal declaration of human rights and the international covenant on civil and political rights to which it is a signatory.

As ties between the U.S. and Vietnam continue to develop and mature, Hanoi must understand that respect for the universal principles of democracy, freedom, and human rights remains a central part of our bilateral relationship. And more progress in these areas is needed before, as we have said before, that relationship can be taken to the next level. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1 minute to my good friend from California (Mr. ROYCE), the chairman of the House Committee on Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

□ 1840

Mr. ROYCE. Mr. Speaker, I rise in support. As Human Rights Watch noted, last year saw a steady stream of political trials and arrests, likely spurred, in part, by Vietnamese Government concerns that the pro-democ-

racy Arab Spring movement might reach Asia.

As they explained, there’s at least 24 convictions right now under article 79 and article 88 of the penal code that have been handed down. Hence the need for this resolution to pass this Chamber. We should all support it.

Mr. BERMAN. I am pleased to yield such time as she may consume to the sponsor of this resolution, the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Thank you to Chairwoman ROS-LEHTINEN and to Ranking Member BERMAN and to the committee for bringing this resolution to the House floor.

Mr. Speaker, Dr. Nguyen Quoc Quan is a democracy activist, and he’s also a member of a democracy activist organization here called Viet Tan. On April 17 of this year, an American citizen—yes, Dr. Nguyen is an American citizen—was arrested at Saigon Airport by the Vietnamese authorities, and he was charged with terrorism for 4 months for possessing educational documents on leadership skills and on nonviolent political activism. How can possession of educational documents be considered terrorism?

Last month, the Vietnamese Government decided to change Dr. Nguyen’s crime from terrorism to subversion, despite having no grounds for either one of those two things. Democracy activists such as Paulus Le Son, Ho Duc Hoa, Dan Xuan Dieu all have been detained under article 79, which penalizes “carrying out activities aimed at overthrowing the people’s administration.” When you’re charged with article 79 in Vietnam, it carries a maximum of the death penalty.

Father Nguyen Van Ly; Nguyen Van Hai, more commonly known as blogger Dieu Cay; and Phan Thanh Hai are all charged, for example, with article 88, which penalizes conducting propaganda against the state. And that carries a maximum sentence of 12 years.

So what does House Resolution 484 do? It addresses these very vague national security provisions, and it calls on the Government of Vietnam to cease abusing provisions such as articles 79 and 88. Using those articles to arrest peaceful democracy advocates, I believe, is blatant human rights violations. Vietnam is a signatory to the Universal Declaration of Human Rights and the International Covenant on Civil Rights and Political Rights. However, Vietnam has yet to become a responsible member of the international community. Consistently, the Vietnamese Government has denied its citizens the freedoms of religion, of opinion, of speech, of assembly, of the right to counsel, of a fair trial. How does this government expect to gain the respect of the international community when they refuse to treat their citizens with the same respect?

House Resolution 484 condemns the Government of Vietnam for its continued crackdown against democracy activists and calls on Vietnam to repeal

articles 79 and 88. It also calls for release of all political prisoners, writers, and bloggers that the only thing they've asked is to have a more open process, to have some civil rights, to have some human rights, to be able to discuss with each other a new way forward.

As Americans, we pride ourselves on being a country that stands by freedom, by liberty, and by justice. And as Members of this United States Congress, we have a responsibility. Other countries are watching us. We have a responsibility to stand up and to take steps and to say enough is enough.

As the Government of Vietnam continues to criminalize individual rights, as it criminalizes basic freedoms, I believe this is an indication that Vietnam is not interested in being a responsible member of the international community. We, the United States, need to examine our economic and our military relationships with Vietnam. We must insist on changes to human rights in that country.

I urge my colleagues to vote for House Resolution 484 to protect the rights and the freedoms of the citizens of Vietnam; and in doing so, we protect the rights and freedoms of every citizen in this world.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I'm prepared, if you're prepared to close, to yield back the balance of my time, and I will yield back the balance of my time.

Ms. ROS-LEHTINEN. Just in closing, I would hope some of these impassioned speakers on behalf of respect for human rights, democracy, and the rule of law for the people of Vietnam, as meritorious as they are, I hope that they're extended to my native homeland of Cuba as well. May we hear those voices on the House floor calling for those same characteristics for the people of Cuba.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in support of H. Res. 484. I am proud to cosponsor this important resolution introduced by my good friend, fellow Californian, and co-chair of the Vietnam Caucus, Representative LORETTA SANCHEZ. This resolution calls on the Government of the Socialist Republic of Vietnam to respect basic human rights and to stop abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code, articles which are frequently cited as the justification for the arrest and detention of citizens who peacefully advocate for religious and political freedom.

The use of these draconian laws to silence opposition and maintain one-party control is unacceptable and should not be tolerated. I strongly urge my colleagues to support this resolution, and to speak out for the activists whose voices have been silenced by the repressive regime in Vietnam.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 484, as amended.

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

A motion to reconsider was laid on the table.

#### TAIWAN OBSERVER STATUS IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 17) expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

##### S. CON. RES. 17

Whereas the Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, approved the establishment of the International Civil Aviation Organization (ICAO), stating "The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport";

Whereas, following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that "a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system," and that there should be a commitment to "foster international cooperation in the field of aviation security and harmonize the implementation of security measures";

Whereas, the 37th ICAO Assembly in October 2010 adopted a Declaration on Aviation Security largely in response to the attempted sabotage of Northwest Airlines Flight 253 on December 25, 2009, which established new criminal penalties for the use of civil aircraft as a weapon, the use of dangerous materials to attack aircraft or other targets on the ground, and the unlawful transport of biological, chemical, and nuclear weapons and related materials, along with extradition arrangements that facilitate cooperation among nations in apprehending and prosecuting those who have undertaken these and other criminal acts;

Whereas, on October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of the Declaration on Aviation Security, but noted that "because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world—and all nations must share the responsibility for securing that system";

Whereas the Taipei Flight Information Region, under the jurisdiction of Taiwan, ROC, covers an airspace of 176,000 square nautical

miles and provides air traffic control services to over 1,350,000 flights annually, with the Taiwan Taoyuan International Airport recognized as the 8th and 18th largest airport by international cargo volume and number of international passengers, respectively;

Whereas exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO;

Whereas the United States, in the 1994 Taiwan Policy Review, clearly declared its support for the participation of Taiwan in appropriate international organizations, in particular, on September 27, 1994, with the announcement by the Assistant Secretary of State for East Asian and Pacific Affairs that, pursuant to the Review and recognizing Taiwan's important role in transnational issues, the United States "will support its membership in organizations where statehood is not a prerequisite, and [the United States] will support opportunities for Taiwan's voice to be heard in organizations where its membership is not possible"; and

Whereas ICAO rules and existing practices have allowed for the meaningful participation of noncontracting countries as well as other bodies in its meetings and activities through granting of observer status: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—*

(1) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the International Civil Aviation Organization (ICAO) will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation;

(2) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO for the purpose of such participation; and

(3) the Department of State should provide briefings to or consult with Congress on any efforts conducted by the United States Government in support of Taiwan's attainment of observer status in the ICAO.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

##### GENERAL LEAVE

Ms. ROS-LEHTINEN. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield 3 minutes to the gentleman from California (Mr. ROYCE), who has a strong interest



in this issue related to Taiwan's status in the International Civil Aviation Organization.

Mr. ROYCE. I thank the gentlelady for yielding.

I do rise in support of this measure. For too long, Taiwan has been left out of international organizations at the demand of China. Taiwan was denied access to the World Health Organization. It was unable to participate as even an observer for over 40 years. Thankfully, though, that changed in 2009, when a Taiwanese delegation was allowed to observe meetings in Geneva. Infectious disease knows no borders. And it was only proper that that change was made. Congress had long pressed for this action through bills and resolutions.

□ 1850

So it is fitting that we once again take to the floor to press for Taiwan's inclusion in the International Civil Aviation Organization. Despite being home to the world's 18th busiest airport, Taiwan has been kept out of an organization that aims to keep passengers safe.

Indeed, as this resolution finds, Taiwan's exclusion from the ICAO has impeded Taiwan's government from keeping up-to-date with aviation standards and prevented the implementation of new systems and new procedures. The 35 million passengers that travel to and from Taiwan each year are done a great disservice by Taiwan's exclusion.

Mr. Speaker, in a relatively short period of time, Taiwan has gone from poverty to prosperity. It has gone from autocracy to democracy. We have a strong relationship that stretches back for over half a century. Today, our relations remain strong. Passage of this resolution will only serve to strengthen this relationship, and I urge my colleagues to support this measure.

Mr. BERMAN. Mr. Speaker, I rise in strong support of S. Con. Res. 17 and yield myself such time as I may consume.

I'd like to thank the sponsor of the legislation, the Senator from New Jersey (Mr. MENENDEZ), and the chairman of the House Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on this issue.

This resolution expresses the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization, ICAO. Taiwan has made significant progress in its economic and political development. Today, Taiwan is a leading trade partner of the United States and stands as a beacon of democracy in Asia.

However, Taiwan has been excluded from meaningful participation in ICAO, an international organization which is dedicated to ensuring safe and efficient air transportation around the globe.

Taiwan clearly deserves to be brought into ICAO as an observer—a status specifically recognized under ICAO's own rules.

Taiwan has jurisdiction over airspace comprising 176,000 square nautical miles and provides air traffic control services to over 1.3 million flights each year. It has the eighth largest airport in the world by cargo volume, and the 18th largest by the number of international passengers.

Taiwan's exclusion from ICAO has impeded Taiwan's efforts to maintain civil aviation standards to keep up with rapidly evolving international standards. It is unable to even contact ICAO for up-to-date information on aviation standards and norms, nor can it receive ICAO's technical assistance implementing new regulations or participate in ICAO technical and academic seminars.

Despite these impediments, Taiwan has made every effort to comply with ICAO's standards, but their continued exclusion not only hurts Taiwan, it puts the entire international aviation system at risk. Indeed, Taiwan's exclusion has prevented ICAO from developing a truly global strategy to address security threats.

With this resolution, Congress calls on the international community to grant Taiwan observer status at ICAO, not only to help Taiwan, but to ensure ICAO can fulfill its own mission and address international threats to aviation security. We call on the United States government to take the leading role at ICAO to assist Taiwan in gaining that status and look forward to working with our administration officials to track the development of these efforts.

I urge my colleagues to support the resolution, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I will make some remarks, and then I will also yield back the remainder of our time.

I rise in strong support of this important resolution which calls upon the International Civil Aviation Organization, ICAO, to grant meaningful participation for Taiwan.

Is there any doubt in a post-September 11th world that air traffic safety constitutes one of the first lines of defense against those who would do harm to the United States or to our friends and allies? Are not the people of Taiwan deserving of the same level of protection against air assault as provided to the other peoples whose governments participate in ICAO?

The Taipei flight information region, under the jurisdiction of Taiwan, covers an airspace of 176,000 square nautical miles. Taiwan's main international airport is recognized as the eighth largest in the world in cargo traffic and the 18th in the number of international passengers who make use of its services.

Can there be any doubt, therefore, that Taiwan, which provides air safety control services for well over 1,350,000 flights annually needs meaningful participation in the international organization responsible for air safety and security?

Beijing, like some haughty overlord, condescendingly informed Taipei and the U.N. system in the year 2009 that it would allow, at least temporarily, Taiwan's participation in the World Health Assembly. Meaningful participation in international organizations for Taiwan represents too important an issue to be determined only by the whims of Beijing.

It is time to open the door to Taiwan's constructive and meaningful participation in ICAO, and that time is now.

The State Department, as this resolution suggests, should assume a leading role in providing an action plan to ensure that this happened as quickly as possible. We owe this, Mr. Speaker, to the people of Taiwan. We owe this to ensure as well for the air safety of those American passengers flying over the skies of the western Pacific.

And here I am not speaking just in theoretical terms, Mr. Speaker. Let us not forget that it was less than three decades ago when, due to a tragic confusion in air communications, a Soviet military fighter shot down a Korean Air Lines civilian flight as it left western Pacific and flew inadvertently over Soviet territory. As we know, this resulted in the death of all 269 people on board, including a Member of this House, Congressman Larry McDonald of Georgia's Seventh District. The Congressman was traveling to Seoul to commemorate the 30th anniversary of the United States-South Korea Mutual Defense Treaty.

So air safety control is, therefore, a very serious matter. Taiwan needs meaningful participation in ICAO not only for the safety and security in the air of its own citizens but also for all of the peoples of the vibrant Asia Pacific region.

ICAO will be holding its 12th Air Navigations Conference in November, and Taiwan should be, must be represented there in Montreal.

So, Mr. Speaker, I urge that my colleagues join Mr. BERMAN and me in expressing their overwhelming support for this important resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 17.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CHIEF OF STAFF, THE HONORABLE FRANK R. WOLF, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Daniel F. Scandling, Chief of Staff, the Honorable FRANK R. WOLF, Member of Congress:

SEPTEMBER 10, 2012.

Hon. JOHN A. BOEHNER,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for documents issued by the Fairfax County Circuit Court in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

DANIEL F. SCANDLING,  
*Chief of Staff.*

□ 1900

COMMUNICATION FROM THE HONORABLE FRANK R. WOLF, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable FRANK R. WOLF, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, September 10, 2012.*

Hon. JOHN A. BOEHNER,  
*Speaker of the House, U.S. House of Representatives,*  
*Washington DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for documents issued by the Fairfax County Circuit Court in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Best wishes.

Sincerely,

FRANK R. WOLF,  
*Member of Congress.*

CONGRATULATING RICHMOND, TEXAS, ON ITS 175TH ANNIVERSARY

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

Mr. OLSON. Mr. Speaker, I rise today to congratulate the city of Richmond, Texas, for its 175th anniversary. There would not be a State of Texas without Richmond.

In 1822, members of Stephen F. Austin's Old Three Hundred built a fort on a bend in the Brazos River. Stephen F. Austin is known as the "Father of Texas." He built his colony around that fort where Richmond sits today.

In the wake of Texas independence, Richmond was incorporated by the Republic of Texas as Fort Bend County's seat of government in 1837. Richmond's current iconic mayor, Hilmar Moore, is the longest-serving mayor in American history, serving the people of Richmond since 1949.

Historically a center of commerce, the heart of an early livestock industry and a powerhouse of natural resources, the city continues to be something its people are darn proud of. It's an honor

to share that pride with the people of Richmond, Texas. Congratulations on our 175th anniversary.

## REMEMBERING 9/11

The SPEAKER pro tempore (Mr. MARINO). Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, 11 years ago today, the worst attack in American history on American soil occurred; more loss of life than Pearl Harbor. It was a day that those of us who are alive and old enough to know what was happening will never forget. It was a day of commitment as well that we would do whatever was necessary to protect our country, that we would do whatever was necessary to prevent future such attacks from occurring.

I recall there in east Texas where I live, I was a judge at the time. The day after, September 12, 2001, was an extraordinary day as well. It was a day that I also will not forget. I had never seen communities come together as we did across America on September 12, 2001, not in my lifetime. In World War II, from history, I've read accounts about some in America that felt like war with Germany was a bad idea, that we ought to be nice to them. There were even people that were divided in America back then. But the overall resolve was to protect democracy, make democracy safe—"Make the World Safe for Democracy" was the slogan.

But we were so united on September 12, 2001. There in Tyler, Texas—and I know it happened all over east Texas the same way—people came together. It didn't matter what race anyone was. It didn't matter where they came from, their national origin—man, woman, religious preference didn't matter, we came together as one people. There were no hyphenated Americans that day—no Anglo-Americans, African-Americans, Asian-Americans. We were Americans. We stood united, and we wept together and we prayed together and we held hands and sang together.

Here in Washington, D.C., once again today we sang "God Bless America" without regard to party, without regard to House, Senate. I think there was less mention of the word God today. I'm grateful for Speaker PELOSI, who at the end of her remarks asked for God to bless and comfort those who lost loved ones on 9/11 and asked that God would still bless America. I'm grateful she did that. Other leaders did not.

Andy McCarthy—Andrew McCarthy—was the prosecutor of those who were involved in the 1993 World Trade Center bombing. He is a man that understands the Constitution. He understands the law. He is a fantastic prosecutor, a brilliant mind, and a great writer. And I won't read the entire article, but it's an article worth noting from Andrew C. McCarthy, entitled "Remembering 9/11 . . . At Least for a Day." He says:

It is difficult to say what's harder to believe: that it has been 11 years since the 9/11 atrocities, or that national security has become an irrelevant issue in the most consequential Presidential election in decades.

The first observation reminds us that today is a day of remembrance: of the loss of nearly 3,000 of our fellow citizens; of the bravery of those who willingly gave their lives to save others; and of the heroism of the men and women who put on the line all that they have. That includes the love and well-being of their families, on whom the burden of American national security has been imposed while the rest of us go on with our lives—too often, without giving them a first thought, never mind a second.

No matter which political party has been in power since 9/11, there has been a great deal of bloviating about the "rule of law." It is as if we had evolved beyond anything so crude and benighted as armed force and national interest—especially national defense. Let's remember today that we have the luxury of living under something resembling the rule of law only because dedicated Americans sacrifice themselves to confront evil—in this case, the adherents of an evil ideology, Islamic supremacism, that is closer to the law of the jungle.

And for those who do not understand—I'm saying this parenthetically, it's not in the article—Islamic supremacism is not talking about all of those who worship and follow Islam and Islamic teachings. We have friends around the world who do not want to live under totalitarian, radical Islamic supremacism, such as the Taliban, such as al Qaeda. They don't want to live under that, and they're Muslims. They want to live their lives. They want to worship in their own religion without totalitarians telling them how they must.

□ 1910

Unfortunately, as in Afghanistan, those Muslim friends, and Pakistan, for that matter, Iran and Iraq as well, there are Muslims who have admired the United States until we abandoned them.

Going back to Andrew McCarthy's article:

The rule of law has precious little to do with why we have gotten through 11 years without a reprise of 9/11. A better explanation is that terrorists who have been captured or killed cannot commit more terrorism.

I'll insert, parenthetically, there are terrorists who were captured, some confined at Guantanamo Bay, some confined at other facilities, who have been released and who have been found again on the battlefield killing Americans. They were captured, prevented from enacting further terrorism, and then released under some false notion that that would win friends and influence people, only to have other Americans killed by these same thugs.

Back to Andrew McCarthy's article. He says:

On the matter of evil, it is good to remember that it exists. Evil is not a misunderstanding, a cultural gulf, or a natural reaction to political policies adopted in pursuit of American interests or Israeli self-defense. That brings us to the second observation: the

fact that national security concerns are absent from the 2012 campaign, even with tens of thousands of Americans at arms in distant hellholes, even with tens of millions of Americans enduring the increasingly overbearing government that has been the cost of heightened vigilance in an era where barbarism is met with political correctness.

The United States defeated the ideological threats of the 20th century because we were unafraid to see evil for what it was—to diagnose it and understand it. Today, we ignore it, rationalize it, and assume we are somehow to blame for it. For the bipartisan ruling class, 9/11 is about “violent extremism”—as if irrational, wanton killers, seized by a “psychological disorder,” committed mass murder for no better reason than to visit on the world’s most famous office buildings the most shocking case of “workplace violence” in history.

The “violent extremism” narrative is nonsensical. It defies reality as well as history. But it is a convenient fiction. It miniaturizes the enemy. With the killing of bin Laden, the President can now portray the enemy as defeated—even as al Qaeda resurges, even as Iraq has become an Iranian-influenced shari’a state that works against the United States and Israel.

He says parenthetically:

(Remember when “victory” was defined as a “stable” “democracy” that is a “reliable ally”?); and even as Afghan Islamists turn their weapons on their American trainers, and the administration pleads with the Taliban to negotiate (remember when “victory” was defined as a “stable” “democracy” that “prevents the Taliban from returning and giving safe haven to al Qaeda again”?). The “violent extremism” canard allows the administration to declare victory even as we are being humiliated.

That’s an excerpt from Andrew McCarthy’s article regarding today.

Mr. Speaker, it is tragic that around the world the United States has had allies who trusted us, who put their security in our hands, even to the extent of losing political power, losing political office, like some of the Polish leaders who trusted America to help them with a missile defense. It wasn’t as much a defense against Russia; it was concern for potential missiles in the Middle East that this Nation has not done enough to stop. But those who staked their political careers on the trustworthiness of the United States came up empty in Poland.

Mubarak had agreements with this administration, met with this administration. Qadhafi had agreements with this administration, met with them, talked. We had Senators from both sides of the aisle, although one of our Republican Senators says he didn’t send that message. It wasn’t his tweet, he says now, that he was meeting with Qadhafi and that he was an interesting man.

But, regardless, we know that there were people from both sides of the aisle that went and met with Qadhafi because Qadhafi, after President Bush gave the order to invade Iraq, Qadhafi believed he was next if he didn’t do something and end his nuclear proliferation, so he did. He became an ally, even though he was a murderer with blood on his hands. He reached agreements. He promised he would not at-

tack Americans again. And, once again, someone who trusted agreement with the United States came up short.

Some of our allies in other parts of the world and other countries have to be wondering if they’re next.

I visited with leaders in other countries who say the Chinese are constantly coming around saying, Have you figured out yet that you can’t really trust the United States to keep their agreements? Hey, you can trust us. Well, whenever you come around, including in Israel, there are Chinese constantly there saying, When you figure out you can’t trust the United States, we’re ready to be your friend, your ally.

There should be no better ally in the world than the United States. But we have different administrations, and different administrations are better about keeping their words with allies than others.

The Northern Alliance in Afghanistan fought with us and for us to defeat the Taliban by early 2002. Over the years, they have buried family and friends who have been our cofighters against radical Islamists in Afghanistan. We abandoned them. This administration did not want to talk to them.

And I was told by some of the Northern Alliance leaders earlier this year that one of the leaders of the Taliban that this administration released for humanitarian purposes ended up announcing he’s back leading the Taliban as one of their leaders. And he announced on Afghan national television that under shari’a law, if anyone in Afghanistan had not been supportive of the Taliban in the past, they need to come in and ask forgiveness and get the Taliban’s protection, because, as the leader said, told people who watched the national television channel in Afghanistan, that everybody in the world knows the United States has lost in Afghanistan.

□ 1920

So all they have to do is wait until 2014 when this President has promised the United States will be out, and they’ll be back in charge. Certainly, President Karzai has enough fear of them that he is giving them an awful lot of freedom and control in the area. Regardless of what anyone may say or prove about President Karzai, he’s not stupid. He knows we won’t be there to keep him protected. So it looks as if he may be trying to placate the Taliban. Why wouldn’t he? The United States sure is.

I hear friends here on the floor talk about the lessons of Vietnam. The lessons of Vietnam are not that it was an unwinnable war. That’s very clear. This came from one of the leaders at Hanoi Hilton as he told SAM JOHNSON as the Americans left the Hanoi Hilton, including JOHN MCCAIN. SAM says one of the most ruthless leaders was laughing, saying, You stupid Americans. We had just carpet-bombed them for 2 weeks after they’d walked out of the

Paris peace talks. He said, You stupid Americans. Don’t you know, if you had just bombed us for one more week, we would have had to have surrendered unconditionally?

To those who were sent to fight in Vietnam, this Nation owes an apology for leaving them over there to fight without an order to win and come home. That should be the lesson of Vietnam.

I was shocked to hear from the parents of one of the SEAL Team Six members who was killed on the Chinook—Billy and Karen Vaughn were the first ones to mention it. I’m embarrassed I didn’t know—that two-thirds of the Americans killed in Afghanistan have been killed under President Obama as the Commander in Chief. I found that hard to believe, so we got the numbers directly from the Department of Defense. I’ve got a poster here. President Bush ordered Americans to war—or to go fight in Afghanistan. We found out that’s where the terrorists were trained, where the plot was supposedly hatched to kill thousands of American innocent victims.

So we have a list from the Department of Defense, from their own Statistical Information Analysis Division. If you look at the number of American deaths—of our fantastic men and women in Afghanistan—from October of 2001 through the end of December of 2008, there were 625 American casualties, Americans killed—valiant, brave men and women of our armed services killed in Afghanistan—every one of them a treasure.

But when we get down to the just over 3½ years since, in the war that Candidate Obama called the “good war”—a term I don’t know of anybody who has ever been in the military would use about a war, but he called it the “good war.” Well, in President Obama’s good war, though he has been Commander in Chief less than half the time of President Bush, it isn’t two-thirds. Seventy percent of the American military men and women who have been killed in Afghanistan have been killed under the command of Commander in Chief Obama. It gets worse when you look at the total wounded in action. During the 7 years and 3 months that President Bush was President, or was Commander in Chief over the war in Afghanistan, 2,638 precious American men and women were wounded.

When you visit our incredible men and women who have been wounded—who have lost arms, legs, who are severely disabled—you end up walking away being the one who is uplifted with the incredible, incredible American spirit—with the spirit of our American men and women. They are such a blessing but not to the extent, you would think, that anyone in America would want to leave our military men and women in Afghanistan without a clear purpose, without rules of engagement that let them defend themselves. We’ll be talking more about that in the days to come.

In the just over 3½ years that the Afghan war has been under the command of Commander in Chief Obama—as compared to the 2,638 precious American men and women who were wounded—during half the time, approximately, this President has been in command, over 14,817, or 84 percent, of the men and women have been wounded in Afghanistan.

Now, we have fantastic leaders in Afghanistan—some of our Nation's best—but when you get out into the field and you talk to the men and women, sometimes you get a little different story. There is a poll that came out last week indicating a massive lack of morale among our military men and women in Afghanistan. How could there not be? They've been told they're going to have to stay in Afghanistan. We're going to be there for 2 more years or so. They don't have a clear mission. It's basically to train people who may kill you during or after the training. You're not allowed under the rules of engagement to properly defend yourself. Then our men and women in our Armed Forces are supposed to hope and pray that they're not one of the last ones killed on the way out.

I would have thought people would have understood the lesson of Vietnam, not that there are wars such as Vietnam or Afghanistan that are not winnable. Vietnam was winnable. Afghanistan initially was won. We took our eye off the ball. President Obama did inherit a terrible situation in Afghanistan, and then he has more than doubled down on the men and women who have been sacrificed—giving their lives, their arms, their legs in service to this country. We should not allow those precious men and women's lives to go without proper consideration.

So many in our military have stepped up and said, I will go. I will defend America.

I called after 9/11. I was told I was too old. I said, I've got friends that I was in the Army with years ago. They're still in.

They said, Yes, that's because they're still in.

□ 1930

If you had stayed in, you could still be in, but you're too old to go back now.

Though I was too old to go back into the Army that I had served 4 years of my life in, I found another place of service, and I have to speak on behalf of our men and women in our military. I have to beg, Mr. Speaker, that our leaders in Washington, and in particular the leader, the Commander in Chief, either give our military a proper mission or get them out of Afghanistan. Give them proper rules of engagement or get them out now. Don't make them sit around for 2 years wondering if they're going to be the next one that leaves in a casket. Let them win and come home or bring them home now. They can win. They're that good.

With Pakistan, I kept talking to people that say most of the supplies are

coming from Pakistan to supply the Taliban. Then cut off the supplies. We have the ability to do that; we just haven't had the will. Develop the will and cut off the supplies to the Taliban—cut them off—or bring our people home now. Don't let one more American lose an arm, a leg, both arms, both legs, or come home as another death. Give them the orders to defeat the Taliban. Come hell or high water, do it. Do it now and then come home or bring them home now. We owe them that much.

Is it any wonder the suicide rate is so high?

How are we treating our allies on this, the 11th anniversary of 9/11? From the Israel media, Haaretz, comes this report today. I'll read it verbatim.

The White House declined Israeli Prime Minister Benjamin Netanyahu's request on Tuesday to meet U.S. President Barack Obama during a U.N. conference in New York at the end of the month.

Parenthetically, I will insert that this is the same President who has told the Taliban, Look, we'll buy you offices in Qatar; we'll let the rest of your murdering thugs out of confinement if you'll just sit down and talk to us. Apparently, the President's schedule just doesn't allow a meeting with what has been a phenomenal ally, a believer in the value of life and liberty in Israel.

The article goes on:

An official in Jerusalem said the Prime Minister's office sent the White House a message stating that although Netanyahu will spend only 2½ days on U.S. soil, he is interested in meeting with Obama and is willing to travel to the U.S. Capitol specifically for that purpose. The official added that the White House rejected the request and said at this time Obama's schedule does not allow for a meeting.

The White House's response marks a new low in relations between Netanyahu and Obama, underscored by the fact that this is the first time Netanyahu will visit the U.S. as Prime Minister without meeting the President.

Israeli Defense Minister Ehud Barak reportedly tried smoothing things over, but Bibi—or Prime Minister Netanyahu—is having none of it.

"The world tells Israel, 'Wait. There's still time.' And I say, 'Wait for what? Wait until when?' Those in the international community who refuse to put red lines before Iran don't have a moral right to place a red light before Israel," Netanyahu told reporters on Tuesday.

"Now, if Iran knows that there is no red line, if Iran knows there is no deadline, what will it do? Exactly what it's doing. It's continuing, without any interference, towards obtaining nuclear weapons capability and from there, nuclear bombs," he said.

Relations between the U.S. and Israel have been strained during the entire Obama term. Obama's call for Israel to retreat to its 1967 borders was widely seen as a slap to our ally. Obama's support for ousting the late Hosni Mubarak from the Egyptian Presidency paved the way for what now looks like an Islamist takeover in Cairo, endangering the longstanding peace treaty between Israel and Egypt.

President Obama has also not visited Israel during his Presidency. Republican Presidential nominee Mitt Romney visited Israel in July 2012.

More news today. This is from Mohammed Abu Zaid with the AP, dated September 11, 2012:

Egyptian demonstrators climbed the walls of the U.S. Embassy in Cairo today and pulled down the American flag to protest a film that they say is insulting to the Prophet Mohammad.

This was updated 2:07 p.m. eastern time.

CNN reports that U.S. security guards fired a volley of warning shots as the crowd gathered outside the Embassy walls.

CNN adds that the Embassy has been expecting a demonstration and cleared all diplomatic personnel earlier from the facility.

The Associated Press reports that Embassy officials say there was no staff inside at the time.

Reuters reports that protesters tried to raise a black flag carrying the slogan: "There is no God but Allah and Mohammad is his messenger."

The news agency says about 2,000 protesters have gathered outside the Embassy and about 20 have scaled the walls.

The AP says the protesters were largely ultraconservative Islamists.

Iran's FARS news agency says the protest is aimed at a movie being produced by a group of "extremist" members of the Egyptian Coptic Church in the United States.

Parenthetically, I will mention that we've seen in recent days that this new government in Egypt that the United States has to bear partial responsibility for being in place has now seen the return of crucifixions in Egypt, the barbaric manner of killing people by making them suffer as much as possible before they breathe their last, just as Jesus, himself, did in laying down his life for others.

Also, it is remarkable that you have people who say, as they did with the insulting cartoon depicting Mohammad or someone appearing to be situated that way, as a violent person, and in response there were riots and people were killed, which kind of seems to make it not a cartoon but a prophecy.

□ 1940

Back to the article:

CNN says the film in question is a Dutch production.

The AP says clips of the film are available on YouTube, show the prophet having sex, and question his role as the messenger of God's words.

This would clearly be insulting, having sexual relations, it questions his role as a messenger of God's words—of course that would be insulting. It's ridiculous to have anything that resembles that, just as it is absolutely ridiculous and despicable to demean Christianity, to call it a hate group when it's bounded by Jesus, who showed the ultimate love for all humanity. It's despicable when someone burns a flag, but it's not illegal, it's not illegal to burn a Bible. It's despicable, but it's not illegal.

Yet, personally, I anticipate, if history shows what the radicals will do, they will follow the example. Unfortunately, there will be more rioting. Somebody will tragically be killed by these cutthroats. Then some will say, see, we need to change the law in America where you can burn Bibles,

you can burn the flag, you can desecrate any religion—just not Islam.

Then the goal, as found in the archives after a search warrant, showed one of the 10-year goals to be subjecting our Constitution to sharia law. And that will be a box that can be checked off.

Back to the article:

After the protest, the U.S. Embassy issued this statement on its Web site:

The embassy of the United States in Cairo condemns the continuing efforts by misguided individuals to hurt the religious feelings of Muslims, as we condemn efforts to offend believers of all religions.

How about the Christians in Egypt that are being barbarically killed for their religious beliefs? Wouldn't it be nice if this administration would condemn those activities and do what it takes to stop them?

Today, the 11th anniversary of the September 11, 2001, terrorist attacks on the United States, Americans are honoring our patriots and those who serve our Nation as the fitting response to the enemies of democracy. Respect for religious beliefs is a cornerstone of American democracy. We firmly reject the actions by those who abuse the universal right of free speech to hurt the religious beliefs of others.

The Grand Mufti of Egypt, Sheikh Ali Gomaa, strongly condemned the movie.

"Freedom of speech does not warrant desecrating sanctities," Gomaa said in a statement Sunday.

And he's right.

But those freedoms exist in America. The old adage that was attributed to Voltaire for most of the history since, including during the revolution—I disagree with what you say, but I will defend to the death your right to say it—used to mean something in this country.

Now, it's been subjected to ideological terms that would have it say more, something on the order of, I disagree with what you say, so I want you imprisoned, I want you to lose your business, I want you to have no friends, I want to take all your money, I want to destroy your life.

What a turn over the last 200-plus years from our Constitution's establishment and writing in 1787. Of course, it took longer than that to be ratified.

Eleven years after 9/11, what has gone wrong? You know, not only were there mistakes in Vietnam under both Democratic and Republican Presidents, our embassy was attacked in Tehran in 1979. Those of us at Fort Benning, I didn't know of anybody that was dying to go, but I knew an awful lot of people willing to go and die in defense of our country.

Under everybody's definition of international law, when you attack an embassy, you have attacked, you have committed an act of war against that country. If the host country cannot protect the embassy, then that country who owns that embassy, that uses that embassy, has every right to bring the full military power to bear to defend it.

I still carry the horrible realization, I believe, if we had defended our embassy in 1979, thousands and thousands

and thousands of precious Americans would not have had to give their lives since.

Our embassy has been attacked in Egypt. If the government that the Secretary of State has promised \$2.5 billion—I don't know, some of it may have already gone over there—if they're not going to be able to defend our embassy, then we need to take action to defend it.

I also think it's time to revisit the Carter-era idea that we should never take out government leaders. I think it's time to have this debate again.

Which is more immoral: to go to war with a country where at the time you go to war most of the people of that country like you and respect you, and yet are going to die, many of them; or to take a position, look, it's your country, you're free to establish whatever government you want. But if you put in place a government that declares war on the United States, that says we are the annihilation of the United States, their way, their people, then we will take that government out and we won't rebuild it. You'll be free to pick whatever kind of government you want.

It's time to have the debate. Wouldn't that have been better in Afghanistan rather than forcing a centralized government on a tribal region that has since become so corrupt that the money that we have spent, spent by the billions in Afghanistan, given to Afghanistan, has made its way to other places besides the intended objects.

Talking to some of our soldiers over there who have trained farmers. They said the billions that have been spent and sent to Afghanistan to create farming projects had not, any of it, made it to the region where they were training the farmers. It was wasted effort. So they would travel around over there wondering, will they be the next IED death, or will they be the next IED dismemberment?

The thing is, a good foreign policy says the enemy of our enemy is our friend. A good foreign policy says we will not try to buy off the bullies in the world to make them like us.

As I've said for years, you don't have to pay people to hate you; they'll do it for free. Save that money. Use it to rebuild relations with former allies that have been let down. But don't keep giving money to people who hate us. We don't need to be nation building. We need to let nations live in peace under their own discretion. But if they declare war or set as a goal our annihilation, shouldn't we at least talk about taking out the government rather than going to war with the people?

□ 1950

I think it's time to have the debate again. There's too much death and loss of life in Afghanistan. It's hard to believe 70 percent of American lives lost in Afghanistan of our military have occurred under Commander Obama. Eighty-four percent of all the wounded

have been wounded under the command of Commander Obama. It's time to talk about these things whether the Presidential candidates want to talk about them or not. We owe that to the people we have put in harm's way.

As this is the anniversary of 9/11, it's another opportunity for me to recall the memory of Ross McGinnis. I hadn't gotten an email from Tom asking me not to forget. He knows I will never forget his son. But I went to his funeral at Arlington National Cemetery. I had become friends since then with the McGinnises. I have been to all the funerals of those who have died while in service in harm's way from my district. I have been to too many of those such funerals.

But this wasn't a person from my district in east Texas. It was a guy from Knox, Pennsylvania, a young man who graduated from high school and gotten into trouble at the end. Ross's mom doesn't want me to forget that. He was given a second chance. They let him graduate. He joined the Army, and Ross found his niche. I haven't seen any pictures anybody had of me during officer basic training at Fort Riley, Kansas, in 1974; but I don't think I was smiling, if somebody has them. It was a difficult time. It was hot, humid. But there are pictures of Ross going through basic with other soldiers, and he's got a big old smile. He had a beautiful smile. And the guys with him are not so smiling. There are pictures of him after he got to Iraq, and the heat was obviously wearing down his friends, fellow servicemembers. But he has a big old grin. His platoon sergeant told me that he was such a piece of enthusiasm in their midst. He was uplifting to the other soldiers.

Ross was a gunner on a Humvee, and as it was going through a town, whether shot or thrown, a grenade goes into the bed of the Humvee where there were four of our soldiers, including Ross's platoon sergeant from Long View, Texas, Cedric Thomas; a soldier from Tyler, my hometown, Sean Lawson; and two other soldiers. And they said that Ross yelled, Grenade, and he looked back, but Ross was the only one in a position to jump out and save himself. But when he looked back and he saw each of the four cringing in their corners, he obviously knew those four soldiers were going to die. So instead of jumping out and saving his own life and four soldiers being lost, he didn't jump out. He jumped in. He covered the grenade. Took the full blow himself. Gave his life. And four of our soldiers are alive today because of what Ross did.

Just as on the statue downstairs right below me, below where I stand, the statue of Father Damien, the Catholic priest from Hawaii, on the side of it is John 15:13, the words: Greater love has no one than this, that he lay down his life for his friends.

Ross had a lot of love.

The accounts after 9/11 after those planes flew into buildings here at the

Pentagon, there in New York, those incredible heroes on the fourth flight that went down in a field in Pennsylvania, those heroes went running in, willing to lay down their lives to save others, as Ross did.

There at Arlington National Cemetery the Army chaplain did a wonderful job. Taps was played. It always gets me. It got everybody there. A 21-gun salute is an emotional thing at a funeral. And as everyone stood to turn to go, Sergeant Thomas came up, knelt down before the remains of Ross, put his hand on the remains of Ross McGinnis, bowed his head in prayer. He was followed by two others that Ross had saved. The fourth was still in Iraq. They put their hands on Ross's remains, bowed at the knee, bowed in prayer. And it was obvious what they were doing.

Whether it's on Memorial Day, Veterans Day, the 9/11 anniversary, there cannot be too many occasions when we as a Nation stop and do what those three soldiers did: thank those who have laid down their lives for the rest of us, for our liberties; thank those who have sacrificed life or limb or suffered terrible disability for us and our lives and our liberty. And then, to thank God for people who are still willing to lay down their lives for us.

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

#### UNFINISHED BUSINESS IN THE 112TH CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. TONKO) is recognized for 60 minutes as the designee of the minority leader.

Mr. TONKO. This evening we'll spend some time here in Special Order on the House floor to address a great bit of unfinished business that rests before the House. And we have just returned from what is a 5-week recess where Members of this House were back in their districts and addressing the events of this session. It has been labeled by many as a do-nothing Congress. This evening we're going to talk about that do-nothing agenda.

We have attempted in every which way to encourage the Congress, the House, to address legislation that speaks to job creation and economic recovery, continuing to build upon the achievements of the 111th Congress, and we're now serving in the 112th.

□ 2000

But for me, it's my second term in the House. The very first term for me, the 111th Congress, was deemed by several polls out there to be one of the most productive in decades where there were many things taken up by this House that responded to the needs of America, middle class Americans, Americans of all stripes, who required initiatives from this House.

We were in the midst of a very dark period, a recession that gripped this

economy that put 8.2 million people at risk by their losing a job through no fault of their own. We were losing as many as 800,000 jobs a month.

So the devastation of that impact on the American economy, bringing America's economy to its knees, needed a response from government.

The President acknowledged an agenda that would move us not only into a response against the recession but putting us at the cutting edge of a modern economy. Investing in research, investing in science and technology, investing in an ideas economy, investing in an innovation economy—that's the sort of priming of the pump, if you will. That's essential for us to respond in substantive terms for us to utilize government as a tool that is productive and enabling and empowering the middle class, empowering our small business community, empowering our entrepreneurs.

That was the hope-for. And it happened in the 111th Congress.

But something drastically happened with the change in leadership in the 112th Congress. We now have been ranked in single-digit percentage approval. Below 10 percent is the approval rating for this Congress, some of the lowest points achieved, or earned, by this Congress in its history as a House.

That is a very telling statement. How do we go from the most productive in decades to most unfavorable in the history of the House?

We have a reactionary response from those who want to destroy the essence of government. They do not weave any sort of government program activity into the fabric of response to a very difficult period in our economic history. It is one that is unpopular and unproductive. It is one that is being rejected by people out there.

When I go back to my district, I hear it from Republicans, Democrats, Independents alike: Why can't something get done? There's a paralysis here. And it's because there's a rejection. There is a sense of partisanship rather than partnership. There is an outright attempt to deny anything coming to the House as a request to get productive and progressive policy done.

So there are things that languish. There is this crush of big tasks that rest before the House, work to produce a jobs bill, work to produce a response to the ag crisis, the reauthorization of our ag bill, work to invest in the middle class.

It's been this House, when controlled by the Democrats, that spoke to the opportunities, the ladders of success, if you will. The Democratic conference in this House was all about, has always been about, in my tenure here, about producing ladders of success. You know, we believe in that American principle that you work hard, act with responsibility, play by the rules, and expect to taste success.

Well, we haven't seen that sort of cooperative spirit from the new Republican majority in the House.

You know, we believe, as Democrats, that you produce those ladders of opportunity. You allow people to climb toward their American Dream. We enable people to utilize their gifts, their talents, their passions, their skills to empower themselves, their families, the small businesses. And so we stand for this wonderful three-legged stool that speaks to the empowerment of small business, forever the pulse of American enterprise, that looks to create jobs that are then tethered very strongly with small business citizenship into the local community grain.

Then we talk about investing in entrepreneurs, those dreamers, the movers, the shakers, the builders of society that have forever been the American spirit, the pioneer spirit.

I represent a district in upstate New York that is the donor area to the Erie Canal. And that canal produced not only a port out of a little town called New York City but gave birth to a necklace of communities that became the epicenters of invention and innovation.

The empowerment of the entrepreneur—another strong underlying principle of the agenda of Democrats in the House.

Finally, a thriving middle class—making certain that we utilize the policies that can be created in this House that will empower with tax fairness, empower with investment in the worker, in education, higher education, apprenticeship programs to empower the middle class and small businesses.

We have measures that we have asked to be brought to the floor. There is a denial of any sort of single jobs bill before the House. We have requested over and over again to invest in that agenda the empowerment of America through small business, entrepreneurs, a thriving middle class. It's been rejected.

Tonight I'm joined by a colleague from the State of Connecticut, JOSEPH COURTNEY. JOE COURTNEY is a strong believer in this government process. He's a strong believer that when we can prime the pump and when we can utilize government to make a difference, when we can create programs that speak to the honest-to-goodness agenda for all strata of America, but utilizing that middle class strata—small business, farming as a small business—making certain we utilize every strength, every sector of our economy and not just relying on a service sector, especially the financial services that we did that brought us into a crisis situation—we can incorporate all of the sectors of the economy.

One of those prime sectors? Agriculture.

Representative COURTNEY, it is great to have you joining us this evening in this colloquy.

The agriculture industry from coast to coast is a heavy-duty important industry. You sit on the Ag Committee. As a representative from Connecticut,



you know the importance of agriculture to your State. I know the importance of agriculture in upstate New York, throughout New York.

Reauthorization of an ag bill is fundamental, is it not, to go forward and create opportunities?

Mr. COURTNEY. It is. Thank you for, again, taking the time tonight to speak on the floor of the House.

This is a place where the eyes not only of the country but the world are on us right now in terms of whether or not this body is going to have the strength of will to act and deal with, again, all of the ticking clocks which you've mentioned earlier: the fiscal cliff at the end of this year; sequestration; and at the end of this month, a farm bill reauthorization.

Again, for those watching tonight, I think it's important to have a little context here, which is that up until this year, every 5 years since the end of World War II, Congress has acted to enact a farm bill which is a 5-year policy bill that sets up all of the ground rules for a vast array of issues that surround producers in this country, the folks who get up every morning and milk the cows and plant the crops and harvest the crops.

It deals with issues of rural development. Small-town America depends on USDA rural development funds and programs to build everything from sewers, hospitals, health clinics. Again, all of the infrastructure, which again, small towns by themselves really don't have the financial means to create.

Conservation programs, forestry, food policy, nutrition policy.

Again, the farm bill is a profoundly important measure that sets up both producer and production policies and agriculture but also consumer ends in terms of food safety, food security, et cetera.

Incredibly, we are at a point right now where at the end of this month, at the end of September, the last farm bill will expire. If Congress does not act, then farm policy will revert to what the state of the law was in this country in 1949. Again, that statutory construct is so completely disconnected from the reality of what farms and agriculture is today in the 21st century that it defies, really, the powers of any Secretary of Agriculture to implement.

But, again, as you point out, when you look at the U.S. economy today, agriculture is leading the way in terms of growth, in terms of exports, in terms of renewed activity even in New England, which is not viewed as sort of a big farm State. But the fact is that specialty crops, which I'm sure in upper State New York we're seeing again growing farmers markets, are really the renaissance and movement towards making sure that foods that we serve our kids in cafeterias are on the dinner tables in American homes.

□ 2010

Again, people have just a heightened interest in terms of making sure it's

local and fresh, and the farm bill sets up the policies that make that movement continue to grow.

Well, where are we tonight? The Senate passed a farm bill. They passed a farm bill back in June. It was a bipartisan measure, hard-fought. It took 3 weeks to make its way to the Senate floor, getting through all the procedural hurdles. Yet Republicans and Democrats in the Senate came together with a farm bill which does great things in terms of reforming agriculture policy in this country. It eliminates direct payments to farmers, which saves the taxpayers \$23 billion over the next 5 years. So it actually helps the deficit in this country by passing the Senate farm bill. It reforms dairy price supports, which is critically important right now because, again, the structure that is in place today really was shown to not be adequate in 2009 when milk prices crashed during the recession. It sets up a new risk insurance program, which will allow dairy farmers to actually have some confidence and security about their future.

It does, again, a great job in terms of protecting and maintaining the network of food supply for Americans who are struggling to put food on the table. It's a good, solid, bipartisan measure that really addresses all of the challenges of the 21st century.

In the House, we actually reported out a farm bill out of the House Agriculture Committee with a strong, bipartisan vote. It has problems. Frankly, it cuts too deeply into nutrition. But this is an issue which, again, people who are close to it are very confident can be worked out in a conference committee if the House floor will take up a farm bill. And the Speaker, to this moment, has refused to even signal that he will schedule a vote for a farm bill to move the process along.

So, literally, as the clock ticks towards the end of September, farmers and producers all across America are, in horror, looking at this Chamber, looking at this Speaker, and saying: Are you kidding me? You won't even schedule a vote so that we can work through a bill on the floor and send it to conference committee so that we can actually get real movement and get a farm bill passed?

A couple of hours ago I was with the National Farmers Union just down the block here, where, again, we've got farmers from California to Maine who are gathering here in Washington, D.C., the American Farm Bureau, specific commodity crop producers who are flooding the Halls of Congress saying we need a farm bill.

This should not be a partisan issue that should gridlock, again, one of the most vibrant and critical components of America's economy. And yet to this moment we have still gotten no signal from Speaker BOEHNER and the Republican leadership that they will even schedule a vote. It's incredible. I mean,

the Agriculture Committee in the House produced a bipartisan bill. They did their work. Chairman LUCAS, Ranking Member PETERSON—I was there for the 13-plus-hour markup to get that bill through the floor—they did a great job in terms of navigating and getting a bill to the floor. This was done before the August recess. The Speaker refused to bring it up before we went home for 5 weeks. Five weeks have passed. Farmers all across America are demanding action. We're back in town, and yet nothing has been scheduled in this Chamber to bring up a farm bill that we can send to the conference committee and get some real action and results. Totally unacceptable.

Let me just finish before I throw the baton back to you. At the end of August, dairy price supports expired. Again, the last farm bill had a measure, it was called a Feed Adjuster Index, which would basically allow farmers who were facing high feed costs to get help and relief. Anybody who looks in the financial pages can see that corn prices are hitting record highs because of the drought out in the Midwest; feed costs have gone through the roof; fuel costs are going through the roof. All the input costs for running a dairy farm are at record highs, and yet, as of a couple of weeks ago or a week and a half ago, the dairy farmers of America had basically the rug pulled out from under them because this Chamber did not move and do its job back in July and get a farm bill passed out of this Chamber and sent to conference committee.

So they were sort of the first wave of victims of Republican inaction in this House to move a farm bill. At the end of this month, it will be the rest of American agriculture that will have the rug pulled out from under it and revert back a statutory structure to 1949, which is the state of the law, if we don't move forward and get a farm bill done.

So I'm glad you scheduled this session tonight, Congressman TONKO, because I think the American people need to hear that Democrats stand ready to roll up their sleeves, get to work on this floor, pass a farm bill, send it to the conference committee, work with the bipartisan majority in the Senate to pass a farm bill, and help the American farmers and producers who every single day are making sure that the system of food production and supply works. It is a very fragile system, as we're seeing with the drought out in Iowa, and people in this Chamber are treating it with just, in my opinion, outrageous neglect by not really doing their constitutional duty, showing some leadership, and bringing a farm bill up for a vote in this Chamber.

Mr. TONKO. Representative COURTNEY, you're a great friend. You're a great friend not only to me, but to this House, to the district you represent, and to the State of Connecticut. And you're such a good friend because of the academics that you put into the

job. I have watched you in action, and I know that you are about building consensus.

But what we have here, you talk about, doesn't this become even more urgent an item with the drought situation that we've had across this country? Grain prices are going to rise. So to have some stability and security—predictability—into the ag outcomes for many sectors of agriculture, it becomes even more critical. And to go back, to revert to a 1949 formula, is sinful. It's immoral.

People talk about the lack of sensitivity, the lack of productivity, but we're talking about immoral outcomes here that don't enable people to do their work. I mean, this is a small business—in many places large business—but agriculture runs that gamut. For many, it's small business, it's family business, it's a way of life, and we're denying that very fabric of this country.

I know groups have come together in atypical fashion—outside groups that are putting pressure here—they have come in partnership to say: Hey, look, get this done, as you're suggesting, get it done. You've done some of the basics. Why are you ignoring this number one industry for many States?

Mr. COURTNEY. And just to follow up on that point, again, the Senate farm bill included within it disaster relief assistance—not just for a short period of time, but for 5 years. Again, the House did bring up a so-called “disaster relief” bill right before the August break—something which the American Farm Bureau dismissed as inadequate in terms of actual agricultural policy in this country—used as a pay-for taking money out of conservation, which, again, as critical a priority as almost anything else in the farm bill. Again, it was just an almost pathetic attempt to provide political cover for people who knew that, again, with the catastrophe happening out in the Midwest, they couldn't possibly leave town without at least trying to make some small gesture towards acknowledging that that was actually happening.

But, again, the Senate measure includes a full disaster relief. The House committee bill which came out has full disaster relief. That's what, really, the American agriculture community is looking for.

Tomorrow, on the steps of the Capitol, there will be a huge rally with farm groups from all across America gathering on the steps. Senator STABENOW and Congressman COLLIN PETERSON from Minnesota are going to be out there leading the charge. We understand that some Republican Members are going to show some courage and get out there on those steps and join those farmers in saying we need a farm bill now to be voted on in the House of Representatives. And it's time for the Republican leadership to listen to the people who, again, are out there busting their tail every single day making sure that there's food on the table for this country.

Mr. TONKO. You know, I listen to you, and your State was tremendously impacted by Irene and Lee last summer. My State was tremendously impacted. We reached for those very pots—that we've emptied with the Republican solution—that served our communities so very well with disaster funds. We can't tamper with some of those legitimate set-asides because they're there, they're required by acts of Mother Nature or by manmade situations where we need to have disaster dollars available.

But you can't help but quantify. I mean, you just imagine the extrapolating out of jobs, the impact of jobs if you don't get this done, the ripple effect into those ancillary businesses that feed into the needs of agriculture. It is a tremendous opportunity for us to grow stability in the economy. And to not do this, this do-nothing Republican Congress is devastating the economy. We could have made major strides, we could have gone forward with a lot of attempts to do good.

Now, what I sense here, from what you've talked about with these poison pills that have been adopted or placed into their solutions, or the ignoring of agreed-upon legislation in committee, this is a recurring theme. I mean, we saw the FAA, the Federal Aeronautics Administration, impacted again by delays, games that were being played because they need the full loaf or they want it their way. There is no sense of consensus that is driving these outcomes. And so we delayed for months the FAA outcome, which challenged, put at risk hundreds of projects, tens of thousands of construction jobs that were going to speak to safety at our airports.

We saw it with student loans. You were so actively involved with that. You were outspoken in your criticism of perhaps doubling our students' interest on their loans. And they, again, inserted poison pills. We waited until the midnight hour to get something done—with a lot of unpredictability again.

□ 2020

We saw it with the payroll tax relief that we were trying to do for middle-income America and small businesses. Couldn't get it done. Waited till the last minute. Poison pills that delayed progress.

This is a recurring theme, is it not?

Mr. COURTNEY. It is of course. And again, another example of a measure that really is just teed up and ready for action in the House is the postal reform. We have a postal system right now which is both technically and substantively in bankruptcy. The obligations of the postal system in terms of its expenses and pension costs now exceed the revenue that's coming in.

And once again we have a situation where the Senate has already acted. They passed a bipartisan postal reform bill. My colleague from Connecticut, JOE LIEBERMAN, Senator JOE LIEBERMAN is the chair of the committee that

put together, again, a significant bipartisan coalition to get a postal reform bill through which would provide stability in the finances of this system, which, again, is in bankruptcy.

Nothing has happened on this side of the campus, of the Capitol in terms of any action in terms of bringing a bill to the floor to make sure that, again, the postal system, which goes back to the birth of our country, is not going to capsize into hopeless bankruptcy. I mean, just totally inexcusable to have an issue like this, which, I challenge anyone to point to any time in American history where the postal service has become sort of a partisan political football. Yet this Republican leadership has done nothing to bring a postal reform bill to the floor.

Violence Against Women Act, again, a measure which is really a law enforcement measure in terms of giving our police and court systems and victim advocates the tools they need to eliminate the scourge of domestic violence in this country. My wife is involved, actually, in multidisciplinary teams back in Hartford, Connecticut, in terms of dealing with this issue as a pediatric nurse practitioner.

Again, the Senate passed a good, strong bipartisan bill. We had a partisan measure that just turned the clock back in terms of protecting victims who, again, are here on temporary visas, again, as some kind of statement, I guess, about immigration. And yet this is a measure which has not been sent to conference by this side of the Chamber, and we have a situation, a priority such as domestic violence which has traditionally been completely nonpartisan since it was first enacted back in the 1990s, and no action is being taken by this Republican leadership who seems intent on going home pretty soon and just basically leaving town until election time.

I mean, it's just stunning that, you know, farm bill, postal reform bill, violence against women, we should be able to do these things tonight and give this country some confidence.

Mr. TONKO. Representative COURTNEY, you talk about the reducing of VAWA, the Violence Against Women Act. If the spirit and letter of that law has been to protect women, why would you weaken certain protections?

There's this order of meanness and selectiveness and insensitivity that has abounded in this House, where they reduce efforts that have been championed over the decades, hard-fought efforts, bipartisan efforts, bicameral efforts, the executive branch working with the legislative branch, making certain that the heart and soul of this reform through the ages has been about making America stronger.

You know, it's we, the people, working toward a more perfect Union, a more perfect Union. We've made such wonderful progress. We have acknowledged the needs of women, where they were ignored in legislative or statutory concepts. We go forward. And now it's

like, as you suggest, rolling the clock back, being insensitive to so many needs out there and reducing the fabric of our government. It's like trying to speak to an archaic sort of quality that's driven by extreme thinking. It's the tail wagging the dog in the conference where this extreme thinking has taken over the majority and this do-nothing Republican Congress is not responding, not stepping up to the plate at a time that it's very, very critical.

We saw this economy challenged more greatly than perhaps the Depression of the past that really was a prime test, but in many of the lives of today's working Americans, this is the first-time greatest experience, a challenge before us. And when we should step up and be the champions, the fairness and justice and resolve to move forward with progressive policy, we're getting almost the reverse. It's the antithesis of what's required here.

Mr. COURTNEY. And I would just say that the inaction of this leadership—today we received an ominous warning from Moody's Investor Services which warned that basically that Congress's failure to strike a deal on the fiscal cliff some time within the next 6 months or so will lead to a downgrade of this country's financial rating. Again, Moody's preserved the Triple A status last August when we had the last self-induced crisis by the Republican majority on the default issue. And so the warning is out there. Incredibly, the Speaker, when he was asked about this later in the day today, basically said he has no confidence that we can strike a deal to avoid the fiscal cliff.

I mean, again, we're talking—it is September 11, a day when we should be coming together and reflecting on our unity as American people. And to have that kind of negativity at a time when we've been, the same day we were warned that the country could capsize into a downgrade, and just basically throw up his arms and say, well, he has no confidence we can put that deal together, I'm reminded of the old military saying, which is, you know, lead, follow, or get out of the way.

And really, for a Speaker to basically say, at this early stage, that he has no confidence that this body, which has gone through world wars, depressions, a civil war, and has always been able to really show that the genius of the Founding Fathers to create a structure where decisions can be made is somehow incapable of dealing with the issue that we're confronted with today is just a, really, just shocking admission of abdication of leadership. And really, it just—it signals that, you know, we need to have a change here in this Chamber, one way or another if we're going to deal with the problems that are looming on the horizon, which was your opening comments.

Mr. TONKO. And I agree with you. I think that the brinkmanship that was utilized in the debate and the develop-

ment of a response to the debt ceiling crisis was an attachment of bells and whistles and all sorts of extraneous materials that were being applied in an inappropriate way. We needed to move forward and address an order of crisis. America knows that, they understand they play by the rules and you pay your bills.

But it was this attempt to weaken a process, and it was an attempt to stall and delay and make a political statement at the expense of having our then credit rating downgraded by S&P. So the outcome here was a devastating one.

And, you know, it is really unfortunate that we're not heeding the need out there. I believe the American public has been stating emphatically they want solutions. They want us to come up with a response to an economic crisis. They want to know how we're going to move forward with this idea economy, innovation economy, clean energy economy. They want to see us move toward energy independence. They want to see us addressing transformation of the economy. They want advanced manufacturing that requires training of workers that begins with education investments, all of these things. They want us to develop solutions.

They don't want paralysis. They don't want this divide, this great divide. They don't want the partisanship.

They want partnership. They want solutions.

We saw what happened when you can advance solutions in this House. You and I enjoyed the 111th Congress and the productivity of that Congress. And to have moved to this sort of paralysis is unacceptable.

And the do-nothing Republican Congress is being watched very carefully here, and I believe that this coming election will be a very telling statement about rejecting the sort of delay, the rejecting of the games being played, a rejecting of the disinvestment, a rejecting of the defunding and the dismissiveness of a role that government could and should play in very important areas.

You ask these other economies out there with which our American business is competing. We're in an international race on innovation. You know, much like the race, global race on space in the sixties, when this country came together in resolve after a Sputnik moment, when they dusted off their backside and said, Never again, and we're going to move forward and we're going to be the Nation to stake that flag on the Moon.

We won because we resolved to do it. We did it with great passion. We did it with intellect. We did it coming together as a people of all sorts of political stripes, and we worked together as one Nation.

□ 2030

You're right, on this given day of 9/11, when we reflect upon those trage-

dies and when our virtues as a Nation—our liberties, our freedoms, our opportunities—were challenged and threatened and numbered us for a moment, we came back with great resolve. Let's show the passion here that we did in the sixties to win that global race in space. Let's invest. Let's go forward. Let's make certain we don't tie the hands of America behind her back. Let's move forward and invest in an economy, in a race that is important to our efforts to maintain our leadership on the international scale.

Mr. COURTNEY. I think, as Moody's indicated, with the fiscal cliff at the end of this year and with the sequestration on January 1, there really is only one place where this can get resolved, and it's right here in this room. There are ideas that are on the table which, I think, clearly show a middle ground—in fact, more than a middle ground—as a way of solving these problems.

The President has put on the table an extension of the Bush tax cuts for 98 percent of Americans that would entirely protect their present tax status with no increase in taxes. Obviously, the cliff will cause middle class families all across America to pay more if there is no action in this Chamber. In fact, it provides for 100 percent of all Americans the extension of the Bush tax cuts on incomes up to \$250,000. Any income above that would revert back to the Clinton era rates. That change would provide about \$1 trillion of deficit reduction for our country at a time when the structural deficit that the Bush tax cuts created is obviously scaring investor services like Moody's.

This is a proposal which is not a 50/50 deal. It's a 98 percent deal in terms of protecting those existing tax cuts, and it's a 100 percent deal in terms of protecting people's taxes up to \$250,000.

Mr. TONKO. A point oftentimes lost. Even millionaires and billionaires would get their tax breaks on a first order of income, \$250,000.

Do you know what stands in the way? If we have to be totally frank here, they want to make certain that millionaires and billionaires continue to get their bonanza of a tax break. Well, do you know what? We know what got us into the economic crisis. We had a tax cut for millionaires and billionaires primarily that was never paid for. We fought two wars off line, off budget. So one of the first orders of business that the President wanted to address was putting together an honest budget. You didn't have the mechanism, the payment mechanism, for the millionaire-billionaire tax cut, and you have to bring that cost of the war into the budget.

We need to move forward with a sound and reasonable approach to economic relief. The middle class has taken it on the chin, and it's their turn. They need to be relieved, and we need to invest in those orders of comeback that will empower our middle class. What I think is, with the efforts

that have been made here in the House, the requests made in the House are very legit: Do what you can afford. Keep the economy going. To me, it's about aggregate demand for goods and services. So, if you relieve the middle class, if you strengthen their purchasing power, if we had that thriving middle class, someone needs to buy your product; someone needs to make your product. If you empower that middle class, it's a formula for success.

As you point out, Representative COURTNEY, it is 98 percent of the general public that will enjoy that empowerment and 97 percent of the small business community. There is a way to go forward with a reasonable approach that really speaks to that strata that needs the most assistance today.

Mr. COURTNEY. Six nights ago, we saw someone get on the floor of the convention in Charlotte, North Carolina, and very methodically and with great clarity explain exactly the points that we're talking about here tonight.

President Bill Clinton, someone who today enjoys a 69 percent approval rating, got on the floor of that convention. While he was President, the public finances of this country came into balance for the first time in over a generation, and 22 million new jobs were created under his watch. If anyone has credibility in terms of a perspective on economic and fiscal policy in this country, it's President Bill Clinton.

What we have talked about here tonight is about reverting to the Clinton era rates on incomes above \$250,000. We know as a Nation that that does not smother and punish success. It will not smother and punish our economy. Those rates were in place when 22 million jobs were created in the U.S. economy in the 1990s.

Today, what's interesting is that Mr. Romney, the Republican Presidential candidate, is very careful not to criticize President Clinton. In fact, he tries indirectly sometimes to even embrace him. Well, he ought to embrace his positions on fiscal policy because, if he did, we could pass a bill on this floor in no time flat, solve the fiscal cliff, defuse sequestration, and get this country back on track with more than just policies: with a new infusion of confidence, both within our country and, frankly, in financial markets around the world, that this place is capable of actually making some decisions and that this place is actually capable of action.

The former President's comments in Charlotte obviously got a rock star reception all across the country because that's what people are hungry for—reasonable solutions coming from people who have demonstrated that they actually can administer and be good stewards of the U.S. economy. I think that, for the Republican leadership of this Chamber to ignore that type of compromise and reasonable approach to solving the fiscal problems we face today is politically very dangerous.

Again, if you really look closely at the Romney campaign, they are loath

to even say anything negative about Bill Clinton or his time in the White House. Do you know what? They're very careful also to avoid talking about his policies, which basically President Obama and the minority here, even with some significant modifications to accommodate the other side, are prepared to move forward on. Let's really, I think, heed the advice that he gave this country six nights ago and move forward with these policies.

Mr. TONKO. Representative COURTNEY, you talk about that event. When he made his presentation, he did that long-term review and a rather shorter focus over the last couple of years—the first term of President Obama's. Yet, when he talked about the track record over the last decade, he talked about 28 years of Republican leadership versus 24 years of Democratic leadership. He talked about the outcome in jobs, and said, under the Republican watch, 22 million jobs, I believe, were created. Under the Democratic watch, there were 42. So, he said, let's look at the record. Let's check the scorecard. Then he did the short-term outcome of President Obama's administration. He was talking about the numbers of jobs created and gave a zero to what the Republicans were advancing in the House.

It's pretty obvious that there is this outcome of success. People constantly refer to the Clinton years now. What happened there? Well, we undid the surplus that was created. We spent down on a tax cut that wasn't paid for. We fought two wars that weren't on line with the budget. It's obvious we know what happened. Why would we give the keys back to someone who drove us into the ditch?

So this whole effort in this administration with 30 now consecutive months of private sector job growth and the President's asking for Congress to move forward with an agenda that has had obvious positive results and its being denied and held up, played with, entered in with poison pills is not what the American public wants. They want those solutions, and they are denying those solutions. I think the do-nothing Republican Congress has caused great pain and has denied progress for the comeback scenario that we so desperately require and that the middle class and all of America so rightfully deserve.

Mr. COURTNEY. Thank you for taking the time tonight to really set the record straight on a lot of these issues. I would note that Bloomberg News actually did a fact check of the Clinton speech the other night and basically came back and gave it a clean bill of health. Frankly, if you contrast that with the speeches that took place in Tampa and if you go to PolitiFact and go through some of the remarks that were analyzed by that Pulitzer Prize winning service and the number of pants-on-fire lies that they ascribed to some of the comments that were made on the floor of the Tampa convention, there is a sharp contrast.

Again, I just want to thank you for taking the time to remind the American people this evening about the fact that there are items that we can move forward on today. Literally, we could reconvene the House here at a quarter of nine on 9/11 and pass a farm bill, pass the postal reform bill, get moving on the Violence Against Women Act, and we could deal with the fiscal cliff if people with reasonable and nonpartisan scorched Earth partisanship came forward and saw what is obvious, which is that the tools are there to fix these problems. Thank you for your leadership and for holding this session this evening.

Mr. TONKO. Thank you, Representative COURTNEY. I thank you for your outstanding leadership. You've been there on the student loan issue. You've been there on the ag reauthorization measure. You've been there on the American Jobs Act.

□ 2040

We know that there has been a formula for success driven by the President for the American Jobs Act. He has asked for Congress to move forward. The Senate has, in a bipartisan way, moved forward with efforts to address a middle class tax cut. The President has asked us to complement that with the American Jobs Act that enables us to move forward with investments in educators, allowing for teachers and class size to be addressed, making certain that our young people, our workforce of the future are able to enjoy that self-discovery, that sense of identity that they require in the classroom. What are their gifts, their passions, their skills, their talents? How can they best contribute their fabric to the American scene?

That is part of the American Dream. That is part of the investment that provides those underpinnings of support, that builds an economy with capital investment, physical investment, human infrastructure investment, all of which are required in order to have the holistic response. With the American Jobs Act formula, the President is saying, Look, we've grown 30 months of consecutive private sector job growth. We've enabled the economy to come back powerfully. We're investing in that order of business.

He's also asked that that public sector element which has been reduced, that has offset some of the progress, has reduced some of the progress because of pain at those State capitols putting together their budgets, he said, Look, let's from a big picture point of view. Invest in educators, in public safety, in police officers, in firefighters, in emergency personnel.

On a day like today where we humbly reflect upon the pain this Nation endured, the loss of lives, nearly 3,000 people impacted by the acts at the Pentagon, in a lonely field in Pennsylvania, and, yes, in metropolitan New York, we are reminded most humbly, most sensitively, most lovingly of that

dreadful moment. And we saw how important our public safety elements are, our first responders, critical to that situation. It showcased a very noble measure in a very painful and dark moment in our history what those role models are, who they are. That's their everyday work. It was showcased in a very magnified way. But every day we reach to their skills, their talents, their strengths.

The President is saying invest in that public safety element, invest in our firefighters, in our police officers, in our emergency responders. He's asking for that in the American Jobs Act. We've done pieces of it, but we need to do the entire package to have the strength that this economy requires for its comeback.

He talks about infrastructure improvements through an infrastructure bank that is part and parcel to the outcome, making certain that our infrastructure is strong and able to move our situation of a comeback. Commerce requires the shipping of freight. It needs the infrastructure. Our communities require that investment in infrastructure; otherwise, they go the way of a property tax or a less progressive tax structure.

We know what needs to be done, and the denial here by the do-nothing Republican Congress is not acceptable. It's painful. It's immoral. It's insensitive. It's un-American. To put partisanship ahead of partnership is unacceptable.

We know that the American spirit requires better than that, so we need to respond to America's working families. We need to respond to the hope that ought to be delivered to the doorsteps of families across this great Nation. Our history is replete with investment, investment to take us to new ages, new elements of success, new impacts on the world scene.

Earlier, I had spoken of the mill towns that became epicenters of invention and innovation. It was their product delivery coming out of the mill towns, out of those 24-hour-a-day operations that impacted the quality of life, not just in these United States, but in nations around the world. People were lifted by discovery and product development in this Nation. And as we move forward, we need to advance our manufacturing agenda, we need to invest in the research, and we need to invest in the innovation.

I'm reminded of some of the incubator outcomes at campuses within the 21st Congressional District in upstate New York in the capital region of Mohawk Valley that I represent, incubators at public and private sector institutions, clean room science activity going on in lab formats at community colleges, working with our nanotechnology industry, our semiconductor industry, advanced battery manufacturing. All of this requires a plan, a holistic plan that allows for the unleashing of talent and opportunity from the American public. Someone before our times invested in our future.

Throughout our noble history, throughout our growth as a Nation, there were those who believed in America and invested in her people. We can ill afford to go back. We can only go forward, as was made mention by the President and many of his administration that were speaking at the convention, many legislators who appeared at the convention and spoke about the agenda to constantly move forward, embracing the American Dream in the process. That American Dream is what inspired so many to journey to this Nation.

We are, in major fashion, a compilation of journeys. Other than our Native American sisters and brothers, it's the immigrant population that traveled to these shores embracing that American Dream, believing in a brighter tomorrow, understanding that if they put their mind and heart and soul to work, that better opportunities would be there, that they could climb the ladders of success, that they would not pull up those ladders when they reached the mountaintop, but extend additional ladders to everyone to climb that ladder of success until they reached that American Dream.

That has been the saga of this great Nation. That has been the profoundness of this Nation, the greatness of this Nation. Why would we change course now? We saw what ill effects came of some bad policy or lack of sound stewardship of our resources. Let's learn from that history, but let's also learn from the history of greatness where America struggled through tough times, faced immense challenges, but powerfully spoke in a way that engaged that American spirit and put it into policy format, resource advocacy, and budgets that spoke to a soundness of a future for America.

Our best days lie ahead if we pursue that agenda that shows its belief and its promise in America's children and working families. The undeniable progress that we can make speaks boldly to us. We've seen an administration reach out to this Congress asking for a partnership, a bipartisan response, one that will allow all of us to share in the great success that can follow. We've seen what happens when we go forward with some of the measures of progressivity.

We have a grid system that was challenged as early as 2003, where we know there is a need for investing in the capacity of that system that was designed for regional utility matters, and now we're wheeling electrons from region to region within States to States to States and from nations to nations. We know that we have to step up to the plate and invest in that utility infrastructure. We know that there are deficiencies in our routine, traditional infrastructure that require our investment.

□ 2050

We know that there's a need for energy transformation so that we can

grow with the American intellect, that intellectual capacity that enables us to provide for the innovation, the American independence, the American security that can be dealt with through renewables, and energy efficiency as our fuel of choice and outstanding discoveries that can be made in a way that are most powerful, and research that equals jobs.

We see it happening all around us, and it's not like we have the luxury to decide not to do it. We're in the midst of an international competition.

And unlike the sixties, where it was U.S. versus U.S.S.R., we are now with many more competitors on the international scene. They are partnering with their governments. They are partnering in a way that provides research monies, incubator space, higher-ed communities that are growing in leaps and bounds while we languish with a do-nothing Republican Congress that wants to promote delay, insert poison pills, or just deny progress in a partisanship way that is not speaking to the American spirit that was imagined and planted by our Founding Parents.

You know, tonight, for this past hour, we as Democrats have enjoyed sharing our thoughts about what a productive Congress could be in terms of shaping our future, what a productive Congress could mean to fairness and justice and equitable opportunity for generations to come.

Our children are watching, they're measuring our actions much more than by our words, more so by the achievements that we can assess. They're watching carefully, and we need to move forward in a way that finds us working together to build consensus. When we insert the "we" in us, it is much more powerful than the "me" in us.

This House has had great moments when they've rolled up their sleeves as Members and have come to the table and said, America beckons. Her people need that sort of response. True leadership will move forward in a way that allows us to enjoy the taste of success.

You know, tonight, as we've talked about the paralysis that has gripped this House, as we talked about the denial that has been part of the outcome that has been demeaning and destructive at times, I reach to the assessment by very nonpartisan congressional scholars, in this case Thomas Mann and Norman Ornstein. They have been, over the years, very much bipartisan in their criticism and critiquing of the behavior in Congress.

I just want to quote from their report:

In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican Party. The GOP has become an insurgent outlier in American politics. It is ideologically extreme; scornful of compromise; unmoved by conventional understanding of facts, evidence and science; and dismissive of the legitimacy of its political opposition.

Tonight I will close with that statement because I think it's a challenge. It's a challenge to us to forget about the unproductive nature of the last several months and move forward with a newfound order of resolve that will enable us to acknowledge that some of the greatest moments in American history came with some of her darkest hours where with that regard, that true American spirit we're able to rise to the occasion, reach to the best intellect and the best temperament of this Nation as she came together in an order of consensus and where our best days followed that sort of agreement.

We can build upon success. We can learn from history, the soundness of history that saw us respond and rise to the crushing situations that gripped this Nation and move forward with a sense of greatness, a sense of accomplishment, a sense of fairness and empowerment and, most importantly, a delivery of hope to the doorsteps of individuals and families across this great Nation. America's greatest moments are truly lying ahead if we can embark upon that challenge before us.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

Mr. TONKO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 12, 2012, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7543. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Craig R. McKinley, Air National Guard of the United States, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

7544. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7545. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's semi-annual Implementation Report on Energy Conservation Standards Activities, pursuant to Section 141 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

7546. A letter from the Acting Director, International Cooperation, Department of

Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 9-12 informing of an intent to sign the Memorandum of Understanding with Israel; to the Committee on Foreign Affairs.

7547. A letter from the Acting Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 8-12 informing of an intent to sign the Memorandum of Understanding with Israel; to the Committee on Foreign Affairs.

7548. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective July 29, 2012, the danger pay allowance for Mali was established based on civil insurrection and terrorism; to the Committee on Foreign Affairs.

7549. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-12-2992); to the Committee on Foreign Affairs.

7550. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to Section 804 of the PLO Commitments Compliance Act of 1989 (title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Pub. L. 101-246)), and Sections 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 (Pub. L. 107-228), the functions of which have been delegated to the Department of State; to the Committee on Foreign Affairs.

7551. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7552. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Department of the Treasury Acquisition Regulation; Internet Payment Platform (RIN: 1505-AC41) received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7553. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's annual report for FY 2011, amended, prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7554. A letter from the General Counsel, Office of Management and Budget, transmitting four reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7555. A letter from the Director, Office of Personnel Management, transmitting the Office's semiannual report from the office of the Inspector General and the Management Response for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7556. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Winchester Engineering and Analytical Center

in Winchester, Massachusetts, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7557. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Medina Modification Center in San Antonio, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7558. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Hanford Engineer Works in Richland, Washington, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7559. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from Titanium Alloys Manufacturing, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7560. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0766; Directorate Identifier 2012-SW-056-AD; Amendment 39-17133; AD 2012-15-04] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7561. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International, Inc. Turbofan Engines [Docket No.: FAA-2012-0195; Directorate Identifier 2012-NE-08-AD; Amendment 39-17070; AD 2012-11-07] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7562. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1165; Directorate Identifier 2011-NM-002-AD; Amendment 39-17030; AD 2012-08-13] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7563. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0566; Directorate Identifier 2011-SW-008-AD; Amendment 39-17065; AD 2012-11-02] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7564. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-1066; Directorate Identifier 2011-NM-050-AD; Amendment 39-16917; AD 2012-01-05] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7565. A letter from the Program Analyst, Department of Transportation, transmitting



the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2010-1115; Directorate Identifier 2010-NM-221-AD; Amendment 39-17111; AD 2012-13-09] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7566. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; WACO Classic Aircraft Corporation Airplanes [Docket No.: FAA-2012-0578; Directorate Identifier 2012-CE-019-AD; Amendment 39-17071; AD 2012-11-08] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7567. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1089; Directorate Identifier 2011-NM-110-AD; Amendment 39-17097; AD 2012-12-17] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7568. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0292; Directorate Identifier 2011-NM-056-AD; Amendment 39-16991; AD 2012-06-10] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7569. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation Turbo-shaft Engines [Docket No.: FAA-2011-0961; Directorate Identifier 2011-NE-22-AD; Amendment 39-17120; AD 2012-14-06] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7570. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Turbo-prop Engines [Docket No.: FAA-2012-0416; Directorate Identifier 2012-NE-332-AD; Amendment 39-17078; AD 2012-11-14] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7571. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2010-0748; Directorate Identifier 2010-NE-13-AD; Amendment 39-17082; AD 2012-12-03] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7572. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Univairst Aircraft Corporation Airplanes [Docket No.: FAA-2011-0360; Directorate Identifier 2010-CE-061-AD; Amendment 39-17082; AD 2012-08-06] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7573. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0802; Directorate Identifier 2012-NM-124-AD; Amendment 39-17145; AD 2011-19-01 R1] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7574. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0490; Directorate Identifier 2012-NM-066-AD; Amendment 39-17159; AD 2012-16-12] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7575. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0291; Directorate Identifier 2011-NM-168-AD; Amendment 39-17158; AD 2012-16-11] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7576. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2012-0423; Directorate Identifier 2011-NM-095-AD; Amendment 39-17156; AD 2012-16-09] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7577. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0185; Directorate Identifier 2011-NM-001-AD; Amendment 39-17143; AD 2012-15-14] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7578. A letter from the Secretary, Department of Health and Human Services, transmitting the Medicare Competitive Acquisition Ombudsman 2010 Report to Congress for 2010; jointly to the Committees on Energy and Commerce and Ways and Means.

7579. A letter from the General Counsel, Office of Compliance, transmitting the Office's biennial report entitled "Americans With Disabilities Act Inspections Relating to Public Services and Accommodations" for the 111th Congress; jointly to the Committees on House Administration and Education and the Workforce.

7580. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting third quarterly report of FY 2012 on the Uniformed Services Employment and Reemployment Rights Act; jointly to the Committees on the Judiciary and Veterans' Affairs.

7581. A letter from the Secretary, Department of Energy, transmitting the Department's "2012 Annual Plan for the Ultra-Deep-water and Unconventional Natural Gas and Other Petroleum Resources Research and Development Program"; jointly to the Committees on Science, Space, and Technology and Natural Resources.

7582. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on Improving Medicare for Beneficiaries" for 2011; jointly to the Committees on Ways and Means and Energy and Commerce.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4631. A bill to re-

quire quarterly reports on agency conferences and meetings, and for other purposes; with an amendment (Rept. 112-664). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. POLIS:

H.R. 6370. A bill to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado; to the Committee on Natural Resources.

By Mr. WALBERG:

H.R. 6371. A bill to amend title 40, United States Code, to transfer certain functions from the General Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title; to the Committee on Education and the Workforce.

By Mr. COFFMAN of Colorado:

H.R. 6372. A bill to require the Department of Veterans Affairs to consider veterans before non-veterans with respect to employment in the competitive service at the Department, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBSON (for himself, Mr. REED, and Mr. OWENS):

H.R. 6373. A bill to amend the Immigration and Nationality to simplify the petitioning procedure for H-2A workers, to expand the scope of the H-2A program, and for other purposes; to the Committee on the Judiciary.

By Mr. GINGREY of Georgia (for himself, Mr. WESTMORELAND, Mr. DAVID SCOTT of Georgia, Mr. LEWIS of Georgia, Mr. JOHNSON of Georgia, and Mr. KINGSTON):

H.R. 6374. A bill to designate the facility of the Department of Veterans Affairs located at 180 Martin Drive in Carrollton, Georgia, as the "Trinka Davis Veterans Village"; to the Committee on Veterans' Affairs.

By Mr. MILLER of Florida:

H.R. 6375. A bill to authorize certain Department of Veterans Affairs major medical facility projects and leases, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SARBANES:

H.R. 6376. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize competitive grants to prepare and train school principals on effective core competencies and instructional leadership skills; to the Committee on Education and the Workforce.

By Mr. CAMP (for himself, Mr. KLINE, and Mr. JORDAN):

H.J. Res. 118. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human

Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OLSON (for himself and Mr. TURNER of Ohio):

H. Res. 777. A resolution commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942; to the Committee on Armed Services.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. POLIS:

H.R. 6370.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting territory or other property belonging to the United States).

By Mr. WALBERG:

H.R. 6371.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. COFFMAN of Colorado:

H.R. 6372.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12, 13, and 14 of the United States Constitution reserves to Congress the power to raise and support Armies, to provide and maintain a Navy, and to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. GIBSON:

H.R. 6373.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 and 4, of Section 8, of Article I.

By Mr. GINGREY of Georgia:

H.R. 6374.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution

By Mr. MILLER of Florida:

H.R. 6375.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, and 18 of Section 8 of Article I of the United States Constitution.

By Mr. SARBANES:

H.R. 6376.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. CAMP:

H.J. Res. 118.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Mr. PASTOR of Arizona.  
 H.R. 498: Mr. HUIZENGA of Michigan.  
 H.R. 615: Mr. PITTS.  
 H.R. 687: Mr. OLSON and Mrs. CAPPS.  
 H.R. 733: Mr. STEARNS.  
 H.R. 860: Mr. SENSENBRENNER, Mr. DANIEL E. LUNGREN of California, and Mr. AL GREEN of Texas.  
 H.R. 905: Mr. ROSKAM.  
 H.R. 941: Mr. SMITH of New Jersey.  
 H.R. 953: Mr. MICHAUD.  
 H.R. 955: Mr. MICHAUD.  
 H.R. 957: Mr. MICHAUD.  
 H.R. 1206: Mr. CRENSHAW, Mr. RIVERA, Mr. KLINE, Mr. CRAVAACK, and Mr. BISHOP of New York.  
 H.R. 1381: Mr. MCGOVERN, Mr. ANDREWS, and Mr. LEWIS of Georgia.  
 H.R. 1404: Mrs. NAPOLITANO.  
 H.R. 1489: Ms. HAHN and Mr. CUMMINGS.  
 H.R. 1564: Mr. COHEN and Mr. RUPPERSBERGER.  
 H.R. 1637: Mr. MCCAUL.  
 H.R. 1684: Mr. CICILLINE.  
 H.R. 1802: Mr. ALTMIRE.  
 H.R. 1831: Ms. BONAMICI.  
 H.R. 1860: Mr. KISSELL.  
 H.R. 1936: Mr. WESTMORELAND and Mr. HARPER.  
 H.R. 2020: Mr. GRIJALVA and Mr. SMITH of New Jersey.  
 H.R. 2088: Mr. LARSON of Connecticut, Mr. BECERRA, Mr. LANGEVIN, Ms. ZOE LOFGREN of California, Mr. PETERS, Mr. WELCH, Mr. PALLONE, Mr. CARNEY, Mr. MURPHY of Connecticut, Mr. HEINRICH, Mr. SIRES, Mr. LYNCH, Mr. TOWNS, Mrs. MCCARTHY of New York, Mr. RANGEL, and Mr. MICHAUD.  
 H.R. 2262: Mr. MICHAUD.  
 H.R. 2263: Mr. MICHAUD.  
 H.R. 2391: Mr. POLIS.  
 H.R. 2394: Mr. GRIJALVA.  
 H.R. 2505: Mr. SMITH of New Jersey.  
 H.R. 2639: Ms. JACKSON LEE of Texas and Mr. MILLER of North Carolina.  
 H.R. 2698: Mr. PETERSON.  
 H.R. 2746: Mr. BOSWELL, Mr. MCGOVERN, and Mr. PASTOR of Arizona.  
 H.R. 2787: Mr. RANGEL.  
 H.R. 2810: Mr. GRIFFIN of Arkansas.  
 H.R. 2866: Ms. SUTTON.  
 H.R. 2914: Ms. WILSON of Florida.  
 H.R. 2969: Mr. RENACCI and Ms. JACKSON LEE of Texas.  
 H.R. 3099: Mr. DIAZ-BALART.  
 H.R. 3207: Mr. MILLER of North Carolina.  
 H.R. 3238: Ms. LEE of California, Mr. TONKO, Ms. KAPTUR, Mr. RUSH, Mr. MCINTYRE and Ms. NORTON.  
 H.R. 3395: Mr. DESJARLAIS.  
 H.R. 3423: Mrs. MYRICK, Mrs. HARTZLER, Mr. RENACCI, Mr. REICHERT, Mrs. CAPITO, Mr. ALTMIRE, Mr. ANDREWS, Mr. LEWIS of Georgia, Mr. KELLY, and Mr. BILIRAKIS.  
 H.R. 3458: Mr. BRALEY of Iowa.  
 H.R. 3481: Mr. GOODLATTE and Mr. MARCHANT.  
 H.R. 3485: Ms. VELÁZQUEZ, Mr. REYES, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. DEUTCH, Mr. DEFazio, Ms. LINDA T. SANCHEZ of California, Mr. LARSON of Connecticut, Mr.

BECERRA, Mrs. LOWEY, Mr. PETERS, Mr. KIND, Mr. CARNEY, Mr. PALLONE, Mr. WALZ of Minnesota, Mr. SIRES, and Mrs. MCCARTHY of New York.

H.R. 3506: Mr. OWENS and Mr. MILLER of Florida.

H.R. 3586: Mr. SMITH of New Jersey.  
 H.R. 3594: Mr. GOODLATTE, Mr. GRIFFIN of Arkansas, and Mr. FINCHER.

H.R. 3595: Ms. WASSERMAN SCHULTZ.  
 H.R. 3612: Mr. DENT, Ms. EDWARDS, and Mr. THOMPSON of Mississippi.

H.R. 3643: Mr. KIND.  
 H.R. 4122: Mr. HONDA, Mr. HOLT, Ms. NORTON, Mr. SCHIFF, and Ms. WOOLSEY.

H.R. 4124: Mr. FARENTHOLD.  
 H.R. 4168: Mr. STARK.  
 H.R. 4169: Ms. TSONGAS.

H.R. 4202: Mr. WATT, Ms. SLAUGHTER, and Mr. HONDA.

H.R. 4215: Mr. AMODEI.  
 H.R. 4229: Mr. OLSON.  
 H.R. 4269: Mr. HUIZENGA of Michigan and Mr. OLSON.

H.R. 4309: Mr. WOLF.  
 H.R. 4336: Mr. PITTS, Mr. PETRI, Mr. DENT, and Mr. AMODEI.

H.R. 4405: Ms. EDWARDS.  
 H.R. 4847: Mr. CUELLAR.  
 H.R. 4972: Mr. YARMUTH and Mr. BACA.

H.R. 5381: Mr. PEARCE.  
 H.R. 5542: Mr. SCHRADER.  
 H.R. 5749: Ms. ESHOO.

H.R. 5787: Ms. LEE of California and Mr. CONYERS.

H.R. 5840: Mr. THOMPSON of California, Mr. BISHOP of Georgia, Mr. MCGOVERN, and Mr. JOHNSON of Georgia.

H.R. 5846: Mr. CRAVAACK, Mr. BENISHEK, and Mr. KISSELL.

H.R. 5850: Mr. YOUNG of Alaska.  
 H.R. 5870: Ms. ZOE LOFGREN of California.  
 H.R. 5893: Mr. SMITH of Washington.

H.R. 5911: Mr. GRIFFIN of Arkansas and Mr. ROKITA.

H.R. 5953: Mr. BUCHANAN.  
 H.R. 5969: Mr. HARPER.  
 H.R. 5970: Mr. HARPER.

H.R. 5977: Mr. RIBBLE and Mr. TIBERI.  
 H.R. 5993: Mr. MICHAUD.  
 H.R. 6043: Mr. SMITH of New Jersey.

H.R. 6086: Mr. LÚJAN.  
 H.R. 6101: Mr. KUCINICH, Ms. RICHARDSON, and Mr. POLIS.

H.R. 6107: Mr. MICHAUD, Mr. COOPER, and Ms. BROWN of Florida.

H.R. 6118: Mr. WALZ of Minnesota, Mr. DUFFY, and Mr. RIBBLE.

H.R. 6136: Mr. FORTENBERRY.  
 H.R. 6149: Mr. HIGGINS.  
 H.R. 6172: Mr. OLSON.

H.R. 6173: Mr. CHABOT and Mr. GIBBS.  
 H.R. 6174: Mr. GRAVES of Missouri, Mr. KINGSTON, Mrs. MYRICK, Mr. MICHAUD, Mr. MILLER of Florida, Mr. ROKITA, Mr. WOMACK, and Mr. MULVANEY.

H.R. 6188: Mrs. CAPPS.  
 H.R. 6211: Mr. WALZ of Minnesota, Mr. DOYLE, Mr. SIRES, and Mr. DOGGETT.

H.R. 6232: Mr. RYAN of Ohio.  
 H.R. 6251: Ms. HANABUSA.  
 H.R. 6283: Mr. THORNBERRY and Mrs. MCMORRIS RODGERS.

H.R. 6310: Ms. WOOLSEY and Mr. POLIS.  
 H.R. 6313: Mr. SHERMAN.  
 H.R. 6342: Mr. BURTON of Indiana.

H.R. 6348: Mr. RIBBLE.  
 H.R. 6352: Mr. LATHAM and Mr. MCGOVERN.  
 H.R. 6365: Mr. WILSON of South Carolina and Ms. GRANGER.

H.J. Res. 47: Mr. RYAN of Ohio, Ms. KAPTUR, Mr. DINGELL, Mr. LEVIN, and Mr. HEINRICH.

H.J. Res. 88: Ms. WILSON of Florida.  
 H. Con. Res. 116: Mrs. MCCARTHY of New York and Mr. NUGENT.

H. Con. Res. 129: Mr. LEWIS of California.  
 H. Res. 319: Ms. BONAMICI.  
 H. Res. 367: Mr. BILIRAKIS.  
 H. Res. 484: Ms. EDWARDS.  
 H. Res. 652: Ms. NORTON.  
 H. Res. 662: Mr. ROSS of Florida.  
 H. Res. 689: Mr. DONNELLY of Indiana.  
 H. Res. 734: Mr. CARSON of Indiana, Mr. OLVER, Mr. ANDREWS, and Mr. JOHNSON of Georgia.  
 H. Res. 760: Mr. NADLER, Mr. BUTTERFIELD, Mr. DOGGETT, Ms. WATERS, Mr. FATTAH, Mr. BACA, Mr. RANGEL, Mr. MORAN, Ms. NORTON, Ms. KAPTUR, Mr. LEVIN, Mr. CONYERS, Mr. DINGELL, Ms. CLARKE of New York, Ms. PINGREE of Maine, Mr. FARR, Mr. WAXMAN, Ms. LEE of California, Mr. GRIJALVA, Mr. CLARKE of Michigan, Ms. EDWARDS, Mr. RYAN of Ohio, Mr. DOYLE, Mr. CARSON of Indiana, Mr.

GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Mr. TONKO, Mr. BRADY of Pennsylvania, Mr. CICILLINE, Mr. FILNER, Mr. LEWIS of Georgia, Mr. HINOJOSA, Ms. BONAMICI, Mrs. MCCARTHY of New York, Mr. OLVER, Mr. HASTINGS of Florida, Mr. LANGEVIN, Mr. TIERNEY, Ms. MCCOLLUM, Mr. HOLT, Mr. AL GREEN of Texas, Ms. RICHARDSON, Mr. DAVIS of Illinois, Mr. NEAL, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Ms. WILSON of Florida, Mr. CUELLAR, Mr. GUTIERREZ, Mr. RUSH, Mr. MCDERMOTT, Mr. PALLONE, Mr. MARKEY, Mr. MEEKS, Ms. SEWELL, Mr. CAPUANO, Mr. SERRANO, Ms. MATSUI, Ms. SCHWARTZ, Ms. WOOLSEY, Mr. WELCH, and Mr. DEFAZIO.

H. Res. 763: Mr. SENSENBRENNER.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 6365, The National Security and Job Protection Act of 2012, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.



United States  
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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112<sup>th</sup> CONGRESS, SECOND SESSION

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WASHINGTON, TUESDAY, SEPTEMBER 11, 2012

No. 121

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the source of our being, on this 11th anniversary of September 11, we pause to remember how You sustained us even through life's tragedies. Recalling the deaths and the injuries, the heroism, and the patriotism, it is easy for us to be thankful for Your presence and power. Continue to guide this land we love on the labyrinthine path to greatness, protecting it from dangers seen and unseen, as You heal its doubts and divisions. Use our Senators for Your glory as our Nation seeks to truly be the land of the free and the home of the brave.

We pray in Your sacred Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 11, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of

Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,  
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED

Mr. REID. I move to proceed to Calendar No. 476, S. 3457.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows: Motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

### SCHEDULE

Mr. REID. Mr. President, the first hour will be equally divided between the two leaders or their designees. The majority will control the first half and the Republicans will control the final half. At 11 a.m. there will be a moment of silence in observance of the 11th anniversary of the attacks on September 11, 2001. The Senate will recess from 12:30 p.m. until 2:15 p.m. for the weekly caucus meetings. At 2:15 p.m. there will be a cloture vote on the motion to proceed to S. 3457, the Veterans Jobs Corps Act.

MEASURES PLACED ON THE CALENDAR—H.R. 8, S. 3522, S. 3525

Mr. President, I am told there are three bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for a second time.

A bill (H.R. 8) to extend certain tax relief provisions enacted in 2001 and 2003, and to

provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

A bill (S. 3522) to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

A bill (S. 3525) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Mr. REID. Mr. President, I object to all three bills that were read for the second time.

The ACTING PRESIDENT pro tempore. The objection having been heard, the bills will be placed on the calendar.

### COMMEMORATING SEPTEMBER 11

Mr. REID. Mr. President, just a short way from this Chamber, in S-209, we have been meeting for many years as a Senate Democratic leadership to discuss the issues of the week. We just finished a meeting there, and part of the discussion today in that meeting was what happened 11 years ago at the exact same time we were meeting there. I can remember that so clearly. I will never, ever forget that. It is implanted in my mind so clearly. I was the first one to get to that meeting, and Senator Breaux from Louisiana came in and said: There is something going on in New York. Let's turn on the TV. And we did. Senators started coming in. It appeared an airplane hit one of the towers, and we were wondering why it would have done that. Something was obviously wrong.

Senator Daschle was the leader at the time. He started the meeting, and the TV was off. The meeting was just getting started, and someone came in to take Senator Daschle out of that meeting. He came back very quickly and said: There is a plane headed for the Capitol, and we all have to evacuate the Capitol—everybody. The alarm went out and people were rushing down these halls leaving. I can remember leaving that room over here and looking out the window and seeing the smoke billowing from what we

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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learned is now the Pentagon. It was on fire; a plane had hit it. There was still one plane in the air, and that was headed for the Capitol. As I have indicated, even though that was 11 years ago, I remember the sight as if it were yesterday. We have many meetings in that room, and I often think of what transpired that morning as I looked out toward the Pentagon.

Over the last decade, our country has begun to heal from the wounds of that terrible, terrible attack. It was attacks by terrorists. The scars remain. The scars are deeper with some than others, but no matter how many years pass, we will never forget the thousands of innocent people who died in New York, Pennsylvania, and across the river here in Virginia. There were mothers and fathers, sons and daughters, brothers and sisters, spouses and friends. All they were doing was their jobs, and others were just catching a plane to go visit loved ones or on a business trip. It is good that we pause each year to pay tribute and to remember, and that will occur here on the Senate floor, as I previously announced. There will also be a ceremony out in front of the Capitol.

The memories of that dark day in our shared history are painful, but they give me hope as well. They give me hope because on September 11 and during the difficult months that followed, Americans showed the world that our unified Nation can fight back against darkness and fear. Democrats were not alone in fighting back. Republicans were not alone in fighting back. We were all fighting back together in the face of great evil, and that is what it was. There were so many who rushed forward to show great courage, enormous dignity, and kindness.

Today we pause to remember the firefighters who rushed into the World Trade Center knowing they might never come out, and a lot of them didn't come out. We pause to remember the police officers and rescue workers who hurried to the scene, combed through the debris, and shepherded New Yorkers to safety. Some of them gave their lives that day. We pause to remember the bravery of the members of our Nation's Armed Forces, our intelligence community, and Foreign Service, as well as the sacrifices of their families. They have borne the burdens of war for more than a decade. They have given their blood, sweat, and too often their lives in the effort to crush al-Qaida, bring Osama bin Laden to justice, and keep America safe. We pause to remember the unbreakable spirit of those valiant people and certainly the United States of America.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### 9/11 REMEMBRANCE

Mr. McCONNELL. Mr. President, in the course of a lifetime, one always remembers those moments of national grief and anxiety. They don't happen very often. From my parents' genera-

tion, it was: Where were you when you heard about the Japanese attack on Pearl Harbor? When I was a young man and my friend the majority leader was a young man, it was: Where were you when you heard about the assassination of President Kennedy? For the current generation, it was, of course: Where were you when you heard about 9/11?

As the majority leader has indicated, it was for us here at the Capitol kind of close up and personal, if you will. I recall being late that morning, and as a result of not yet having gotten to work, I saw, as millions of Americans did, the second plane go into the second building in real time. As the majority leader has indicated, the building was subsequently evacuated. People scattered around town, and at the end of this horrendous and frightening day, we all gathered on the steps of the Capitol to sing "God Bless America." It was one of the most uplifting and unifying moments in the history of our country. I think it is safe to say that we are, as a nation, even though we have our political differences, together and stronger in the wake of what happened.

In what is now a time-honored tradition, later this morning we will gather on the Capitol steps to mark a solemn anniversary of the 9/11 attacks. It is fitting that we remember the thousands of innocent men and women who died that morning 11 years ago and that despite our political differences, we remember the unity and resolve we all felt that day. In the days and weeks that followed the horrific attacks on our homeland, we were united by a common grief and outrage. Some wondered what the future would bring, but 11 years later I think I can say that America is stronger than it was on 9/11.

Today we honor the sacrifice of those who died that day and the millions who have stepped forward to defend the Nation in the Armed Forces and intelligence services in the years since, especially those who have given their lives in that service. On 9/11 we showed the world that America does not shrink from a challenge, and every day since courageous men and women have humbled us through their courage and sacrifice on our behalf. Today is the day to show them our deep gratitude and to renew our commitment to live lives worthy of their sacrifice.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

Under the previous order, the next hour will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from Illinois.

#### REMEMBERING 9/11

Mr. DURBIN. Mr. President, it is difficult to come to the floor of the Senate on this anniversary of 9/11 and not

reflect on your own experience. I was in the same room as the majority leader, HARRY REID, just a few steps from the Senate Chamber when we witnessed the second plane on television crashing into the World Trade Center and realized it was no accident, and then the black smoke billowing over the Mall from the Pentagon suggested we were under attack.

As we evacuated this building and rushed outside, standing, the crowd around, not knowing which way to turn, was looking for a safe place to go. No one knew. Some tourists came up to me and said: We are new here. Where are we supposed to go next? There was no place to tell them to go. We knew Union Station was nearby and the Metro station not far away, but there was no other place to turn.

I might add parenthetically that the decision was made shortly thereafter to build the Visitor Center. It took us years to do it. It is an underground facility which is safe and I am glad we have it. It has been used every single day and is an important addition to the Capitol.

President George W. Bush faced that extraordinary challenge as Commander in Chief and President of the United States to deal with 9/11. There were some aspects of his response which I may have disagreed with, but I certainly commend him still for his leadership in that anxious moment after the tragedy of 9/11. I especially wish to thank him and commend him for reminding us time and time again when he was President that our enemies are not the people of the Islamic religion nor those of the Sikh religion; our enemies are those who corrupt religion in the name of terrorism.

Many people of the Muslim faith in America—good, patriotic Americans—face discrimination simply because those who were perpetrators of 9/11 claim to have shared that religion. It is a good day to be reminded of the thoughtful leadership of George W. Bush in telling us our enemy is not Islam; our enemies are those who corrupt the religion in the name of terrorism.

I also received a note over August from two friends of mine who live in New Bern, NC, Ed and Beth Edmundson. I met them several years ago in Chicago when their son Eric, who is a veteran of the U.S. Army and served in Iraq, was hospitalized in that city. What a story. Eric Edmundson had been serving our country and was injured. During the course of his injuries and subsequent treatment, he became quadriplegic. After months and months of effort, the Veterans' Administration basically told his family there was no place to turn. They said to his father: You are going to have to buy him a wheelchair and find a place for him in a nursing home facility. Eric was a young man, obviously, and married with a little baby at home. His dad and mom showed the kind of courage and love which touches our hearts.

Ed Edmundson said: My son, in his twenties, is not going into a nursing home. I will not let it happen. I am going to find a place that will treat him.

He ended up finding on his own the Rehabilitation Institute of Chicago, which is one of the best hospitals in the world. Eric was a patient there, going through rehabilitation from his injuries he suffered in Iraq. That is when I met his parents. They invited me to come see him. I did, and I promised I would return. I did a few weeks later just to visit, and they said: Eric has a gift for you. Eric, who would smile but didn't speak, was sitting in his wheelchair. His father and mother came over to his side, each grabbed an elbow, stood him up, and Eric took three steps. It was an amazing, emotional moment without a dry eye in that hospital room. They put him back in his wheelchair and his dad said: My son is going to walk out of this hospital in his full dress uniform. He said: Can you make it? We would like to have you there. I said: I wouldn't miss it. Many of us were there. The mayor of the city of Chicago, many elected officials, and all the news cameras were there to watch this heroic young man walk out of the Rehab Institute of Chicago—just a few steps—but in his full dress uniform with a smile on his face. He went home to New Bern, NC. His father literally left his business, the father and mother moved in with Eric, his wife, and baby and tried to make a life for him. The wonderful organizations and people in that community built a home that was wheelchair accessible for the whole family. I went to visit him there in North Carolina. They were taking Eric hunting. He was involved in many things in rehabilitation. They sent a card, a family card with pictures of all of them, and it is a joy to see it.

One of the last things Eric's father asked me to do was to look at a piece of legislation Hillary Clinton introduced but was not passed. It was called the Caregivers Act. The Caregivers Act said if a disabled veteran comes home and has the loving care of a member of the family and can stay home, we should try to help that member of the family by providing them with the training they need to take care of their disabled vet at home, give them a respite with visiting nurses or people from the VA so they can have some time to themselves, and if there is an economic hardship on the family, give them a monthly stipend so they can continue in their home.

I called Senator Clinton and asked her if I could take up the bill now that she was off to the State Department. She said: Please do. I did. Thanks to the great support of Senator DANNY AKAKA and Senator PAT MURRAY, we passed it. The Caregivers Act is now helping literally hundreds of family caregivers across the United States care for their disabled veteran at home. It is helping the Edmundson family and other families I have met in Illinois.

I tell that story because when we talk of the real cost of 9/11, it is not only the massive tragedy of the lives that were lost on that day and the families affected by those lives and those wonderful first responders who risked and gave their lives, but it is also the lives of the men and women in uniform who served us well, many of whom are carrying the scars of war for the rest of their lives—a lifetime—who still will always need our commitment and further devotion to make sure they are taken care of. The Edmundson family in North Carolina comes to mind immediately and so many others just like them as a reminder of what we need to do, the obligations we have as a government to the people who have served us so well in the military.

We have a bill that is coming up and I hope we can, in that same spirit, consider it on a bipartisan basis and pass it. It is an effort to give returning veterans a better chance to get a job. It is a disappointment—more than that, it is a disgrace—that many of these veterans come home and find themselves unemployed and sometimes even homeless. This Veterans Job Corps Act, which is coming before the Senate this afternoon, should pass with an overwhelming vote. This bill is fully paid for, and it is a bill Senator MURRAY has brought to the floor along with the leadership of Senator BILL NELSON of Florida, who has been especially dedicated to this proposal.

President Obama first mentioned it in his State of the Union Address. It includes several veterans employment initiatives such as the improved one-stop shop centers for job searching and smoother State certification and licensing. It authorizes \$1 billion for the Veterans Job Corps over 5 years and \$900 million to employ 20,000 veterans in conservation resource management, historic preservation projects and public lands, and \$100 million for COPS and SAFER grants to hire veterans to serve in capacities as police and firemen. Iraq and Afghanistan veterans are given preference for all these positions.

The bill creates a pilot program to improve veteran job searches by providing veterans with access to the Internet and computers to assist them. It also provides military transition assistance programs to eligible veterans and their spouses at sites outside military installations to make it easier to find a job. Rather than the current uneven State-by-State approach, the bill requires all States, as a condition for receiving veteran employment and training funding, to consider military State certifications and licensing.

How many times have we heard about this? I sure have. Someone who served in the military, driven vehicles, been involved in some technical capacity, and then they come out and have to start from scratch, all over again, in each of our States to qualify for certification for a good-paying job. Let's take into account that they have been

trained by the best military in the world and give them credit for the experience and training they have in the military and this bill does that.

Also, the VA will ensure each State receives funding for at least one disabled veterans outreach program specialist and one local veterans unemployment representative for every 5,000 square miles. That is not too much. It is too little, frankly, but it is an important start.

This bill is paid for and it is a good bill. I hope we can pass it this afternoon in the spirit of 9/11, remembering, sadly, the victims who lost their lives that day and the first responders who gave everything they could give to try to save them; but also remembering those men and women, many of whom were inspired by 9/11 to enlist in our military, to risk their lives—and many gave their lives—over 6,500 to date. It is a reminder that we have an ongoing moral obligation to stand behind those veterans.

I might also add there is a lot of talk about the deficit and cutting spending, and I know that has to happen. I was on the Simpson-Bowles Commission and I understood that if we are going to bring our deficit under control, we have to cut spending, look to real entitlement reform, and raise revenue. If we don't do all three, then, frankly, we will not achieve our goal.

We have seen a budget proposed by the House Republican budget leader, Congressman PAUL RYAN of Wisconsin, the Republican nominee for Vice President, which, unfortunately, does not reach that goal because he preserves tax cuts for the highest income people in this country instead of asking for some sacrifice, some effort that they pay their fair share. He extends spending in the Department of Defense at beyond wartime levels, despite the fact that President Obama has successfully brought the war in Iraq to a close and is doing the same in Afghanistan. We can't do those two things and reach real deficit reduction in a meaningful way and in a timely way. Unfortunately, Congressman RYAN's budget does not pass the basic test of arithmetic.

When we consider important spending such as this veterans job corps bill, I hope we find ways to pay for them to offset, and that when we talk about deficit reduction, we never do it at the expense of our veterans and we never do it at the expense of our national security. I hope we do it honestly, acknowledging the fact that when it comes to the Pentagon, there are areas where we can save money and not compromise our security in any way whatsoever.

I thank the Presiding Officer for presiding at this historic moment. I will mention that at 11 o'clock the House and Senate Democrats and Republicans will gather on the east front for the commemoration of the 9/11 anniversary. We will be in session on the floor. I will be here asking for a moment of



silence as they will at the same time outside.

It is a somber day in Washington as we recall this great national tragedy, but it is a day of great hope because we saw how America responded on a bipartisan basis and the great people who stepped forward and showed such extraordinary acts of courage since that day.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### WIND PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Mr. President, I return to the Senate floor to pick up where I left off when Congress adjourned 1 month ago and that is to continue with my daily efforts to urge this Congress, our Congress, the House and the Senate, to extend the wind production tax credit. I rise before the Senate to discuss an industry that has created tens of thousands of good-paying jobs for American workers and has contributed billions of dollars—literally billions of dollars—to our economy.

I think the Presiding Officer knows this, and all our colleagues should know this: This is an industry that will be in grave trouble if we in the Congress don't act soon—I actually mean immediately—to extend the wind production tax credit.

We return this week to Congress in the wake of really sobering news about recent layoffs of American workers in our wind industry, largely due to our congressional inaction on the wind production tax credit.

I want to be very clear: The wind industry has already begun firing American workers because we have failed to extend the wind production tax credit. It is that simple. You ask: Why? Well, the PTC has been a driver of the wind industry's enormous expansion in the United States, as well as the growing investment in American workers that we have seen in the last several years. This critical tax credit expires at the end of the year, and if we do not vote to extend it, manufacturing facilities may shut down, thousands more Americans will lose their jobs, and the negative economic ripple effect—this is not a positive ripple effect; this is a negative ripple effect—will be felt in communities all across our Nation.

Now, let me be clear in a further way. It has already happened; this is not conjecture. In my home State of Colorado, workers who had good-paying jobs in the wind industry just a month ago when I stood here no longer do. That is right. Over 100 Coloradans were let go of their jobs in the Colorado wind industry just in the last

month. There are more job losses projected to follow. That is sobering to all of us.

On a more upbeat note, I come to the floor to talk about the production tax credit, and each time I have come to the floor I focus on a particular State because there is good news all across our country when it comes to wind energy. Today I want to focus on Vermont where the wind industry has grown faster than in many larger States. As a matter of fact, Vermont has the second highest rate of new wind installations of any State in 2011, growing over 650 percent. That is right, 650 percent growth in Vermont.

Vermont has numerous installed wind projects and wind manufacturing sites throughout the State that currently power over 11,000 homes and enough wind power potential to provide 160 percent of the State's current electricity needs.

One of America's leading wind energy production companies is NRG Systems, which is based in Chittenden County, which is up in the northwestern corner of Vermont. For 30 years, NRG Systems has been a fixture in Vermont's energy and technology industry, and it serves the wind industry in particular by providing developers, utilities, and turbine manufacturers with the tools they need to measure the wind. But with the looming end of the PTC, NRG's future growth in Vermont is uncertain.

This is very clear because for the first time in their history, NRG has had to lay off workers in Vermont, not once but twice this year. Their very capable CEO, Jan Blittersdorf, described these firings as "deeply unfortunate, though necessary . . . to preserve our future in the face of a deeply unstable wind-energy industry."

NRG's orders are off 50 percent from just a few years ago because of our inaction. The uncertainty about wind energy's future has encouraged them to look overseas for new opportunities, which then means we hasten the departure of good-paying jobs for skilled American workers who already are ready to go.

So the point I am trying to make—and I see my colleague from Vermont has joined me; I look forward to hearing his remarks—the wind industry needs certainty. NRG is an example of a company that needs certainty. We can lead the world in sustainable, smart energy, but we have to extend the PTC to stay on track.

As I have said for all these weeks I have been coming to the floor, this is not just about my home State of Colorado. I love my State of Colorado. I think we are the best State in the Union. But our country at large is threatened by the broad losses of jobs if we do not extend the production tax credit.

I am not going to stand by idly and observe the outsourcing of American jobs. I do not want to cede the leadership in the clean energy future to any

of our foreign competitors. That is why I keep coming back day after day to urge my colleagues to work with me to pass the production tax credit.

It is pretty simple. The production tax credit equals jobs. We ought to pass it as soon as possible. It is common sense. We have support from both sides of the aisle.

I mentioned my great friend, Senator SANDERS. He has joined me. I also want to mention the esteemed chairman of the Judiciary Committee, the senior Senator from Vermont, Senator SANDERS' colleague, was unable to join us this morning, but he is a strong supporter of the PTC, and he will be making a statement as well.

So let me close by urging all of us, as soon as possible, to extend the wind production tax credit. Let's not let party affiliation or partisan politics interfere with what is right. Without the wind PTC, more Americans will be out of work, and we will have further neglected our duty to pass common-sense policies that help American workers build a better future for themselves and their families. Every day we do not act is a day that more companies like NRG Systems in Vermont are forced to lay off workers in our country. These companies are then looking overseas for better opportunities. That is just flat-out unacceptable.

Mr. President, I conclude. I want my colleagues to know I will be back on the floor tomorrow to talk further about this opportunity but also this threat. I will be back to talk about jobs, our economy, the need for America to lead in the clean energy space, and the need for Congress to take action today.

I thank the ACTING PRESIDENT pro tempore for his attention.

Again, I want to acknowledge the great leadership of my friend from Vermont. I look forward to hearing his remarks on this important production tax credit.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me begin by thanking Senator MARK UDALL for his continued focus on ensuring that Congress extends the production tax credit. Senator UDALL has been down on the Senate floor time after time after time on this important issue, and we all owe him a deep debt of gratitude. I thank the Senator very much.

I also want to thank him for his very kind words about the NRG company. We hope when the Senator visits us in Vermont, he will see it. They are a cutting-edge company. They are an extraordinary company, and we are very proud of the work they have done and are doing, and we are cognizant of the problems they are facing today, the layoffs they have had to experience because Congress has not passed the production tax credit.

Mr. President, as you know, this important incentive, the production tax

credit, moves us forward in a direction that we must go in terms of producing safe, sustainable energy by providing a 2.2-cent-per-kilowatt-hour incentive for wind energy produced.

Let's be very clear—and I think a lot of people, perhaps, in Congress and certainly all over the country do not fully grasp this. I think some people still think wind is some kind of cute fringe technology which is not very significant in the United States of America. So let's be very clear: Wind accounts for 35 percent of all new electric-generating capacity installed in our country over the last 5 years, more new electricity capacity during that time than nuclear and coal combined. Let me repeat that. Wind accounts for 35 percent of all new electric-generating capacity installed in our country over the last 5 years. This is not some untested fringe technology; it is mainstream.

Wind today is producing electricity at very competitive rates. According to the Department of Energy, wind is producing electricity from between 4 to 7 cents per kilowatt hour. That happens to be far cheaper than electricity produced by new nuclear plants. Today the United States has over 48,000 megawatts of wind, and Texas alone has over 10,000 megawatts. Iowa and South Dakota have achieved the milestone of getting 20 percent or more of their electricity from wind. Once again, this is not a fringe technology. This is a technology that is growing and is cost effective.

In my State of Vermont, we are home to leading wind companies such as Northern Power in Barre and NRG Systems in Hinesburg. These companies sell wind energy products globally and create good-paying jobs in the State of Vermont. The wind industry supports over 470 manufacturing plants nationally and some 78,000 jobs from one end of our country to the other.

If Congress fails to act on the wind tax credit, we could see a hemorrhaging of some 37,000 wind energy jobs in the next year. We have already seen wind job losses in Vermont due in part to the uncertainty. If one opposes the production tax credit, this is what they are saying to construction workers who want to build wind farms next year: Sorry; you are out of work. In the middle of this severe recession, we should not be saying that.

Those opposing the wind credit say Congress should "not pick winners and losers." Unfortunately, for many decades, for better or for worse, Congress has picked winners and losers. That is just the simple reality. One big winner is the fossil fuel industry, which is set to receive over \$113 billion in subsidies over the next 10 years. So when folks come to the floor and say: We do not want to pick winners and losers, we do not want to give tax breaks and tax credits for wind or solar, the truth is that in a 10-year period, the fossil fuel industry will receive over \$113 billion in subsidies.

These subsidies include rather incredible loopholes, such as allowing BP

to take a tax writeoff for the cost of cleaning up their disastrous oilspill in the gulf. Many of these tax subsidies for Big Oil and coal corporations never phase out and never expire.

Another big winner in terms of support from the Federal Government is the nuclear power industry. They get tens of billions of dollars in Federal research and development. They get risky multibillion-dollar Federal loan guarantees for new plants, and they get the Federal Price-Anderson liability insurance program, which has been conveniently extended for over a half a century.

I raise these points to suggest that what we are asking for is fairly modest compared to what the fossil fuel industry and the nuclear power industry receive. It is absurd that Congress continues huge subsidies for the fossil fuel industry, for the nuclear power industry, and yet is resisting providing support for safe and sustainable energy such as wind.

If we are serious about job creation and putting construction workers back to work, if we are serious about reversing global warming and cutting back on greenhouse gas emissions, we must be investing in the growing sustainable energy sector. At a modest cost compared to the huge subsidies for fossil fuels and nuclear, an extension of the production tax credit can provide wind energy companies the certainty they need to invest in job creation in America.

I wish to congratulate Senator UDALL for his excellent work and his leadership on this issue. I look forward to working with him and all of my colleagues so that we extend the production tax credit and create a more level playing field for sustainable energy.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

#### CYBER SECURITY

Mr. COATS. Mr. President, 11 years ago this morning, September 11, 2001, nearly 3,000 of our citizens lost their lives in a senseless act of terrorism that would change the course of America forever. That fateful Tuesday morning changed the way we think about life in America. It changed the way we travel. It changed the way we govern. It changed all of our lives, with some, of course, sacrificing much more than others.

From the first responders who ran into the crumbling buildings and wreckage 11 years ago today to the Navy Seals who brought bin Laden to justice, to the thousands of men and women in uniform who continue to defend our freedom, countless Americans and their loved ones have served and sacrificed in the fight against terrorism for now more than a decade.

The tragic events of September 11 have also resulted in a more vigilant Nation and a more prepared and proactive defense and security operation for the American people. The attack highlighted several vulnerabili-

ties across State and Federal Government that had been ignored for too long, and many of those have been addressed and remedied.

In the aftermath of this tragedy, Congress put aside political partisanship and worked together with the administration and its departments to strengthen our national security and intelligence efforts. Yet today we face another major potential attack on our country different from those we faced before, but just as dangerous and threatening.

It is not a hijacked plane or a bomb, although that remains a significant threat, but it is rather a cyber attack, an attack using the interconnected Internet that governs some of our most critical infrastructure. This type of an attack comes across the wire or through the air targeting a system and taking it down, which would have a dramatic impact on our country.

As a member of the Senate Intelligence Committee, I know that the threat of a cyber attack is real and far reaching. A major attack on our cyber systems could shut down our critical infrastructure, our financial systems, our communications systems, our electric grids, powerplants, water treatment centers, transportation systems, refineries, and other interconnected critical infrastructure that allows us to run our economy and protect the safety of Americans.

Every day American businesses are victims of cyber intrusions. The threat and sophistication of these attacks is growing as we speak. Earlier this year FBI Director Robert Mueller warned that, in the near future, "the cyber threat will pose the number one threat to our country."

The reason I came here today, in addition to acknowledging the sacrifices of those that were made on September 11 and the sacrifices that have been made by tens of thousands if not millions of Americans since then and the kind of effort that has been put in place that will hopefully prevent us from such an attack in the future, is to address a failure on the part of this Congress and administration to respond to this most imminent and threatening attack through our cyber network.

The week before the August recess, particularly in an election year, will, of course, be filled with partisanship here in Washington. But we hit a low point this year in adjourning for the August recess as we rushed to vote to consider a cyber bill, which did not convey the wishes of any of us who had worked for weeks and months to try to put something together that could gain bipartisanship and consensus.

I voted to move forward with the bill, despite my concerns with the legislation, so we could keep it alive over the August recess and return here with this session reopening in September to address this threat. With precious few weeks left before the election and the precious few weeks left after the election and before the end of the year, I

did not believe we could possibly leave here without putting the protections in place that are necessary to provide adequate defenses against a cyber attack on our critical infrastructure.

One-fifth of the Senate, both Republicans and Democrats, met every day for weeks to iron out our differences on this cyber security legislation. We recognized that our national security was at stake. And despite some genuine disagreements, we all participated because we thought we could find—and had to find—common ground; not just common ground among the two political parties, but common ground between industry and government as well.

Industry plays a critical role in this effort. With the active participation of 20 Senators representing both parties and key committees of jurisdiction, we came close. Unfortunately, politics threw a wrench in our plans before a negotiated settlement was reached. I remain hopeful, though, and I plan to keep working with my colleagues to find the right balance between government and industry, standards and incentives, free markets and national security.

I was frustrated to discover that after sitting on the sidelines rather than working with Congress on this critical debate, the President had signaled his desire to regulate cyber security by executive fiat. No one can do this alone—not one party, not government, or industry, and certainly not by executive order, which on its best day cannot begin to provide the robust incentives and information sharing required to achieve sufficient collaboration.

Congress must act to add cyber to its to-do list. I recognize that Congress and this administration have a long list of remaining items to address before the end of the year: the Defense authorization bill, the looming so-called Taxmageddon, which includes the scheduled increase in the current income tax rates, the alternative minimum tax patch, the estate tax, the research and development tax credit, other tax extenders, the fix for physician Medicare reimbursement, the impact of the across-the-board cuts through sequestration, and another impending debt ceiling. All of this is before us with just a little bit of time left. But what needs to be near the top or at the top of this list is cyber security legislation that provides flexibility, preserves personal liberties, and protects our country from a widespread cyber attack. Let's learn from the lessons of September 11 and not wait for a major strike before we act.

Let's work together, Democrats and Republicans, Congress and the White House, government and the private sector, to make our country a safer, more prosperous place. I urge my colleagues to continue to work in a bipartisan manner to bring forward a responsible and balanced cyber security bill. The responsibility falls on all of us. We

know this threat is ongoing and real. We know we need to act. And rather than acting alone, I call on the President to join with the Members of this Chamber and work together to do the right thing, to cast aside partisanship and put the security of our country above political security.

There is a lot of focus and emphasis on the election that lies before us. That is natural. But when we are facing a threat as imminent and as potential and as real as this, we must do everything we can to transcend the politics of the day, and to look at the policy that needs to be put in place to make our country safer and protect our citizens.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN.) The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOMENT OF SILENCE TO OBSERVE THE ELEVENTH ANNIVERSARY OF THE ATTACKS ON SEPTEMBER, 11, 2001

The PRESIDING OFFICER. Under the previous order, the Senate will observe a moment of silence in recognition of the 11th anniversary of the attacks on September 11, 2001.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, at this moment, the majority leader, Senator HARRY REID, and the Republican leader, Senator MITCH MCCONNELL, are gathered on the east front steps of the U.S. Capitol along with Members of the House of Representatives. It is a bipartisan gathering to commemorate the 11th anniversary of the terrible tragedy of 9/11.

On that date the gathering was more spontaneous but reflected a feeling of unity, which all of us felt in light of that national tragedy. Toward the end of that gathering 11 years ago, Senator BARBARA MIKULSKI suggested that Members sing "God Bless America," and they did. Today, during the course of this ceremony, there will be a moment of silence, prayer, as well as the singing of "God Bless America" to celebrate the great effort that has been made by so many to keep America safe and to mourn the loss of those who lost their lives on 9/11.

We remember today all of those who were lost and all those who suffered in the terrorist attacks on America. In their honor may we work to keep alive that sense of unity we felt on that day, and may we do our best to serve the loved ones they left and the Nation they loved.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELLER. I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELLER. Mr. President, today we come together on the floor of the Senate to remember and honor the victims of September 11, 2001.

Only 11 short years ago on this day, enemies of freedom and equality attacked the United States and murdered thousands of innocent people. From this attack, our Nation grew stronger. United by our flag and our beliefs, America rose to defend the homeland and take the battle to our enemies. And it has not been easy. No, it has been a long 11 years of combat in Afghanistan and Iraq.

But our military and its leaders have brought the mastermind of the 9/11 attacks, Osama bin Laden, to justice. And for a decade, America has been safe from the next round of attacks that we all thought were imminent 11 years ago.

None of this could have been accomplished without the brave men and women of our Armed Forces.

On 9/11, the mission of our military changed overnight. Those already enlisted knew they would be heading for war, and many more joined our military knowing that they too would be headed for combat.

From the events of 9/11, the best of America was reborn. A new generation of Americans dedicated to service and preservation of freedom was called to action because of 9/11. These Americans were among the first on the ground in foreign countries. They toppled a dictator, liberated a nation of women and children from an oppressive regime, and brought to justice Osama bin Laden.

Today our overseas operations fighting the war on terror continue. But for many of these soldiers, their tour of duty is over and they are coming home. They are coming home to family and friends and those who love them, but also to a stagnant economy and record high unemployment.

Today, unemployment amongst post-9/11 veterans is 9.8 percent; 192,000 post-9/11 veterans are unemployed, and 443,000 9/11 veterans are not even participating in the labor force. The policy of this Nation to grow the economy is failing these brave men and women who have fought to protect our freedoms—including economic freedoms.

This week the Senate will take up a bill that will provide \$1 billion over 5 years to hire 20,000 veterans. I am proud to support this measure and hope we will have the opportunity to debate it and other job-creating measures before we return home at the end of this work period.

Since coming to the Senate, job creation has been my No. 1 priority. I will

support taking up and debating any measure relating to this issue, especially those that affect veterans. That is why I was proud to reach across bipartisan lines to work to pass the VOW to Hire Heroes Act, and know there is more work to be done. However, it is stunning that we are at this point.

After a \$1 trillion stimulus, bailout after bailout, a new government-run health care program that will raise taxes on all Americans, it is time to look our veterans in the eyes and ask: Is this working? Are this administration's policies working for thousands of unemployed Nevada veterans who have come back from their service to find their homes underwater and their jobs lost in this great recession?

It is not working. The bill we are taking up this week is an acknowledgement that the policies of the past 4 years have not worked. As a result of the failed policies of this administration, Nevada veterans cannot find a job.

Our veterans deserve better. They deserve a good-paying job. That is why I will support this measure that we will hopefully take up this afternoon. But I also know there is much more we can do to provide veterans the opportunities they deserve. In addition to supporting cloture on the motion to proceed to this bill, I will also be filing my Veterans Small Business Protection Act as an amendment. I introduced this legislation, along with Ranking Member BURR of the Veterans' Affairs Committee, to ensure that widows and dependents of servicemembers killed in action are not alone to run a small business while grieving over the loss of a loved one.

Congress has provided numerous benefits to our Nation's veterans who own a small business—sole-source contracting, low-interest loans, and other resources, in order to help these small businesses grow and to create jobs. My legislation closes a large gap in Federal law that does little for those who owned businesses before their activation and were killed in the line of duty. As a Member of Congress, we must honor our Nation's fallen as well as ensure that the loved ones they leave behind have the same economic opportunities as afforded to that veteran. It is a small token that we can provide to those who gave the ultimate sacrifice for liberty.

I hope we will have the opportunity to offer amendments this week as we debate the veterans job corps legislation and encourage my colleagues to support my veterans small business bill.

In closing, our Nation owes a debt of gratitude to our Nation's veterans, and Congress must fulfill the promises and commitments that have been made to all of them. This week the Senate will continue to work toward providing veterans with a good-paying job, and I support that goal. But if we are going to help small businesses create jobs for veterans and all Americans, we must

change the policies coming from Washington, DC, because it is not working.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I want to go ahead on this Veterans Jobs Corps bill. I had anticipated I would be speaking after the chairman of the committee, Senator MURRAY, but I will take the liberty of going ahead, and then with her comments coming as the chairman of the committee, which normally it would be the reverse. And I thank Senator MURRAY for her leadership in all of these veterans issues, but particularly the issue of unemployment among veterans when they come home from the war. Especially among veterans who are age 24 and less, the unemployment figure is even higher.

It is appropriate on this particular day, September 11—11 years ago today—with the fact that those terrorists hijacked the four commercial airlines, causing the crashes at the World Trade Center, at the Pentagon, and in a field in Pennsylvania. What was happening also that morning was that police officers and firefighters and emergency personnel rushed to respond, and many lost their lives in attempts to save others.

The events of that morning mobilized American forces like we had not seen in years. One of the first mobilizations was our U.S. military. They were called to serve bravely in remote corners of the globe.

Eleven years later, the mastermind of 9/11, Osama bin Laden, was taken down, we now have an al-Qaida that is severely diminished, and we are bringing our troops home from that part of the world.

But for the troops, when they come home, the fight is not over. There is another fight when they get back home to America. It is a different type of battle.

The unemployment rate among veterans returning from Iraq and Afghanistan was just under 11 percent in August. It is higher for those who are younger. This problem is likely to continue to grow as we draw down in Afghanistan, as we have already drawn down in Iraq.

It is worth noting that there have been steps made in the right direction. This past summer we passed legislation that will help veterans get Federal occupational licenses when their military training matches the civilian requirements. That was a bill I had the privilege of sponsoring. It passed the Senate unanimously. It was passed by the House overwhelmingly. It was sent down and it was signed into law. Last

year we passed the bill granting tax benefits to companies that hire wounded warriors. But we have to do more.

So we filed this legislation that the chairman of the committee, Senator MURRAY, will further explain. This legislation is to create a Veterans Jobs Corps. It is modeled after the Civilian Conservation Corps of the 1930s. The Veterans Jobs Corps would put veterans back to work restoring and protecting America's public lands and waters. The bill would also create opportunities for veterans to serve as police and firefighters and first responders.

We have had some success on this with smaller scale projects, such as the Veterans Fire Corps pilot program at the U.S. Department of Agriculture, which trains veterans to fight forest fires. In fact, it has been so successful that folks who run these programs say they can hardly keep trainees in the program because they are picked up for full-time employment so fast. So we are expanding this idea from this pilot study that has been so successful. We are expanding it now in the Veterans Jobs Corps.

Ten percent of the money in this bill will go to hiring veterans with specialties, such as those with the specialty of military police going into civilian law enforcement and those with the specialty of medics to be firefighters and first responders.

Not only will this bill help protect our communities, but the Veterans Jobs Corps will help address the Federal maintenance backlog. The National Park Service has deferred maintenance totaling over \$11 billion. This backlog has been caused by the gradual shifting of funding to the operations budgets of the Park Service at the expense of everything else.

For example, at the Civil War battlefield in Fredericksburg, VA, a \$42 million backlog in maintenance is preventing the upkeep of that vital piece of American history.

I am happy to say that a number of organizations have stepped forward to support this bill. The American Legion, the Military Officers Association of America, the Iraq and Afghanistan Veterans of America, and the National Association of Police Organizations—all of them support this legislation.

One of the greatest honors I have in this job as Senator is getting out to meet and to greet current members of our military all over the globe and to thank the veterans back here at home for their service to our country.

When you meet some of these folks, both young and old, they have already done the tough, tough job, and then they come home and they have tough times as well. These folks are hard working, they are highly trained, highly disciplined, extremely skilled. We need to give them as many opportunities as possible to succeed when they get back home here in America.

It is up to us to stand by our soldiers, sailors, airmen, marines, and coast

guardsmen. I want to urge the Senate, when we vote today at 2:15, to grant the motion for cloture so we can take up this bill and quickly pass it so those who have fought bravely for our Nation can find employment when they come home.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, we just heard the Senator from Florida talk about the very important piece of legislation that is in front of us. I wish to thank him for being the lead on this and all the work he has put in it and the passion he has had to make sure our veterans in this Nation have what they need when they come home from these wars.

Last Friday we were again reminded of the difficult employment picture our Nation's veterans continue to face. In the monthly unemployment rate for August, we saw across the country there were 720,000 unemployed veterans. It is a number that includes over 225,000 post-9/11 veterans, many of them who have served multiple tours in Iraq and Afghanistan and have sacrificed time and again for our safety.

This should not be the case. Our veterans have what it takes to not only go out and find work but to excel in the workforce of the 21st century. In fact, the characteristics that our veterans have and exemplify read like the job qualifications you might find at any major company or small business, and that is because they have leadership ability, discipline, technical skills, team work, and the ability to perform under pressure—no question.

They have those skills because as a country we have invested in training them. We cannot and should not let that training or the millions of dollars we have invested in these men and women go to waste. In far too many instances, however, that is what is happening. Too often on the day our servicemembers are discharged, we as a nation pat them on the back, thank them for their service, but we do not give them a helping hand in the job market. That has to end.

The Senate has taken bipartisan action in the past to begin to change the way our veterans do transition from the battlefield to the job market. We were able to pass the VOW to Hire Heroes Act, which I coauthored. That was signed into law last year. Importantly, that law transforms the way we provide transition training to our servicemembers when they leave the military. It includes a provision that in my home State and across the country is providing thousands of dollars in tax credits to businesses to hire our vets.

In addition to that bill, we have also worked to build partnerships with the private sector in order to tap into the tremendous amount of good will that our companies have for our returning heroes. Sometimes this is as simple as working with a company to show them the easy steps that can help bring veterans on board, such as ensuring that they are advertising their job openings with local veterans service organizations and on their local military bases or having veterans in their own H.R. department with whom veterans can identify when they apply for work or having someone on staff who can help translate the experience of veterans into the work that company does.

Time and again, big companies such as Amazon and Microsoft or a lot of smaller businesses I have seen tell me these steps make an impact. But beyond those steps, it is very clear more needs to be done, particularly when the unemployment rate among young veterans who are ages 18 to 24 continues to hover around 20 percent. Action has to be taken because 20 percent is one in five of our veterans who cannot find a job to support their family; one in five of them who does not have an income to provide stability; one in five of them who does not have the work to provide them with the self-esteem and pride that is so critical to their transition home.

This a problem that manifests itself in homelessness, in broken families, and far too often in our veterans taking their own lives. It is a problem that neither the veterans themselves nor government alone can solve. But it is also one that we have to do everything we can to address.

Here in the Senate, that means a bipartisan, all-hands-on-deck strategy. That is exactly what the Senator from Florida is putting forward. Senator NELSON has put forward the veterans job corps bill. What this bill does is, over the next 5 years, it will increase training and hiring opportunities for all our veterans who are using successful job training programs in the country.

It is going to help hire qualified veterans as police officers and firefighters and first responders—by the way, at a time when 85 percent of law enforcement agencies had to reduce their budgets in the last year. It is going to help train and hire veterans to help restore and protect our national, State and tribal forests, our parks and our public lands—at a time, by the way, when we face a \$10 billion maintenance backlog for our public lands. It is a backlog I have seen at home personally in my home State of Washington.

Because training and hiring our veterans has never been seen and never should be an effort that divides us along partisan lines, the veterans job corps bill takes good ideas from both sides of the aisle. In fact, our bill will provide veterans with access to the Internet and computers to help conduct job searches at one-stop centers

and other locations. This is an idea championed by Senator TOOMEY. It is going to help guarantee that our rural and disabled veterans have access to veterans employment representatives. This is a bill that is championed by Senator TESTER, who is presiding over the Senate this morning. It is a good idea. We put it in this bill.

It is going to increase transition assistance for eligible veterans and their spouses. That is a bill that was introduced by Senator BOOZMAN of our committee.

It will require consideration of a veteran's training or experience gained while they are serving on Active Duty when they seek certifications and licenses. That is a bill that is cosponsored by Democrats and Republicans alike. This bill says all good ideas are welcome.

Our veterans need all the help they can get. It is fully paid for in a bipartisan way. It has been endorsed most recently by the National Association of Police Organizations. But there are also a lot of veterans service organizations that stand behind this bill as well. They do so because they know that helping veterans find employment is absolutely critical to meeting many of the challenges they face when they come home.

Our veterans do not ask for a lot. Oftentimes, they come home and do not even acknowledge their own sacrifice. My own father never talked about his time fighting in World War II. In fact, I never saw his Purple Heart or knew he had a wallet with shrapnel in it or a diary that detailed his time in combat until after he died and my family gathered to sort out his belongings.

But our veterans should not have to ask. We should know to provide for them. When my father's generation came home from the war, they came home to opportunity. My father came home to a community that supported him. He came home to college and a job. It was a job that gave him pride and a job that helped him start his family, and one that, of course, ultimately led me to starting my own. That is the legacy of opportunity this Senate, in a bipartisan way, has lived up to for today's veterans.

I urge our colleagues to build on the successes we have had in passing bipartisan veterans employment legislation. Veterans returning home from across the country are watching us. They certainly do not have time to let politics block their path to a job that will help them serve their community. Surely, this is a bill that is something we can show them that we can come together on no matter how close or far away we are from an election.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate recess until 2:15 under the previous order.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:24 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

Hutchison	McCain	Sanders
Inhofe	McCaskill	Schumer
Inouye	McConnell	Sessions
Isakson	Menendez	Shaheen
Johanns	Merkley	Shelby
Johnson (WI)	Mikulski	Snowe
Kerry	Moran	Stabenow
Klobuchar	Murkowski	Tester
Kohl	Murray	Thune
Kyl	Nelson (NE)	Toomey
Landrieu	Nelson (FL)	Udall (CO)
Lautenberg	Portman	Udall (NM)
Leahy	Pryor	Vitter
Lee	Reed	Webb
Levin	Reid	Whitehouse
Lieberman	Risch	Wicker
Lugar	Roberts	Wyden
Manchin	Rockefeller	

NAYS—1

Paul

NOT VOTING—4

Johnson (SD)	Rubio
Kirk	Warner

The PRESIDING OFFICER. On this vote, the yeas are 95, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

VOTE EXPLANATION

• Mr. WARNER. Mr. President, a military career is one of the most honorable professions that our young men and women can pursue, and each of us is indebted to our veterans for their service.

In this challenging economic time, it is more important than ever that we do what we can to connect well qualified veterans not just with jobs, but with careers. Our veterans demonstrate the skills, knowledge, leadership and professionalism that allow them to excel in almost any career field if they are given the right opportunities.

How we treat this generation of military veterans who have served in Iraq and Afghanistan will influence the next generation of young men and women who might consider a career in our military. Unfortunately, we sometimes fall short when it comes to connecting veterans with jobs, and some veterans struggle to find careers that allow them to achieve their full potential.

That is why I have been involved for several months now in a unique partnership of U.S. utility industry leaders to actively recruit and employ returning veterans. Troops to Energy helps our veterans successfully transition from military service into civilian careers in the utility and engineering industries.

Some reports show that a staggering 29 percent of veterans between the ages of 18 and 24 who served in Iraq or Afghanistan were unemployed last year. That is more than three times the national unemployment level and unacceptably high.

We must do better.

That is why I support the Veterans Jobs Corps Act of 2012, which will create additional opportunities for veterans to transition into career fields in which their military skills are readily transferrable.

I am not able to vote on this important legislation today because I am attending the funeral services for a dear friend, but I want the record to reflect

my strong support for this legislation and for our military men and women, their families, and our veterans.●

Mr. SCHUMER. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

FINANCIAL CRISIS

Mr. SANDERS. Mr. President, there has been, appropriately enough, a lot of discussion about our \$16 trillion national debt and our \$1 trillion Federal deficit. This is, in fact, an enormously important issue, and it is an issue that Congress must address. But it must address this crisis in a way that is fair to the middle class and to working families and our seniors and our kids. It is an issue that must be addressed, but it must be addressed fairly.

When we talk about the deficit and the national debt, it is important to remember how we got to where we are today. We can simply go back 10 years or so to January 2001 when President Clinton left office and President Bush assumed the Presidency. At that particular moment in history, in January 2001, I hope everybody remembers not only did this country have a \$236 billion surplus, all of the projections for the future at that point were that that surplus was going to grow and grow and grow. In fact, at that point, this was one of the great debates taking place in Congress: What do we do with all of that money? How much do we give back in tax breaks? How much do we put into Social Security? That was the debate in January 2001.

So before we discuss how we go forward in deficit reduction, with a trillion-dollar deficit, it is important to remember that, and it is important to remember how we got to where we are today.

How we got to where we are today really, in a significant way, is not complicated. President Bush assumed office and within a few years we were fighting not just one war in Afghanistan but another war in Iraq. I hope the American people appreciate that many of the “deficit hawks”—the people who tell us: Oh, gee, we have to cut Social Security and Medicare and Medicaid and nutrition and education; we have to cut, cut, cut, cut—when asked to pay for those wars had nothing to say.

PAUL RYAN, Mr. Romney’s Vice Presidential nominee, chairman of the House Budget Committee, voted for the wars but forgot to pay for them. Nobody knows exactly how much these two wars will end up costing, but the guess is that by the time we take care of the last veteran 70 years from now, those wars may run up over \$3 trillion, and we did not pay for them to the tune of one penny, all put on the credit card, all added to the deficit.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED—Continued

CLOTURE MOTION

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Harry Reid, John F. Kerry, Bernard Sanders, Kent Conrad, Al Franken, Tom Udall, Christopher A. Coons, Mark Begich, Patty Murray, Bill Nelson, Amy Klobuchar, Thomas R. Carper, Robert Menendez, Jim Webb, Kirsten E. Gillibrand, Jeff Merkley, Jack Reed.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans job corps, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from Virginia (Mr. WARNER), are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Florida (Mr. RUBIO).

The yeas and nays resulted—yeas 95, nays 1, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—95

Akaka	Burr	Crapo
Alexander	Cantwell	DeMint
Ayotte	Cardin	Durbin
Barrasso	Carper	Enzi
Baucus	Casey	Feinstein
Begich	Chambless	Franken
Bennet	Coats	Gillibrand
Bingaman	Coburn	Graham
Blumenthal	Cochran	Grassley
Blunt	Collins	Hagan
Boozman	Conrad	Harkin
Boxer	Coons	Hatch
Brown (MA)	Corker	Heller
Brown (OH)	Cornyn	Hoeven



I find it somewhat unusual that many of our Republican “deficit hawks,” who stand here on the floor of the Senate every day and tell us how deeply concerned they are about the deficit all voted for huge tax breaks for millionaires and billionaires to the tune of \$1 trillion over a 10-year period.

Well, you do not give huge tax breaks to the rich and not offset it if you are serious about the deficit and not being hypocritical. Many of my Republican friends, during the Bush years, voted for the insurance company-written Medicare Part D prescription drug program, written by the insurance companies and the drug companies. It is going to cost us about \$400 billion over a 10-year period.

How did we pay for that program? Oh, I guess we did not pay for it at all. Our deficit hawk friends voted for that program, which was good politics, I guess. They forgot to pay for it. Add another \$400 billion to the deficit.

It is important to understand that today, in the midst of this horrendous recession, the issue is not just cuts, cuts, cuts. The issue is that right now, today, at 15.2 percent, revenue as a percentage of gross domestic product is lower than at any time in the last 60 years. Because we deregulated Wall Street—Republicans wanted that; some Democrats wanted that—we allowed investor banks to merge with commercial banks, to merge with insurance companies, and, as a result of the illegal behavior on Wall Street, we were driven into this recession: mass unemployment, businesses go under, less tax revenue comes in, and, at 15.2 percent, revenue today as a percentage of GDP is the lowest it has been in 60 years.

So those are some of the reasons that today we are experiencing a trillion-dollar deficit and a \$16 trillion national debt. My Republican friends will say: Well, you know, Bernie, be that as it may, yes, maybe we should have paid for the wars; maybe we should not have given tax breaks to billionaires when the rich are doing very well; maybe we should have paid for Medicare Part D; maybe we should have not deregulated Wall Street. But be that as it may, that is water over the dam. We are where we are right now. We have got to go forward on deficit reduction.

So what are their ideas? Well, Mitt Romney has not been as clear as I think he should be about his ideas. But we do have a blueprint from our Republican friends in the Ryan budget. As you know, Congressman RYAN is chairman of the Budget Committee. He presented a budget. It was passed by the Republican House. Here is some of what the Republican budget is about.

What the Republicans want to do is to make cuts to Social Security and to raise the retirement age. I want to say a word about Social Security right now. It is an issue I feel very strongly about. I think a lot of Americans do not know this. Social Security, because it is funded by the payroll tax and not the general Treasury, has not contrib-

uted one nickel to our deficits. Social Security today has a \$2.7 trillion surplus and can pay out all benefits owed to all eligible Americans for the next 21 years. In my view, it would be wrong, it would be deeply wrong, to consider cuts in Social Security as part of deficit reduction, because Social Security has not contributed a nickel to the deficit. But our Republican friends support cuts in Social Security. And many of them over a period of years want to move toward the privatization of Social Security.

The Ryan budget would end Medicare as we know it in a 10-year period. What does that mean? What that means is that in 10 years, if you are 70 years of age, you would be given a voucher for \$8,000, as I understand the number. Let's assume that an individual, a 70-year-old, 75-year-old individual walks into a doctor's office, and the doctor says: Joe, Mary, I am sorry to tell you this, but you are dealing with cancer. We are going to have to send you to a hospital. There are a whole lot of treatments you are going to have to undertake. Those treatments are going to cost you tens of thousands of dollars, if not more. That individual then goes to his or her insurance company and says: I have \$8,000 to buy an insurance policy.

What do you think that insurance agent is going to tell that individual when that person is facing tens and tens of thousands of dollars of medical bills? That insurance company's function is to make money. They are not going to say: Oh, sure, give us the \$8,000 so we can spend \$50,000 on health care costs for you. It is not going to happen. That insurance company is going to say: There is the door. Try somebody else. That is going to happen to a whole lot of people.

You can think of what the end of that story is. The end of the story is, if that family, that individual, does not have any money, he or she is going to go to their kids. If they do not have any money, the outcome is not going to be good, because that person simply will not have the treatment he or she needs.

The Ryan budget proposes to cut \$770 billion over a 10-year period from Medicaid. That would result in at least 14 million Americans losing their health insurance and would also cut nursing home assistance in half, threatening the long-term care of some 10 million senior citizens. Many people do not know that. Many people say: Well, you know, Medicaid is for the poor. It is certainly true that millions of low-income kids, deservedly, through the Children's Health Insurance Program, get their health insurance with significant help from Medicaid and State money. But what people do not understand is that Medicaid is also a major contributor toward nursing home care.

I want the average middle-class family to understand that if their mom or their pop develops Alzheimer's or some other very difficult situation, cannot

stay at home, cannot stay with their kids, has to be put in a nursing home, which is pretty expensive, understand that all over this country, Medicaid is putting money into making sure that elderly people can stay in nursing homes with some degree of dignity.

But it is not just Social Security or Medicare and Medicaid our Republican friends are going after. In my State of Vermont, and I am sure in Minnesota, we have lower income working-class kids who no longer can go to college because college is too expensive. We have other young people who are graduating college \$25,000, \$50,000 in debt, unable to find jobs which help them pay off that debt.

In my view, the Pell grant program, which is the major way in Washington we help low and moderate-income kids—I think that is too low; we are not helping enough kids with enough resources. But the Ryan budget would slash Pell grants by about 60 percent next year alone. So if you are a parent or you are a young person in college, that is how they intend to balance the budget.

In the midst of this horrendous recession, older people, lower income people are struggling. It is very easy to forget here in the confines of the Senate, but there are millions of Americans today wondering how they are going to feed their kids tonight, who open the refrigerator, there is no food in that refrigerator, who depend upon food stamps. Half of the food stamp money goes to the elderly and children. They want to make devastating cuts in food stamps.

My main point is pretty simple. The deficit is a serious issue and we have got to address it. But it would not only be immoral, it would be bad economic policy to move toward deficit reduction, to move toward a balanced budget, on the backs of millions and millions of seniors and children and working families who today, as a result of this terrible recession, are already struggling to keep their heads above water. You do not balance the budget on the backs of the most vulnerable people in this country. That is bad economic policy. That is immoral. There are ways to move forward which can achieve the same goals but without hurting people who are already in pain.

What we do not talk about too much in Congress is who is winning and who is losing in the current American economy. I want to bring forth a few facts that I think the American people and my colleagues should be familiar with. That is, No. 1, in America today we have the most unequal distribution of wealth and income of any major country on Earth and worse in America today than at any time since the 1920s. We have in America today—and people should check it out; they may not believe me when I say this. You have got one family, the Waltons of Wal-Mart fame, one family owns more wealth than the bottom 40 percent of the American people. One family owns more wealth than the bottom 40 percent.

And our Republican friends say: That is not enough. We have to give those people, billionaires, even more tax breaks. Today the top 1 percent owns about 41 percent of the wealth of America. The bottom 60 percent—that is a significant majority of the American people added all together—own about 2.3 percent of the wealth of America: Top 1 percent, 41 percent; bottom 60 percent, 2.3 percent.

Common sense and decency would suggest that when a few people have incredible wealth, when a few people are seeing their incomes and their wealth grow rapidly while the middle class is shrinking and poverty is increasing, common sense and common decency suggests that you ask the people on top whose effective tax rate is the lowest in decades to start paying their fair share of taxes before you cut Social Security, before you cut Medicare, Medicaid, education and nutrition programs.

Right now, about one out of four major profitable corporations is paying zero in taxes. We have had instances which I have portrayed here on the floor of the Senate of some of the most profitable corporations in America in a given year paying nothing in Federal income taxes, and, in fact, getting a rebate from the IRS.

Well, before you tell the elderly and children that they have to experience cuts when they cannot afford it, maybe you say to corporate America: Sorry, we are going to end the loopholes you currently are enjoying. Every single year we are losing about \$100 billion in tax revenue because corporations and wealthy individuals are stashing their money in tax havens in the Cayman islands, Bermuda, and elsewhere. They are “patriotic” Americans who love this country so much they are stashing their money abroad in order to avoid paying taxes in this country.

Maybe before you cut education, maybe before you cut back on infrastructure, we make sure that we do away with these tax havens and these tax shelters for millionaires and billionaires and large corporations.

Lastly, we have tripled military spending since 1997. Right now the United States is spending almost as much as the rest of the world combined. We spend over 4 percent of our GDP on the military. Our friends in Europe—many of the countries there provide health care to all of their people, educational opportunities stronger than we do to our people—are spending 2 percent. We are spending twice as much in GDP on defense. Maybe it is time to take a hard look at a lot of the waste and inefficiency that currently exists in the Defense Department.

On my Web site, [sanders.senate.gov](http://sanders.senate.gov), we have a whole list of ways that we can bring in revenue, where we can make cuts which are fair, which protect the middle class and working families and the most vulnerable people in this country.

I am going to do everything I can to make sure we do not go forward in

terms of deficit reduction by punishing people who are already hurting and then giving more tax breaks to millionaires and billionaires. That is bad economic policy. That is immoral. It is not something we should be doing.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MISSILE DEFENSE

Mr. INHOFE. Mr. President, several of us have talked about the tragic terrorist attack on America 11 years ago today. I think we all remember where we were and what we were doing at the time. I remember so well going up to New York to Ground Zero and seeing the people who were involved and talking to the families of some of the firemen who lost their lives. As tragic as that is, I have to ask the question: Is there any doubt that those terrorists, if they had the ability to send a weapon over to the United States, would do that?

I look back sometimes wistfully to the days of the Cold War when it was the USSR and the United States. They were predictable and we were predictable. But it is different. Such concepts as mutually assured destruction at that time were somewhat meaningful and were very effective. It is not effective now because we are dealing with people who want to die. It is a different environment altogether.

On this 11th year, on this particular day, when I think about President Obama's first budget 4 years ago, he did a lot of things I thought were very destructive to our military, and I have talked about that on the floor several times. He did away with the F-22, the only fifth-generation vehicle. He did away with our lift capacity of the C-17. He did away with the future combat system. I think people are aware of that, but something people may not be aware of that happened in that same budget was doing away with the Poland site of the ground-based interceptor.

Think back to the decision that was made in this country that we had to prepare ourselves for Iran having the capability of a weapon that could be sent all the way over to the United States. We have ground-based interceptors in Alaska, all the way down to southern California. So anything coming from the west I feel very comfortable about, but coming from the other direction, coming from Iran, that is not the case. So we recognized some 6 or 7 years ago that we were going to have to have some kind of a ground-based interceptor that would take care of a missile coming from the east. I was part of that. So we did that in both the Czech Republic and in Poland. The Czech Republic had to be willing to

have a radar site and Poland had to be willing to take on Russia, which didn't want them to have this capability, and we put a ground-based interceptor in Poland to take care of anything coming from that direction. We did that, but in his first budget President Obama did away with it. They tried to say that maybe that was not an accurate assessment, but the 2007 NIE—National Intelligence Estimate—concluded that Iran could develop an intercontinental missile capability by 2015. Less than a year later DOD stated in its April 2010 report on Iran's military that they sent to Congress—and I remember this very well:

With sufficient foreign assistance, Iran could probably develop and test an intercontinental ballistic missile (ICBM) capable of reaching the United States by 2015.

That is totally consistent with what they said back in 2007.

In place of the third site, the Obama administration pitched a new missile defense plan, the European Phased Adaptive Approach with an incremental deployment of sea, land, and air versions, and so forth. One thing we all agree on is that the SM-3 Block IB is a short- to medium-range defense mechanism. The SM-3 Block IIA is short to medium range. The one that would take the place and would have the capability of the ground-based interceptor in Poland is the SM-3 Block IIB. That is still a concept. It is on the drawing board. We know Iran is going to have that capability by 2015 and they say maybe a deployment date by 2020. That leaves the United States of America and Europe unprotected for 5 years.

Now, although I say unprotected, there is some level of protection there. They talk about the AEGIS ships; however, in subsequent budgets the President has cut the AEGIS ships in their capability and the number of missiles that they carry to the point where it leaves us still unprotected—not just us but also Europe.

Fast-forward to today and DOD's April 2012 report, the report on Iran, which, again, states:

Iran has boosted the lethality and effectiveness of existing systems with accuracy and improvements and new submunition payloads. Iran may be technically capable of flight testing an intercontinental ballistic missile by 2015.

Secretary Panetta confirmed this. He is the Secretary of Defense. He said earlier this year on “60 Minutes” that he believes Iran would be able to produce a nuclear weapon in about a year, and then it would take them another 1 to 2 years in order to put it on a deliverable vehicle. Again, that is around 2015, leaving a 5-year gap between the date when our interceptors become operational and the date that Iran fields a nuclear ballistic missile capable of threatening Europe and the United States.

In this year's budget request President Obama cut \$250 million from the THAAD system procurement, procuring 36 interceptors instead of 42. He

cuts THAAD fire units from 9 to 6 and cut \$175 million in AEGIS. Again, that is part of the system that would replace the ground-based interceptor in Poland that is already under construction. The SM-3 procurement would be delayed, procuring 29 SM-3 Block IB interceptors instead of 46; in other words, dramatically cutting down our capability at the same time that there could be no doubt in anyone's mind from what I said that 2015 is a realistic date when Iran would have the capability of not just the weapon but a delivery system.

Additionally, the President has failed to plan or program enough AEGIS ships in the budget to provide full coverage. In other words, they can move them around. They have a good rocket capability. I have been supportive of the AEGIS system, but he is cutting down on the number of them. Those should just be there for the protection of Europe and not the protection of the United States.

At the end of President Obama's now infamous meeting with Russian President Dmitri Medvedev on March 26 of this year, President Obama said—*not knowing that the mic was open*:

On all these issues, but particularly missile defense, this can be solved, but it's important for him [incoming Russian President Vladimir Putin] to give me space.

That is President Obama's words. He continues:

This is my last election. After my election, I have more flexibility.

Thinking back 11 years ago at the tragedy that immediately killed 3,000 people in that horrible terrorist attack, again, I ask the same question I asked a few minutes ago: Is there any doubt in anyone's mind that a person would hesitate to come over on a well-orchestrated terrorist attack on America and use a system delivered on some type of vehicle to the eastern part of the United States? I say no. I can't imagine anyone believes that is not a possibility.

As tragic as 3,000 people being killed was, it doesn't take much of an imagination to look at any type of missile hitting a major American city. We wouldn't be talking about 3,000; we would be talking about 300,000 or even 3 million.

I think this is the day, on the 11th anniversary, that we need to take the warning we received 11 years ago and look into the future not just for ourselves—in my case, for my 20 kids and grandkids. We cannot subject ourselves. We need to take care of this horrible gap in our defense of an incoming missile coming from the east as quickly as possible.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. ENZI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### WATCH THE HELPERS

Mr. ENZI. Madam President, since this is a day of remembrance of 9/11, when I started my day this morning, I picked up a book I read from time to time. It is called "One Simple Act" by Debbie Macomber, and it is about gratitude and being generous. The very first paragraph I picked up happens to be about 9/11. It says:

#### Watch the Helpers

After the bombing of the twin towers at New York's Trade Center, the nation was stunned. Parents didn't know what to say to their children. They'd seen such evil things on television that even adults couldn't put the events into any kind of context. When a few parents wrote to Mr. ROGERS, the beloved children's television personality, to ask for advice, Fred Rogers said, "Tell them to watch the helpers." What wise advice. I've thought about his answer many times. When tragedy hits, don't focus on the faces of pain and horror. Let your eyes follow those who are rescuing, feeding, healing, sweeping, comforting, and rebuilding. On 9/11, it was the selfless firefighters who took center stage. They will be remembered long after the evildoers are forgotten.

What good advice: Watch the helpers.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONGRESSIONAL REVIEW ACT

Mr. HATCH. Madam President, I rise today to speak to an issue that threatens the very viability of the U.S. Senate.

Last July the Obama administration, using the flimsiest of arguments, granted themselves the authority to waive the Federal welfare work requirements. Whether or not what the Obama administration intends to accomplish with these waivers is good welfare policy has been the subject of robust debate.

I am not here to argue the merits or lack thereof of the underlying welfare policy goals of the Obama administration. What I am here to do is to make a plea to my fellow Senators: as Senators, we simply cannot let this action stand.

If we fail to stand together as Senators in defense of our constitutional duty to be the ones to draft legislation, we might as well pack our bags and go home because we will have opened the door for this administration and future administrations to unilaterally decide they can waive precedent, congressional intent, and actual legislative language on which Senators have scrupulously debated and compromised.

If we do not stand together as a Senate, we will be ceding our authority to the executive branch. The longstanding implications of this could possibly ex-

tend to welfare, Medicare, Medicaid, disability policy, child welfare, and Social Security Programs. Allow me to elaborate.

According to the Obama administration, because section 1115 of the Social Security Act allows them certain waiver authority over section 402 of the Social Security Act, which deals with a State's welfare plan, and section 402 cites section 407, then the administration has waiver authority over section 407, which enumerates State welfare work requirements.

This doesn't make any sense.

I have been a leader in the Senate on welfare for nearly two decades. I helped draft and manage the floor during the 1996 overhaul of welfare. Five years later, I worked across the aisle with John Breaux of Louisiana and others to craft the so-called tripartisan proposal for welfare reauthorization. The Breaux-Hatch proposal became the basis for the Senate Finance Committee bill that was marked up in the summer of 2002.

Much of the work Senator Breaux and I accomplished made its way into the Personal Responsibility and Individual Development for Everyone bill—the so-called PRIDE bill—that was reported twice out of the Senate Finance Committee.

In all that work on welfare, not once—not one time, not ever—was there any discussion of allowing States to waive State work requirements. If anyone had raised it, Republican or Democrat, they would have been laughed out of the room—and for good reason. The crux of the deal and the most integral feature of the 1996 act was to give States flexibility to design their own welfare programs but also require them to meet meaningful performance measures. The idea that anyone would contemplate allowing States to waive these performance measures would have been preposterous, even ludicrous.

So allowing the executive branch the authority to waive welfare work requirements has never, ever been a part of any discussion of welfare reform.

The concept of the executive branch having the authority to waive the 1996 welfare work requirements also did not occur during the previous two administrations. It just never came up because no one thought it was possible.

The administration likes to point to a 2005 letter from Governors in support of the PRIDE bill as justification for their unprecedented action, but what they fail to note is that this letter was not sent to President Bush, it was sent to Members of Congress, who, the Governors correctly believed, were the only ones with the constitutional authority to give the States flexibility.

This point bears repeating: Until the July 12 informational memo to States, no one ever thought the executive branch could waive welfare work requirements. I would even venture to speculate that the Obama administration itself does not seriously think it

had the authority to waive welfare work requirements, and here is why I suspect this is the case.

One of the few bipartisan bills that was actually enacted during the 112th session of Congress was legislation I wrote with my partner on the Senate Finance Committee, Chairman BAUCUS. This legislation—the, “Child and Family Services Improvement and Innovation Act”—included a provision I drafted that allowed the Department of Health and Human Services the authority to grant certain child welfare waivers. It specifically allowed HHS to waive provisions included in Title IV-E of the Social Security Act. Congress gave HHS that authority because the Congress had been asked by States for flexibility to waive certain provisions of Title IV-E and because, just as everyone assumed the executive branch could not waive section 407 of the Social Security Act, no one believed they could waive Title IV-E of the Social Security Act.

But if we go and look up section 402, just as there is a reference to section 407 contained within that section, so, too, is there a reference to Title IV-E. If the administration really believes in their heart of hearts they have carte blanche to waive whatever is even mentioned in section 402, why did they have to wait around for Congress to give them that authority? The answer, of course, is the Obama Administration never had the authority to begin with, and I believe even they know that to be true today.

The real issue, beyond the rhetoric, is that if the Senate lets this action stand unchallenged, if the Senate does not speak as one body, united, then our inaction will embolden this administration—and future administrations, I might add—to bypass the constitutionally mandated job of the Congress to enact laws whenever it suits their pleasure or political aims—in other words, to take over the legislative function.

The Congress does not have many tools in our toolkit to thwart administrative overreach, but one of those tools is the Congressional Review Act. The CRA, as it is referred to, allows for Senate fast track authority to disapprove a rule that is submitted from an agency in the event an administration attempts to circumvent the CRA by issuing other forms of guidance that should have been submitted as a rule. The Government Accountability Office, which has standing with our Senate Parliamentarians, can determine that an agency action meets the definition of a rule as established by the Administrative Procedures Act and that therefore the CRA applies.

Last July Congressman DAVE CAMP, chairman of the Ways and Means Committee, and I asked the GAO to determine whether the so-called guidance to States submitted by the Obama administration was a rule and applicable to the CRA. Last week Chairman CAMP and I received word the GAO had deter-

mined that the welfare waiver policy was, in fact, a rule and subject to the CRA. This week both Chairman CAMP and I will introduce resolutions of disapproval under the CRA for the administration’s welfare waiver policies. The House will mark up and pass their resolution this week. The Senate can act, under fast track procedures which limit debate during the week of October 1, 2012.

I have taken the floor today to ask that the Senate pass my resolution of disapproval on a unanimous vote.

It is imperative that we send the executive branch the unambiguous signal that the Senate’s ability to craft legislation—to do the work tasked to us by the Constitution—will not be trifled with by this or any other administration. If the Senate does not speak with one unified voice on this issue, then I firmly believe we will have forfeited our relevance in future debates over welfare, Medicare, Medicaid, foster care, and Social Security, just to mention a few.

If any administration can capriciously deem themselves to have unlimited waiver authority over anything mentioned in provisions referred to in section 1115, then the Senate is, for all intents and purposes, irrelevant. Sure, we can have our debates and develop our expertise and write our laws, but, colleagues, that won’t mean a hill of beans if an administration can come along and just waive everything we have worked so hard to get right. Colleagues and friends, we just can’t let that happen.

I know that many in this Chamber support President Obama. I know also that many of these same Senators wish he had not taken this action. But as Members of what I still believe is the greatest deliberative body in the world, we have to put partisanship aside for the greater good of the Senate. If Senator Byrd were sitting here today, I cannot imagine he would allow this to happen. And I can’t imagine anybody on the other side will allow this to happen.

We have to send as strong a signal as possible that administrative overreach will not stand; that no matter what our political persuasion, the Senate stands together and we will speak with one voice to say in no uncertain terms that we will not be ridden roughshod over, that our constitutional rights as lawmakers will not be trampled on, and that we will do everything in our power to preserve and defend these rights.

To that end, I urge colleagues to support my efforts to stop this unprecedented executive overreach. Support the resolution to disapprove. Support the Senate. Let’s stand up for this body. Whether you are a Democrat or a Republican, we have to make it clear to the other two branches of government that we have certain rights and we have certain powers that no President and no court can overrule. It is important that we stand up on this issue. If we don’t, I hesitate to say

what could happen in the future. It ain’t gonna be pretty. All I can say is that this is an important issue, it is one every Senator in the Senate ought to consider important, and we ought to set partisanship aside and do this in the best interest of the Senate and in the best interest of our legislative ability to act.

I suggest the absence of a quorum.  
The PRESIDING OFFICER (Mr. BROWN of Ohio). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ROMNEY-RYAN BUDGET

Mr. HARKIN. Mr. President, I come to the floor to talk again on the devastating so-called Ryan budget—which, of course, is now the Romney-Ryan budget. I will speak about that very shortly, but I also want to focus some attention on how the Ryan budget is preventing us from getting a farm bill this year. We have a farm bill we passed in the Senate, but the House can’t get it done. Earlier this year the Senate passed a bipartisan farm bill. It had broad support from Republicans and Democrats, all the farm groups, consumer groups, and environmental groups. With all of that support, one would think it would be easy for the House, but the House has not followed suit. Unable or perhaps unwilling to bring the farm bill to the House floor, they similarly refuse to take up the Senate bill. As a result, our farm policy has languished at a time when farm country is literally burning up because of a drought.

As I understand it, the House is going to adjourn this week and go home without taking any action on a farm bill and leave our farmers and ranchers in the lurch when all the House needs to do is take up the Senate-passed bill, pass it, send it to the President, and he will sign it. Again, we passed the bill here with Republicans, Democrats, all the farm groups, consumer groups, and environmental groups supporting it. We even made a \$23 billion contribution to reducing the deficit in the farm bill.

Well, it seems worth noting that one of the reasons the House can’t act is seemingly because of the Ryan budget, which, of course, we know is just a proposal. The House has passed it. I think they voted on it 34 times, if I am not mistaken.

The Ryan budget calls for draconian cuts to our Federal nutrition programs; that is, the SNAP program, otherwise known as food stamps. It helps low-income families and families with maybe a modest income. Maybe they lost a job and are in transition and need support for 1 or 2 months before they get back on their feet. It helps with summer feeding programs for kids, feeding programs for low-income

elderly, and feeding programs that go to daycare centers. In other words, we have an abundance, and we are going to use this abundance to help make sure no one goes to bed hungry and people have adequate nutrition in our society.

Well, the Ryan budget made a draconian cut in the nutrition programs. Many of the House Republicans are saying they will not support a farm bill that doesn't have those draconian cuts, which I am proud to say the Senate bill does not have.

I hasten to add, as the former chair of the Senate Agriculture Committee, I long advocated cutting wasteful agricultural spending. For years I led the effort to get rid of direct payments, which the Senate bill does finally, and contributes, as I said, \$23 billion in deficit reduction. So I think this situation shows what the Ryan budget is. It is emblematic of the Ryan budget.

Not only is the Ryan budget devastating for working and low-income Americans, but its insistence on cutting benefits for low-income Americans is getting in the way of setting commonsense policy for our farmers and ranchers as well. It is remarkable that so many people in the House in the middle of a drought would say: I am not going to vote for a farm bill that is important to our farmers and ranchers; I will not vote for it unless I can cut nutrition benefits for tens of millions of struggling Americans.

That is what the House Republicans are saying: They will not vote for a farm bill that will help our farmers and ranchers and is supported by every major farm group, all the consumer groups, the environmental groups, and it is supported in the Senate by a lot of Republicans. It is a bipartisan bill supported by the ranking member of the Agriculture Committee, Senator ROBERTS of Kansas, former chair of the Agriculture Committee in the House. We passed that bill and yet the Republicans in the House are saying unless we have these draconian cuts to nutrition programs they will not pass the farm bill.

That is the kind of "my way or the highway" attitude of the tea party Republicans in the House. If they can't have it their very narrow way, they will not let the rest of the House act. They will not take up a bipartisan bill passed by the Senate.

Well, it is stunning what the House is refusing to do in refusing to pass a farm bill. All I can hope is that someone over there comes to their senses and gets that farm bill through before they adjourn and go home.

Now, since we recessed around the 1st of August and just came back yesterday, our colleague on the House side, Congressman PAUL RYAN, has become the Vice Presidential nominee for the Republican ticket under, of course, Governor Romney, who has the nomination for President. Congressman PAUL RYAN is not an unknown entity and not an unknown quantity. He has been around a long time. He has been

chairman of the House Budget Committee, and he has put forward the so-called Ryan budget twice.

Well, what is a budget? A budget is a blueprint. It is like in order to build a house, one has to have a blueprint. Well, a budget for a city council is a blueprint for what they want to do for the city. A State budget talks about how the State is going to move. It is forward looking. What are we going to do in the future? The Federal budget is the same way. It is our blueprint. It is a blueprint for how we are going to move our country forward.

We have the Ryan budget. I think it is fair for us to take a look at that blueprint and let the American people know just what is in that budget. We face a fundamental choice in this year's election: Are we going to restore, rescue, and rebuild a struggling middle class or are we going to ship even more of our wealth and advantages to those at the top at the expense of the middle class?

Well, Republicans made it clear where they stand. They did so when nearly every Republican in Congress voted for the Ryan budget plan, and Governor Romney embraced the Ryan budget as "marvelous." As I said yesterday, that is not exactly a word I think most Americans would use to describe something they liked, but I suppose if one is having tea at the Ritz and they are in that class of Americans, well, they might use the word to describe it as "marvelous."

At the very centerpiece of the Ryan budget is a dramatic shift of more wealth to those at the top. It targets huge new tax cuts for those at the top. Here is what it would do: \$265,000 more per year for someone making over \$1 million a year in income. That is on top of the \$129,000 they are already getting from the Bush tax cuts. The Ryan budget would extend the Bush tax cuts and put \$265,000 on top of that \$129,000, which comes to around \$400,000 a year if someone is making over \$1 million a year.

We are going to hear a lot this fall about entitlements and cutting entitlements. Oh, we have to get a handle on entitlements. When they talk about entitlements, mostly Republicans talk about those programs that go to help people who are at the bottom rung of the ladder. They are talking about things such as the SNAP program, the nutrition assistance program or they are talking about job training programs or maybe title I. I will talk about education in a minute.

What about this entitlement? This is an entitlement: If a person is making over \$1 million a year, under the Ryan budget they will be entitled to over \$400,000 a year in tax cuts. What about that entitlement? No one wants to talk about taking away that entitlement, but that is an entitlement.

The Republican tax cuts would total \$4.5 trillion over 10 years. Well, how do they pay for it? They don't want to say, but budget and tax experts under-

stand this game very well. The Republican budget would partially offset these tax cuts by making deep and Draconian cuts that undergird the middle class and essentially the quality of life in the country—everything from education, student grants and loans, law enforcement, clean air and clean water, food safety, medical research, highways, bridges, and other infrastructures.

Lastly, the Republicans offset these new big tax cuts for those at the top by actually raising taxes on the middle class. You heard me right. The Ryan budget would actually raise taxes on the middle class. The Nonpartisan Tax Policy Center estimates that under the Republican plan middle-class families with children would see their taxes go up on an average of more than \$2,000 a year.

The bottom line is the Ryan budget does not reduce the deficit. The Ryan budget has a deficit for the next 28 years. The savings they gain is by cutting all of these programs that undergird the middle class and by raising taxes on the middle class. Basically, the lion's share of that is going to go into tax cuts for the top wealthiest Americans.

The truth is Representative RYAN is not interested in balancing the budget. Even under the best assumptions his budget would not balance until 2040, 28 years from now. As I have said, Mr. RYAN is obviously an acolyte of former Vice President Cheney who once said in a kind of unguarded moment that deficits don't matter. Remember that? Vice President Cheney said that. Obviously, George W. Bush and his administration took that to heart because we had the biggest deficit in history for the 8 years George W. Bush was President.

RYAN doesn't care about deficits. He only cares about tax cuts for the wealthy. They just believe if we give more and more to the top, it will magically trickle down on everyone else. We know that doesn't work.

The Romney-Ryan Republican plan is extreme and unbalanced. I am not making this up. You don't have to take it from me. Even former House Speaker Newt Gingrich criticized the House budget. He called it "rightwing social engineering." That is what Newt Gingrich called it, "rightwing social engineering." Newt got that one right.

The aim of Representative RYAN is to use the deficit crisis as a pretext for degrading and dismantling everything from Medicare and Medicaid to education, environmental protection, workplace safety, medical and scientific research, and on and on. Again, he doubles down on the theory that if only we give more to those at the top, it will magically trickle down.

Today I would like to focus specifically on the devastating impact of the Romney-Ryan budget on education. It is an unprecedented assault on education funding and a grave threat that this poses to school reform efforts across the United States.

I have the unusual perspective on this issue as both the chair of the appropriations subcommittee that funds our Federal education programs—and I might point out that for the last 23 years I have either been the chair of that appropriations subcommittee or a ranking member; I have been on that subcommittee since 1985—and I am also now the chair of the Health, Education, Labor, and Pensions Committee, which authorizes the education programs, and I have been on that committee since 1987. I have served under distinguished chairmen such as, Senator Kennedy, Senator Kassebaum, Senator Jeffords, Senator Gregg from New Hampshire, and Senator ENZI. Now I chair it. So for all of these years I have been on both the authorizing committee and on the appropriations subcommittee.

I must say I have been heartened by the exciting work being done in schools across the country to improve the quality of instruction for our students to close the achievement gap and graduate more students who are both college and career ready. Forty-five States and the District of Columbia have collaborated to create high-quality, common education standards, common core standards. The Obama administration's Race to the Top initiative has jump-started ambitious State-level reforms to turn around the Nation's lowest performing schools. In the HELP Committee, which I chair, working with Senator ENZI this year, we reauthorized on a bipartisan basis the Elementary and Secondary Education Act. Positive changes are happening in America's schools. However, it is wishful thinking to continue to expect improvements if we continue to lay off tens of thousands of teachers, increase class sizes, and reduce instructional time.

As I said, Senator ENZI and I worked very hard to get a reauthorization of the Elementary and Secondary Education Act through our committee on a bipartisan basis, but we have been unable to get it on the floor, so we will have to do it again next year. But if we look to the Ryan budget, we will be laying off tens of thousands of teachers and we will increase class sizes and reduce instructional time. Is that where we want to go as a country?

As I said, this plan, which has been embraced by Governor Romney, would cut nondefense discretionary spending by 18.9 percent in fiscal year 2014—not this upcoming fiscal year but the next fiscal year. Let's take a look at what a cut that size would mean for Federal education programs. Let's take a look at title I. People ask: What is title I? It is the cornerstone of the Federal Government's support for elementary and secondary education in this country. The purpose of title I—and, by the way, it has been in the law since 1965; a great society program, I might add, which has done a world of good for our schools all across America. The purpose of title I is to help all students, especially those from disadvantaged

backgrounds, meet high academic standards. Title I money goes to more than 90 percent of the Nation's school districts. Schools have a lot of flexibility with title I funds, but they use the money mostly to pay the salaries of teachers and teachers' aides who are helping students in danger of falling behind.

Under the Romney-Ryan budget, more than 10,000 schools across the country could lose their title I funding in fiscal year 2014. More than 37,000 teachers could lose their jobs. Not only would this hurt students, it is going to put more people out of work.

This title I program is about \$14.5 billion a year. It is a national program. What we basically said in 1965 and we have said every year since is that elementary and secondary education is basically a local and State function. But we want to come in and help those areas that have low tax bases, a high proportion of underprivileged kids and low-income families. We want to come in and help them because there is one thing we know: A poorly educated child in one State will not necessarily grow up to be a burden in that State; that child can move to another State. So as a national policy, we said in 1965 and we have every year since, under Republican Presidents and under Democratic Presidents, Republican Congresses and Democratic Congresses, we have said title I is an important national program. Under the Ryan budget, if enacted, more than 10,000 schools would lose their title I funding.

Let's take a look at another important education program—one particularly close to me—and that is the Individuals with Disabilities Education Act. Again, this has been in the law since 1975. The funding for this is about \$11.6 billion a year. Again, under the Romney-Ryan budget, States could lose funding for approximately 25,000 special education teachers, aides, and other staff serving children with disabilities, again, in the year 2014—25,000 just in 1 year, the year 2014. This is special education teachers.

Again, I wish to remind everyone, and I have said many times here before, that States are required to provide a free and appropriate public education to students with disabilities. A lot of people say this is a Federal mandate. This is not a Federal mandate; it is a constitutional mandate. Even if the Federal Government didn't provide one nickel to any State for IDEA, the State would still have to provide a free, appropriate public education because the courts have decided that if a State provides a free public education for its students, it cannot discriminate. Before they said they couldn't discriminate on the basis of sex, national origin, race—*Brown v. Board of Education*—and under *PARC v. Pennsylvania*, another case, they said we can't discriminate on the basis of disability. We can't say we are going to collect taxes from all these people, but this family with the kid with a disability,

they are out, and that kid doesn't get an education. We said that is unconstitutional, and I think all would recognize that. So States have a constitutional requirement, if they provide a free public education, to provide that free, appropriate public education to kids with disabilities. Even if Federal funding was cut, the States would still have to pay for it. They have to educate their students with disabilities.

If the Romney-Ryan budget were to pass, then what would happen is we would offload this cost of education to the States. What would happen? State and local taxes would go sky high. States and communities would still have to pay their special education teachers. If they are not getting enough from the Federal Government, they will have to find their own tax revenues to make up the difference. Just keep in mind, under the Romney-Ryan budget, approximately 25,000 special education teachers would not be funded under IDEA in 2014. Think about that.

Let's turn to higher education. Since 1972, we have provided what has been known as Pell grants, named after former Senator Claiborne Pell. Pell grants are for students who want to go to college. They qualify for these grants because of low income. Another one of those terrible entitlements, right? If a person is low income and they want to go to college, they get a Pell grant. It has been a lifesaver for so many families who otherwise could not afford to send their kids to college.

As we all know, a college education now is more important than ever. New jobs in every industry from manufacturing, construction, health care, and public health administration require workers who have the skill and the education. Look what happened in the recent recession. Workers with a college education have led the economic recovery. People with a bachelor's degree or better have gained 2 million jobs since the end of the recession. Meanwhile, workers with only a high school diploma or less have lost more than 230,000 jobs. There are over—I just saw it printed today—about 2 million jobs in America that are there but are not being filled because of lack of qualification for workers. That is education. So one would hope the Romney-Ryan budget, which they tout as being for creating jobs, would put a high priority on getting people into college, but it does just the opposite. In fiscal year 2014, nearly 10 million students could see their Pell grants fall, on average, by more than \$1,000. Again, under the Romney-Ryan budget—this is an average, the current average award is \$3,831. Under the Romney-Ryan budget in 2014, in one fell swoop it would go down to \$2,599. For some students, that cut could mean the difference between whether they pursue higher education or not.

Let's go to the other end of the education spectrum. I started out talking about elementary and secondary and



high school and then I talked about college Pell grants. Let's look at preschool. Back in 1992, the Council on Education Funding, consisting of mostly CEOs from large corporations, came out with a study and a report on education as to what did business in America need in the future looking at education. They spent 2 or 3 years having hearings, investigating, and doing all that kind of stuff. This is a report from the business leaders of America. What did they say in that report? They said education begins at birth and the preparation for education begins before birth. The whole finding was we need to put more into preschool education. That was 20 years ago.

Last year, the U.S. Chamber of Commerce—20 years later—came out with another study. This is the U.S. Chamber of Commerce. These are not social scientists; these are businesspeople. The U.S. Chamber of Commerce report said we have to put more money into preschool education. We, at the Federal level, have been doing that through a program called Head Start. We have had Head Start, I think, if I am not mistaken, since about 1968. High-quality, early childhood education has been proven to save taxpayer dollars in the long run by reducing the cost for welfare, special education and, might I add, criminal justice—read that “jail time.” One of the highest correlating factors—in fact, if I am not mistaken, the highest correlating factor for people who are incarcerated in our prisons is the lack of a high school education.

Under the Romney-Ryan budget, up to 200,000 low-income children and their families could lose access to Head Start—again, in fiscal year 2014. I am not talking about over the next 10 years, I am talking about in 1 year. We have about 970,000 children in Head Start today. In 2014, 200,000 would leave if the Romney-Ryan budget were to happen. That is their blueprint. I have to keep reminding folks, that is their blueprint for where they want America to go. This is where they want America to go.

Let me talk about a related topic, and it has a lot to do with education; that is, childcare funding. The Child Care and Development block grant provides subsidies to low-income families to help pay for childcare. These are families who are working, who are looking for work, and they depend on these subsidies to do so; otherwise, they wouldn't be able to work. By this point, it will come as no surprise that the Romney-Ryan budget would force approximately 95,000 low-income children across the country to lose access to high-quality childcare in fiscal year 2014.

I think we get the picture. The Romney-Ryan budget is a devastating assault on education at all levels. Childcare—and a lot of these components have education—Head Start, elementary education, secondary education, title I, IDEA, special education, Pell grants for college, all devastat-

ingly reduced—again, not over 10 years, in year 2014.

I am struck by the fact that this budget of Mr. RYAN's is being proposed at a time when America's competitors are surging forward. China has tripled its investment in education and is building hundreds of new universities. Even in times of austerity and shrinking budgets, smart countries don't turn a chainsaw on themselves. They continue to invest in the future. And the most important investment in the future is an investment in education.

In the months ahead, Congress will likely focus on reducing the deficit, and this is appropriate. Certainly any strategy for solving our fiscal crisis must include sensible spending cuts, but we should not jeopardize our long-term economic growth and recovery by slashing education. We have a saying out in farm country: You don't eat your seed corn. Our children today, they are our seed corn for the future. You do not throw them on the trash heap.

On their own, the Romney-Ryan budget cuts to education defy common sense, but put in the broader context of their budget plan in its entirety, these cuts are not just ill-considered, they really smack of class warfare. The Romney-Ryan budget demands nothing whatsoever—not one dollar—from the wealthiest and most privileged people in America. Essentially, the Romney-Ryan budget is Robin Hood in reverse: It robs from the poor and gives it to the rich.

So let's get this straight. The American people need to know this. This is their blueprint. Under the Romney-Ryan budget, we have devastating assaults on education. Last night I covered health care. Others will cover other topics. The Senator from California covered transportation and infrastructure.

So again, under this plan, the United States—under Romney-Ryan—should set aside \$4.5 trillion over the next decade for tax cuts, with most of it going to the wealthiest 2 percent, but under the Romney-Ryan budget we cannot afford to sustain funding for public education.

In addition, congressional Republicans specifically want to take away the \$2,500 American opportunity tax credit used by so many middle-class and modest-income families to help cover college costs. Again, because of Republicans' determination to further lower tax rates for the wealthy, many other middle-class college tax benefits are at risk. This is outrageous. This approach does not remotely reflect the priorities and values of the American people. We cannot—we cannot—be dragged backward into a winner-take-all society where the privileged and powerful seize an even greater share of the wealth even as our middle class is struggling and declining. For nearly half a century, robust Federal investments in quality public schools and access to higher education have been a

critical pillar undergirding the American middle class. The Romney-Ryan budget takes a jackhammer to that pillar.

Going back to the 1930s, the American people have supported and strengthened a uniquely American social contract. That social contract says that we will prepare our young and care for our elderly. That contract says that if you work hard and play by the rules, you will be able to rise to the middle class and even beyond. That social contract says that a cardinal role of government is to provide a ladder of opportunity so that every American can realistically aspire to the American dream. In one fell swoop, the Romney-Ryan blueprint budget would rip up that social contract. It would replace it with a survival-of-the-fittest, winner-take-all philosophy that tells struggling, aspiring Americans and their communities: Tough luck, you are on your own.

As President Clinton said in his speech last week: There are two philosophies at work here—the Romney-Ryan blueprint budget, which says: Tough luck, you are on your own; if you win the lottery, you are OK; if you do not, too bad, or the philosophy being proposed by President Obama and so many of us here: that we are all in this together, the rising tide lifts all boats, that we have a social contract that we have adhered to for nearly 80 years now. We will invest in our young and care for our elderly. We will make sure there is a ladder, a ramp of opportunity for the middle class.

The “tough luck, you are on your own” philosophy of the Romney-Ryan budget is not the kind of America that my parents wanted or that they built for their children. It is not the kind of America that my neighbors in Iowa and across this country want to see.

So in the weeks ahead, our Nation faces an absolutely fundamental choice. I repeat: Are we going to rescue, restore, and rebuild the middle class or are we going to continue to shift even more wealth and advantages to those at the top, at the expense of the middle class?

Accumulation of riches by the wealthiest in our society is not the same as wealth creation by a society. If we are truly interested in creating wealth in our society, we should be investing in education, making sure there is a ladder or ramp of opportunity by making sure the benefits of our society go to those with new ideas and new information, and those people may be kids from very low income families, they may be kids with disabilities. That is true wealth creation of a society—not just giving more to people at the top.

So, again, the Romney-Ryan budget makes exactly the wrong choice. I disagree with that budget. America remains a tremendously wealthy and resourceful nation. Again, when you listen to what the Romney-Ryan budget is, when you look at it, it is sort of premised on the fact that we are busted,

we are broke, we cannot afford childcare, we cannot afford title I, we cannot afford Pell grants, we cannot afford it, we are broke, but we can find tax breaks for the wealthiest.

We are not broke. America remains the wealthiest society, the wealthiest country the world has ever seen. We have the highest per capita income of any major nation. So it kind of begs the question, does it not: If we are so rich, why are we so poor, why are we so broke? Because there has been a misallocation of capital, more and more going to fewer and fewer, not enough being used to educate our kids, provide a good college education, make sure we have the highest qualified teachers in all of our schools, that we have the best principals, that we can have a school system that is second to none in the world. That is the kind of America that we should have and that we can afford to do. We can afford to do this if we have the right blueprint. The Romney-Ryan budget takes us down the wrong road.

The middle class is the backbone of this country. We have to rescue, restore, and rebuild it, and we need leaders who have the backbone to do that for our middle class. It is not the Romney-Ryan budget.

Last night I spoke about the devastation on health care. I discussed what would happen in education. Next I am going to come to the floor and talk about what is going to happen to working families, what is going to happen to people in America when we take away some of the protections they have so they do not get injured, they do not get sick, so they can show up for work every day healthy. So we are going to look again at that devastation. Others will come to the floor and talk about the infrastructure and what that means for America.

Well, I do not often agree with Newt Gingrich, as people know, but he was right. This is rightwing social engineering. We do not need that in America. Mr. Romney and Mr. RYAN have put their stamp of approval on it. The American people need to know what is in that budget, and we intend to tell them between now and the time we adjourn and go home.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank Senator ENZI for his patience in allowing me to speak for a few minutes in regard to the 11th anniversary of September 11. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELEVENTH ANNIVERSARY OF 9/11

Mr. CARDIN. Mr. President, I rise today to join my colleagues in commemorating the 11th anniversary of September 11, 2001. The tragedy of 9/11 is forever seared in our Nation's consciousness. The attacks in New York, Pennsylvania, and Virginia were intended to crush the American spirit

but instead galvanized it to new strengths.

After 11 years, the memories are still raw and the pain is real. It is for the 3,000 people who perished that day that I stand here on the floor of the U.S. Senate and ask everyone: Never let go of those memories.

On that day, terrorists showed their utter lack of humanity; we responded by showing the best side of ours. We suffered a grievous loss on that day, but we must remember that we are a strong and determined nation and we will defeat those who want to do us harm.

Many of those responsible have been hunted down and brought to justice. In the case of Osama bin Laden and many others, justice was brought to them. Now there is no doubt that those who wish to do harm to America know they do so at their own peril.

Today, it is clear our men and women in uniform and our intelligence community will never rest. They will never waiver. We have come a long way since September 11, and we owe so much to those men and women and the families who support them. Today, we join to show the world that our Nation is united and resolved to defend our freedom and safeguard our liberty against any enemy.

We also take time to remember those who perished on September 11 and to remember their families with a special prayer. We reflect on the heroism of the firefighters, police officers, medical workers, city officials, and ordinary citizens who gave their own lives trying to save others.

Each of us has been affected by 9/11. On September 11 we showed the world a brand of resilience that could only be made in America. In the minutes, hours, and days after the attacks, Americans showed their amazing propensity for compassion, sacrifice, and selflessness. Charity, voluntarism, and a reawakening of the American spirit guided us through those weeks directly after the attacks. Men and women waited in lines for hours to give blood, children donated their savings to help with relief efforts, communities sponsored clothing drives, and different faith groups held interfaith services. Our response showed the world that Americans have an unquenchable love of freedom and democracy.

Now, 11 years later, I stand before you, always remembering that stunningly clear day that was to be forever ingrained into our national identity. My prayers are still with those who suffered, those still suffering, and those we lost. But time has taught me that the way to honor the victims of 9/11 is to come together as we did in the days and months after 9/11. On that day, we were truly united. September 11 was not an attack on Blacks, Whites, Christians, Jews, or Muslims or on conservatives or liberals. It was an attack on all of us, and we came together accordingly. We helped our neighbors and we helped strangers. We reaffirmed our

commitment to justice and the rule of law. On that day we were reminded that the best parts of our American character will forever trump any opponent.

So as I stand before you today, I encourage all Americans to nurture the best parts of our common American character. What is that character? It was the selflessness and courage of a New York City firefighter running into a smoking tower and up the stairs when everyone else was running down. It was the composure, confidence, and decency of bystanders helping perfect strangers. It was the sense of country that caused many to answer the call of duty and enlist in the war on terror.

It was the faith people showed in their fellow citizens that allowed for empathy, not hate to define us afterwards. On this day, let's not only mourn for those we lost but let's vow to them to be as good as they would expect us to be.

Mr. President, 9/11 was intended to bring this country to new lows but instead we achieved new highs. Keep the memories of 9/11 in our hearts and let them guide our actions, actions that show each other and the world how good we are and how good we can be.

Archibald MacLeish wrote, "There are those who will say that the liberation of humanity, the freedom of man and mind, is nothing but a dream. They are right. It is the American dream."

Surely 9/11 was a nightmare horrific. As horrific and cruel as it was, it cannot extinguish the dream.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO WENDY GNEHM

Mr. ENZI. Mr. President, I have often said how blessed I am to have found a group of people who are strongly committed to the future of Wyoming, the West, and the United States to serve on my staff. If being a Senate staff were an Olympic event, I have no doubt I would be the coach of one of the Senate dream teams. I believe they would be the gold medal winners. I am that proud of them.

Today I wish to express my appreciation to one of my long-time staffers who will be returning home to run a business in Wyoming. She is Wendy Gnehm, and although we are going to miss her, we are also proud of her decision to return home to raise her family with her husband Ed, because there is no better place for families and children than Wyoming. We wish them both the best and we are confident as she is that they have made the right decision.

Although Wendy has been part of my staff for quite some time, her family, her husband's family, and my own family have been close for a lot longer than that. Wendy's mother Sharon was

the one who first introduced me to Diana, now my wife, on a blind date in Denver when Sharon was in town looking for a bridal gown.

It was not long thereafter that Diana was looking for one too, which means we knew Wendy's parents long before she was born. So we have known Wendy for all of her life. I remember when Wendy was in high school. She set her sights on coming to Washington to serve as a page in the House of Representatives. It was a difficult goal, but with her determination, her abilities, and her good grades she was able to make it happen.

Wendy's time in Washington as a page must have given her the idea of coming to college here, which she then began to pursue in earnest. So when the time was right, I agreed to write her a letter of recommendation to the George Washington University, as an alum and Wyoming liaison for the school. I was glad to be of help, but Wendy's credentials spoke for themselves and soon she was headed back to Washington, DC, to attend one of the finest schools in the country.

Later, when I came to Washington to serve in the Senate, I had a swearing-in reception for friends and extended family to mark the beginning of this new and great adventure in my life. And of course Wendy was there. It was at that reception that she met the son of my college roommate, Skip Gnehm, and they started to date. Their romance blossomed while she served as an intern for me, and it started to occur to them and to Diana and me how all three of our families could soon be permanently intertwined. What a great gift for all of us. Soon Wendy was looking for a wedding gown of her own and she and Ed were married.

Not long after their marriage, Ed and Wendy moved to Kuwait to work. They absorbed a great deal of knowledge about the culture and the way of life in the Middle East. When they returned to the United States and made their way back to Washington, DC, I learned that Wendy was looking for a job. At the time I happened to be looking for someone who could help me handle constituent mail and services. She was quickly promoted to legislative assistant specializing in the foreign relations field. I could not think of a better individual to take on those responsibilities than Wendy. I was right. Wendy has been a great help with those difficult issues ever since. She did so well, in fact, that I did not hesitate to expand her responsibilities to include defense, veterans affairs, transportation, and the Judiciary Committee agenda when the opportunity presented itself. Wendy has worked on so many issues of importance over the years—defense, with the focus on the United States Air Force and missile communities, to helping start the Air Force Caucus, veterans health, United Nations reform, Cuba travel, immigration, gun rights, to name a few.

She is now my senior legislative assistant, a title and post she has earned

with her hard work and determination to make a difference. As my senior legislative assistant, she has been a captain in the legislative office and she has always made herself available to help guide and direct our efforts as a legislative team. She is also there to provide some good advice on the issues that are coming up and how we can best focus our efforts to obtain the results we are working together to achieve.

Now she and her husband are packing up and moving to Sheridan, WY, where Wendy grew up. They will be running a business there and providing some good jobs to the community and some support to the local community economy. It is a restaurant, so they will be providing some good food to people in the area too. Although we are sorry to see them go, we could not be happier that they are returning to Wyoming. I always tell the people from Wyoming who come to work for me: Enjoy your Washington experience and learn all you can every day you are here. Tomorrow, when you find yourself married with children, do not hesitate to start looking for a way to get back home.

As I said, and it bears repeating because it is one of life's great truths: There is no better place to raise your family than Wyoming, where you were born, where your roots are strong, and your family is nearby to give you the love, guidance, and support that helped to make you the person you are today. Of course, it is no surprise that the place that is calling Wendy home is one of the most beautiful on Earth—Wyoming.

In the years to come, Wyoming will teach Wendy's children all about being individuals, trusting in your instincts, about facing the future with confidence and faith. It is a great lesson to be learned, and there is no better place to learn it than the great outdoors and open spaces and magnificent mountains of Wyoming, where life is centered around being a part of the great splendor and creation of God, and with a strong sense of community.

For team Enzi, this was a good-news, bad-news moment. The bad news is we are losing a very special staffer, a good friend, and a member of our extended family, someone who has given so much to everyone she has known or worked with here in my office. The good news is we are not only gaining a constituent who knows us and understands the work we do every day, Wyoming is gaining another family that will forever define for others what is so great about being from the West.

Diana and I send our best wishes to Wendy, Ed, and their children, who must be looking forward to the opportunity to live the life that made Wendy what she is today.

Wendy, we could not be more excited for you and for the great opportunities that lie ahead as you begin the new chapter in your life, the great adventure of coming home to Wyoming. We

know we will miss seeing you every day, but when we are back home and traveling around in your area, we will expect to see you at our official functions and when we stop by your new business. May God bless you and be with you and your family. Good luck, Wendy.

I yield the floor

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING 9/11

Mr. LAUTENBERG. Mr. President, today marks a time in America that must always in the future be remembered. It cannot be forgotten, because it was the worst day on American soil in modern times. The worst day. It was the attack on the World Trade Center in New York, Shanksville, PA, and the Pentagon.

These attacks put together such a horrific toll, we must constantly be reminded. And we are every day of the year. We are reminded how terrible this attack was. It was unimaginable, the pictures that we saw on TV. If anyone turned on the TV, on almost every station there was a picture of the strike at the World Trade Center, an airplane running into it. And the first thing that was thought—and unfortunately I was out of the country when this took place; I heard about it on the radio, and saw people in the country I was in weeping for this great America. We thought it was an accidental thing. We are not far from an airport, Teterboro Airport in New Jersey—maybe that it was an errant pilot, probably a single-engine airplane. Nothing could have been further from the truth. This was a designed attack on this building with all of the particulars that the terrorists had to have: How long would it take for the steel to melt, where is the best place to strike, what can the consequences of an attack such as this be? Unimaginable, as I earlier said.

In my home State of New Jersey, we lost the second highest number of lives of any State in the country. More than 700 people from New Jersey perished in this terrible onslaught. September 11, 2001, changed our country forever. We see it and we are reminded about it every day of the year. If you want to enter many buildings, you have to identify yourself; you want to get in an airplane, you have to identify yourself; you want to get in these buildings, you have to identify yourself. This is a habit that grew out of the fear of terrorism. We have over 200,000 people employed to protect us against a terrorist attack. Although it was 11 years ago,

few Americans will forget how that peaceful Tuesday turned into one of the most unpleasant days, most painful days, most heartfelt days on American soil. We still feel the pain and the sadness of that day. And when we think about it, the biggest price, of course, was paid by the families, the families who lost a son or a daughter or a husband or a wife or a grandparent or a friend or a neighbor. The loss was with excruciating pain. We lost nearly 3,000 American lives at the World Trade Center and in Pennsylvania and at the Pentagon—3,000 American lives in a single day. I am reminded, since I served in the Army during World War II, that Pearl Harbor had fewer casualties than did the attack that day; that it outdid the number killed immediately at D-day. It was a terrible tragedy that struck our country.

Forty-one States and territories and more than 90 countries lost at least a member, a person from that tragedy. Imagine, over 90 countries, 41 States and territories; and 343 firefighters and 60 police officers were among those who died as they answered desperate calls for help. These people were not present in the building, typically. They came to the building while the flames were there and the soot and the dirt was falling and the building collapsing. They went into those buildings to help people who were screaming and pleading for help. It has been 11 years, but many Americans are still sick and more than 71,000 Americans are still having their health monitored because of exposure to the dust, the asbestos, and to the chemicals that filled the air.

As we remember those we have lost, we have to let our grief serve as a reminder of our resilience and to rebuild our strength. While the scars of 9/11 may never fully heal, we take some comfort in knowing that in our fight back, we have, in some ways, confirmed our fight against terrorism. Osama bin Laden will never take another innocent American life. But we have to remember that although bin Laden's influence has been eliminated, there are lots of people who want to follow in his footsteps in plotting against America.

The everyday lives of all Americans have changed forever. We now live in a state of constant vigilance to prevent another attack. I remember not too long ago, we used to have announcements that this is an orange color day or a green day or whatever, denoting the risk of an attack from a terrorist organization or an individual. Because of 9/11, over 200,000 Americans go to work every day at the Department of Homeland Security to protect us at airports or at buildings or gatherings where we have to show an ID to gain entry. So that day made a huge difference in the way we function. It costs time, it costs money, and it costs inconvenience. Nothing, however, as I earlier said, compares to the loss of a loved one.

We are determined now to remain diligent and strong, despite the face of

terrorism that is frequently depicted these days. As Americans gather today in tribute to those we lost, we have to remember to keep alive the memories of these Americans who perished for being in the place they were in and not for anything they did wrong. So we have to resolve to continue the work of keeping our families safe, our communities strong, and to be reminded about that, we still see the direct result from that attack, with 71,000 people, including more than 8,000 from New Jersey, who are currently being monitored for health conditions that resulted from the 9/11 World Trade Center attacks. That is 70,000 people who are having their health monitored and more than 14,000 responders and 2,500 community residents who are currently sick and receiving treatment from the World Trade Center Health Program. Many have perished, and we passed a law to offer compensation and health care for those who are still suffering from the results of that terrible day.

With that, let me just say I think we have to remember we must stay strong. Unfortunately, there cannot be any relaxation. When we see the Olympic games or the Super Bowl or days that mark pleasant competition and bonding and youth and energy, we remember those days over 11 years ago.

It is hard to take much consolation, except we know one thing; that we cannot stop protecting our citizens, our people, wherever they are in the world—wherever they are in the world. We have seen attacks take place on foreign soil from people who don't know who they are; perhaps some knowing they are American travelers or American diplomats. But there is, again, little satisfaction until one day the world turns more sensible and respects human life. We hope that is a situation that is forever reflected upon and never forgotten.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RYAN BUDGET

Mr. ENZI. Mr. President, I came over earlier to speak and talk about a dedicated staff person of mine who is moving back to Wyoming, but I had to wait about 30 minutes while I listened to the Senator from Iowa talk about a Romney-Ryan budget. There is no such thing. Governor Romney hasn't put forward a budget for this group. Congressman RYAN, of course, was the chairman of the Budget Committee in the House, and he was obligated to do a budget. He did a budget—something the Senate hasn't done.

I don't think we can complain about a budget when we have gone 3 years without a budget. There is a timeline

for a budget around here. We are supposed to have a budget finished by April 15 of each year, but we have gone 3 years with no budget.

The President submitted his budget to us, and that is what we are supposed to work from in the Budget Committee. I am on the Budget Committee, and we have had a little discussion in the Budget Committee. We haven't gotten to do the budget debate on the floor, which is one with unlimited amendments, but we have gotten to vote on the President's budget. At least Congressman RYAN got some votes for his budget. The President's last two budgets have been voted on by this body and there hasn't even been a single Democrat who was willing to vote for that budget—not a single one. The President couldn't persuade one person from his party to go along with the plan he had for this country.

You know what would happen in a corporation if the chairman of the board or the president presented a budget to his board of directors and they rejected it unanimously. He would be looking for a new job. I think I have heard some suggestions along that line.

Do we want to continue with out-of-control spending? That is what a budget controls. That is where the caps are put on and it lays out what is the most we can spend. We actually ought to be doing that, as we used to do it, where there were multiple-year caps, and we would be stuck with the far-out caps we projected. It is time we had a balanced budget around here.

I applauded the President when he named a deficit commission. That was a great thing. I was a cosponsor on a bill that came before us, and we didn't have enough votes to pass that bill, but the President went ahead and did a deficit commission and he appointed two outstanding people to chair that budget commission—Erskine Bowles, who was the Chief of Staff for President Clinton, and Alan Simpson, who was a long-time Senator from the West, a member of the revenue committee—and they did some diligent work with the commission and came up with a plan. They actually came up with a plan for how we could save America.

I heard the Senator from Iowa say: Some of these people who are talking are talking like we are broke. You know what. We are pretty close to broke. When the national debt is the same as the gross national product, we are in trouble. In the United States, every man, woman, and child owes a shade over \$50,000. We have been seeing the riots in Greece and Italy. In Italy, they only owe \$40,000 per person. In Greece, they only owe \$39,000 per person. Yes, we are the most resilient country in the world, and that is why we have a little bit of breathing room. But it is not inhaling time. It is time to figure out what we are going to do about it.

I did expect, after the President appointed this deficit commission and when they came back with a report—

and it didn't have enough to force us to have a vote, but it was a report that would solve the situation—I thought for sure at the State of the Union speech the President would paint the same bleak picture they painted in order to get the deficit report they got. But instead, he promoted another stimulus.

Had he painted that same bleak picture and at the end of his speech said, I am not telling you tonight how to solve it, but in 2 weeks, when my budget is delivered to the Senate, you will see what the deficit commission said we ought to be doing and we will do it. I think that by about May of that year, we would have hassled through that situation, and we would have adopted most of what they had in that. It would not have been easy. There would have been a little bit of pain, but it would have had a lot of gain. I think, by this point in time, the President would have been a hero—instead of hearing the question: Are you better off now than you were 4 years ago?

We can't continue the out-of-control spending we have had. Let me give an example of what we are doing. We are doing it without a budget, but here is what we are doing. The highway bill, that is one of the most important bills—everybody admits—for America. We have to have transportation in this country, and the highway bill is one of the major ways we do that. It creates jobs because people go out and build the roads or repair the roads, and it makes a difference.

But here is how we funded the highway bill: In the Finance Committee, I suggested we needed to increase the tax on gasoline. That is the tax that funds the highway trust fund, which is the sole source of money for building the highways before. But we haven't raised that since 1993, and it ran out of money.

The deficit commission President Obama appointed suggested we needed to raise the gas tax 5 cents a year for three consecutive years if we wanted to build highways. In the Finance Committee I said, I am going to put in something a little bit more modest to see if we have any support for it. I am going to put in something that just deals with inflation on the gas tax.

I was told we wouldn't have a vote in the Finance Committee on it—and we didn't have a vote in the Finance Committee on it. And when it came to the floor, we did not have a vote on that on the floor because we weren't going to raise any taxes. Well, let me tell you what the bill does: There is a tax increase in the bill. We just didn't talk about it. I talked about it, but not many people talked about it. There is a tax increase in the bill. There is a tax on any private pension fund in America. That goes into a trust fund, supposedly.

I have a little problem with what we call trust funds around here, because I don't have trust any of them. That is going into a trust fund so that if a

company goes out of business, the people who were promised a pension will get at least 60 percent of what they were promised. That is what that tax is for. That is why we do the tax on private pensions. The Pension Benefit Guarantee Corporation guarantees that people will get a portion of what they were promised in a private pension, and so we raised the tax to make sure that would be there. Then, before it got there, we diverted it, we stole it, we stripped it, and we put it in the highway bill. And we didn't just take 2 years' worth. That is how long the bill covers highway construction. It says in the next 2 years all the highways that we will build and how much they will cost. But from the Pension Benefit Guarantee Corporation tax that we increased, we took all of that for 10 years to build 2 years' worth of highways. I don't know of anybody who would consider that to be good financial management. Highways are essential, but that is not good financial management. We have to stop this trend. And we particularly have to stop stealing from trust funds.

There is one other source of trust fund in there I am particularly sensitive to. There is an abandoned mine land fund. This is a fund that was set up where coal mines in the West would get an additional tax—which we agreed to and the companies agreed to. Half of that tax would stay with the State where the coal was mined, and the other half would go to the eastern States to reclaim abandoned mines. It is a good idea. Well, Wyoming mines most of the coal in the United States, so Wyoming gets most of that money. There is a little provision that they stuck in there to affect Wyoming—and I don't think ought to be the sole source of revenue for funding all the highways in the United States, but they took that abandoned mine land money and said that would go into this highway fund. That is a trust fund too. We heard about it at 2:00 in the morning the day before we voted on this bill, and it was a total shock to us that they were giving this to the trust fund that was billed as a massive coalition between the East and the West, between companies and between miners who relied on the companies that went out of business for their health care. And abandoned mine land money takes care of that, too. But they said, Well, for Wyoming we think you get too much money, so we are going to strip out the half that you were promised and didn't get for years and years and years while they took care of their own problems. That is in there too and that is in there for a 10-year period for 2 years' worth of highway construction.

So when we say that America is not broke, America is not broke. But it isn't fixed either. It needs to be fixed, and it needs to be fixed legitimately, upfront, telling the people exactly what we are doing. There is going to have to be a lot of things that have to be done in order to do it.

I have suggested one way it can be done—and I have tried to cut things before, and I know that if we try to cut a single program, any single program—and we have to cut a lot of programs—that program will inundate Washington with a few good examples of what that program has done, even though audits of it say that is not what happened. But those people will flood here, they will talk to their Senators, we will feel sorry for them, we will approve the program, and we will continue the program. It is almost impossible to cut a program around here. It is hard to cut the amount of increase that program gets, let alone make an actual cut to a program or—Lord help us—eliminate a program altogether.

So what are we going to do? I have a 1-percent solution. That is to take 1 penny out of every dollar the American government spends and eliminate that, cut that, save that—1 penny out of every dollar. People across America, when I talk to them about this, say, I have personally had to make a bigger cut than that. I could make 1 percent; the government ought to be able to take 1 percent. And if the government made 1 percent for between 5 and 7 years, our budget would balance. That is a lot of discipline, but it is a little pain for a lot of gain. And I am pretty sure if we were able to do that, at the end of 1 year people would say, You know, that didn't hurt that badly, and we ought to go for 2 and speed this thing up. Because I don't know how much time we have before interest rates go up, and when interest rates go up, they can use up all of the revenue we have from taxes to pay the interest on the loans we have out there. We have tremendous debt out there, and we had better start taking care of it. I have looked at some ways to do that, and I will share those at another time.

But I hope I don't hear a lot about the Romney-Ryan budget here on the floor when there hasn't been a budget presented and voted on by the other side. You have got to have the courage to make some cuts. You have got to have the courage to put forward a budget that is on a track—a track somehow to getting us back to solvency. And it better happen pretty fast.

So I think I am going to feel sorry for whomever gets elected President, and perhaps whomever is going to be in this body and in the House next year, because it is not going to be a pleasant task. We are going to have to buckle down and do the right thing.

I got to meet earlier with the new Prime Minister of Italy, and I was very impressed with him. He was talking about what he has to do right now to pull them out of their deficit. Remember, we owe \$50,000 per person. They owe \$40,000 per person. They are taking the hard steps. He has laid out a plan, he has talked to the people involved. Over there they have strikes whenever they get upset with the government. He had to talk to some of the labor

unions. He said, I talked to them and they went out on strike for 2 hours. Of course, usually a minimum strike is 3 days over there, so he felt pretty good about that. But he said with the changes that he has to make—and it was a reflection on what we are looking at too—probably none of the people will be there next year. Those in the cabinet who were sitting next to him were a little bit shocked to hear that. I think if he does the plan, people will appreciate the way he is saving their country and they will put him back in again.

But we are looking at some difficult times and we need good solutions. It is going to mean working across the aisle to make sure that gets done. Our time is short. But this is the most resilient country in the world, and the rest of the world is relying on America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I came to the floor to commemorate the events of 11 years ago on September 11. But I want to respond to my friend and fellow westerner Senator ENZI from Wyoming. I appreciate the sentiments and the tone of his remarks. I respect greatly his financial acumen. We know the training Senator ENZI has, and I appreciate his call to action hopefully as soon as possible.

I would like to stay in Washington and continue to work on the Simpson-Bowles architecture. I know my colleague from Colorado, Senator BENNET, has spent a great deal of time as a member of the Gang of Six plus two crafting legislative language to put the Simpson-Bowles recommendations into effect.

I did, however, want to set the record straight as I read it and as I understand it, which is that we have had a Budget Control Act that many of us voted for last year which in effect is a budget for 2012 and 2013.

I ask unanimous consent to have the documentation of the Budget Control Act printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGET CONTROL ACT CONTAINED BUDGET FOR 2012 AND 2013

**SEC. 106. SENATE BUDGET ENFORCEMENT.**

(a) IN GENERAL.—

(1) For the purpose of enforcing the Congressional Budget Act of 1974 through April 15, 2012, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels set in subsection (b)(1) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2012 with appropriate budgetary levels for fiscal years 2011 and 2013 through 2021.

(2) For the purpose of enforcing the Congressional Budget Act of 1974 after April 15, 2012, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels set in sub-

section (b)(2) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2013 with appropriate budgetary levels for fiscal years 2012 and 2014 through 2022.

PUBLIC LAW 112-25—AUG. 2, 2011

Mr. UDALL of Colorado. The language reads:

... the allocations, aggregates, and levels set in subsection (b)(1) shall apply in the Senate in the same manner as for a current resolution on the budget for fiscal year 2012 ...

That language is duplicated below in the next paragraph for 2013.

I think I hear my friend from Wyoming suggesting that the process the Senate periodically uses to determine a budget is helpful and follows regular order, and I agree. But the Congress in the last 2 years has been at loggerheads. There have been more impasses in the last 2 years than I remember in my 12 previous years. But we do have a budget in place. It is a budget that reduces Federal spending and is a downpayment on the hard work we have to do going forward.

The Ryan budget was promulgated by Congressman RYAN. I was elected the same year as Congressman RYAN to the House. I have respect for Congressman RYAN and his constituents; I just happen to disagree with his priorities. His budget proposal sets priorities; it is a template. And if you really study what Congressman RYAN includes, there are concerns that I have that I think are reflected by not just members of my caucus but many Americans: The plan lacks balance, and it doesn't balance at least until 2040, which is not how it is advertised.

Why? There is no contribution from revenue. There is an increase in defense spending. And in my opinion, it requires extraordinary and unsustainable cuts to government services. In fact, the Federal Government would be cut in half. I don't think there is anybody who thinks that is a realistic goal.

President Reagan's economic adviser Bruce Bartlett was pretty tough on the Ryan plan. He called it a monstrosity, and pointed out that the Ryan plan is backed up by make-believe numbers and unreasonable assumptions.

I ask unanimous consent to have printed in the RECORD the statements of Mr. Bartlett.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FORMER REAGAN ECONOMIC ADVISOR  
BARTLETT ON RYAN BUDGET PLAN

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party. A real act of courage would have been for him to admit, as all

serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Former Reagan Administration Economic Advisor, Bruce Bartlett, Capital Gains and Games Blog, Imbalanced Budget: Ryan Gives Wealthy a Free Pass, April 11, 2011.

Mr. UDALL of Colorado. In conclusion, I want to again underline that I find, as always, in Senator ENZI someone who is thoughtful, practical, and pragmatic. And I heard in his comments a call to action where everything would be on the table, including providing for greater solvency of Social Security and Medicare, for cutting spending and ending duplication, but also for looking for additional revenue, which I think we all agree we can start to do by simplifying the Tax Code, reducing rates, and then taking a look at individual tax rates.

Mr. President, I was here 11 years ago. It was a very similar day to today; a beautiful fall day, low humidity. For us Coloradans, low humidity is something we expect in all cases, with bluebird skies. But it turned into a terrible day with terrible events, and I thought I would reflect on what they mean for our country 11 years later.

These attacks are forever etched in our collective memory. We lost 3,000 fellow Americans. It was a diverse cohort of Americans. Every religion was represented, every race, and every region. It was something that even as I try and think about it again, I am almost overwhelmed.

But we also have another memory associated with that day; and that was the amazing, beyond belief, selflessness and bravery of our first responders and the men and women of uniform as well as the resolve of whole communities who came together to help and comfort one another. Late in that day, lawmakers came together on the U.S. Capitol steps, as we did today, to say, We stand united.

During this time, Americans seeking some good to come out of these acts of sheer evil looked to each other and to their leaders in Washington to contribute to a greater cause of unity. At such a dark time, we saw the very best of America: a Nation, a community, and a people willing to stand together in the face of adversity that we didn't initially understand or comprehend. That strength of unity brought us together, and over the last decade we have made great strides in combating the evil of terrorism.

We owe a debt of gratitude, a deep debt of gratitude to those on the front lines of that battle. Intelligence officers, our men and women in uniform, and countless others have relentlessly pursued our enemies who seek to do us harm. We must honor their sacrifices.

That brings me to this point. Every time a veteran is unemployed or has injuries that are not well treated or finds himself or herself in a place so dark that suicide seems like the only way out, we failed in our most solemn duty. We must provide the best possible health care, services, and benefits



to those few Americans who are willing to risk anything and everything for us. We should be ashamed of anything less.

That is why it is fitting today, on the anniversary of 9/11, that the Senate voted to move forward on legislation to help post-9/11 veterans find jobs. Congress and the administration have been focused on helping these vulnerable veterans find jobs. We passed legislation. The President has championed initiatives providing tax incentives and grants to businesses hiring veterans and offering veterans job training programs, but still the unemployment rate for veterans of the Afghanistan and Iraq wars remains higher than for the general population and much higher for veterans age 18 to 24. That simply is not acceptable. We can and we must do better.

The bill we are going to consider, the Veterans Job Corps Act of 2012, is a solid step in the right direction. We all recognize the obstacles that veterans face in translating their military experience into civilian jobs. We know that is the case. This commonsense legislation will attempt to smooth this transition by connecting veterans with good-paying jobs that fit their skill sets and provide our communities with opportunities to hire veterans as firefighters, police officers, to work in the public safety sector—to work in any sector. When our veterans believe in themselves, they are up to any charge; they are up for any mission.

I have the great privilege—as does, I know, the Presiding Officer—to serve on the Armed Services Committee. I also serve on the Senate Intelligence Committee. As a member of those committees I urge all of us to pass this bill as soon as possible. There is still time. We could perhaps offer it tonight. I could offer a unanimous consent request. We need to do this—and I am completely serious, Mr. President—to provide our heroes with a small measure of what we owe them for their incredible service and sacrifice.

As I think more widely, as I consider what I have heard at home from Coloradans far and wide, passing this bill alone is not enough. Looking back at the days and months after September 11, I cannot help but admire our Nation's resolve and the sense of togetherness we had in facing a shared challenge. But I also cannot help but be well aware that 11 years on we are now a nation at odds. Partisanship is at an all-time high, congressional gridlock prevents even commonsense ideas from winning the day, and middle-class Americans just wonder when businesses will have the certainty they need to begin hiring again.

For me, it seems a powerful argument and a powerful insight that a better future for our country can be and is, if we will hear it, grounded in our Nation's deep-seated respect for the courageous feats and sacrifices of those who answer the call of duty. Our military men and women have done their job. The public safety officers in the

city of Aurora, back in July when we experienced such a terrible shooting, have done their job. Now it is, here in the Congress, time for us to do our job. It is not too late for us to harness the gratitude and the admiration that we have for those who have given everything for the United States and come together once again to do right by the Nation they have fought so hard to secure.

As we remember the events of September 11 and honor those men and women in uniform who fought so hard to keep America safe, we must recognize that our actions, not just our words, in the months ahead may be the greatest way to show our appreciation for their sacrifice.

Let's employ the doggedness of our military men and women, that doggedness that they exhibit on a daily basis in order to address the shared challenges of our time, to work together and to cast aside the partisan differences that stand in the way of our future prosperity. The American people deserve no less.

Ms. COLLINS. Mr. President, I rise today to discuss an amendment I recently filed with Senator LEAHY to the Veterans Jobs Corps Act of 2012. We filed this amendment to ensure that veterans service organizations are provided access to Federal surplus property as we intended when we introduced the FORVETS Act of 2010. This law provides that veterans service organizations should be categorized as eligible nonprofit, tax-exempt organizations that may acquire surplus personal property for the purposes of education or public health.

Unfortunately, the General Services Administration has interpreted this law in the strictest of terms. In its published guidelines, veterans service organizations may acquire the surplus property for the purposes of education or public health but with minimal flexibility in what an educational or public health service may be. For example, acquiring a van to transport a disabled veteran to a doctor's appointment may not be considered an eligible use for a veterans organization under current guidelines.

This amendment makes the legislative modification necessary for GSA to carry out the original intent of the FORVETS Act of 2010.

The National Association of State Agencies for Surplus Property, NASASP, has identified the need for this legislative modification to ensure that veterans service organizations are able to receive surplus equipment to enable them to better provide the critical services they offer for our Nation's veterans.

Veterans groups whose work enhances the lives of countless veterans every day benefit from access to these goods just as other service organizations do. Many veterans organizations offer career development and job training assistance to our Nation's veterans, yet often lack the computer equipment

needed to best assist our veterans in the often difficult transition from military service to the civilian work force.

These are just a few examples of the needs that veterans service organizations have. This amendment is one way to say "thank you" to those Americans who have worn the uniform and to the families that supported them. In these challenging fiscal times, the need for excess federal property to be used for job training, rehabilitation, and other important assistance to our veterans is greater now more than ever.

I urge my colleagues to support the inclusion of this amendment to the Veterans Jobs Corps Act of 2012.

Mr. President, since 2004, active duty military suicides have more than doubled, and the problem only continues to get worse. The Army recently reported that in July of this year 38 of its soldiers took their lives, a rate of more than one per day. This is a tragedy of the highest magnitude and it is something that the Congress and the American people must not ignore. Action is needed now, and we must take every practical step that we can to help the military reverse this disturbing trend. Not only are we losing dozens of America's finest each month, squandering precious talent that our Nation needs, but today's soldiers are tomorrow's veterans, and the crisis of mental and behavioral health that the epidemic of suicides represents foreshadows a troubling prospect for the future.

In Afghanistan, we have invested billions of dollars and devoted some of the military's best minds to protect our soldiers and give them the tools they need to reduce the threat of an improvised explosive device attack. Unfortunately, we have only devoted a fraction of the same resources or creativity to suicide prevention, even though through early June 2012 military suicides had outpaced the number of combat deaths in Afghanistan. It is estimated that more than 250 soldiers, sailors, airmen, and marines have taken their own lives this year.

There is substantial evidence that prescription drug abuse is a major factor in military suicides. In its January 2012 report *Army 2020: Generating Health and Discipline in the Force*, the Army found that 29 percent of suicides had a known history of psychotropic medication use including anti-depressants, anti-anxiety medicine, anti-psychotics, and other controlled substances such as opioids.

Active-duty drug use was a factor in more than a third of suicides where drug use could be determined and a factor in two-thirds of suicide attempts. The Army's report recommends the establishment of a military drug take-back program to help combat prescription drug abuse in the ranks. Given that more than 49,000 soldiers were issued three or more psychotropic or controlled substance prescriptions last year and an estimated 3,500 soldiers illicitly used prescription drugs, it's time we act on this recommendation.

At present, only the Drug Enforcement Administration has the inherent authority to conduct a drug take-back program. The Secure and Responsible Drug Disposal Act of 2010, however, provided the Attorney General the flexibility necessary to delegate similar authority to other agencies to conduct a drug take-back program. Thus far, however, the Attorney General has declined to act, and neither the Attorney General nor the DEA has provided mechanisms or authority to the military to establish its own drug take-back program.

Senator LIEBERMAN and I, building on work done by Senator MURRAY, wrote the Attorney General in July of this year to request his support for efforts to reduce military suicides by allowing military treatment facilities to conduct controlled substance take-back and destruction programs.

Senator LIEBERMAN and I understand that accountability of drugs must be strictly maintained and that these drugs must be prevented from being misused, abused, or from entering the black market. We are confident, however, that an accountable drug take-back program could be established at military treatment facilities with sufficient safeguards put in place to prevent diversion, misuse, theft, or loss of returned drugs. Military treatment facilities are unique, and the military has established successful accountability programs for handling nuclear weapons, conventional weapons, and classified materials. We have no reason to doubt that an appropriate degree of accountability could be established in a drug take-back program.

Excluding the military from conducting drug take-back programs has a detrimental effect on the military's ability to reduce controlled substance abuse in the Force, decrease non-medical use of prescription drugs, prevent diversion of controlled substances, and limit the possibility for accidental overdose and death for our servicemembers or their family members. Providing this authority will give the military one more tool in its efforts to reduce suicides.

The loss of even one servicemember to a potentially preventable suicide involving controlled substance abuse or misuse is unacceptable. For that reason, Senator LIEBERMAN and I filed this amendment to the Veterans Jobs Corps Act. I urge my colleagues to support inclusion of this amendment in this legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING 9/11

Mr. BROWN of Ohio. Mr. President, today we remember September 11, 2001,

11 years ago, a Tuesday like today was, a beautiful day like today was, but a day of horror incited by a hateful ideology. We, of course, cannot afford to forget what happened, but let's remember what can happen when Americans come together.

On this national day of remembrance we honor those who lost their lives 11 years ago, the daughters and sons, mothers and fathers, sisters and brothers from various walks of life and avenues of faith. We honor the families of the victims. We honor the survivors. We honor the courageous civil servants and first responders, most of them union members, who lost their lives and suffered illnesses because of their selflessness. We salute the servicemembers and their families who sacrificed so much since these tragic events.

More than a decade later we all remember where we were on that clear Tuesday morning. I remember feeling the fear and uncertainty when gathering my staff at a location near the Capitol. Regardless of where we were on that fateful day, whether speaking English with a Brooklyn accent or as a first generation American learning English as a second language or those of you from the Midwest who perhaps speak with a bit of a Midwestern accent—although Midwesterners do not have an accent—we all came together. Regardless of where we worked—in a manufacturing plant in Cleveland or a farm near Lima—we came together. This is this spirit or solidarity we reaffirm today.

Today we must come together again and focus on moving forward as one nation in spite of our differences.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to dispense with the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECOND ANNIVERSARY OF THE CHEVROLET CRUZE

Mr. BROWN of Ohio. This weekend, I believe it was Saturday, I was in Lordstown, OH, celebrating the 2-year anniversary of the first Chevy Cruze that came off the Lordstown GM Chevy plant line. I was there the day the first Cruze came out. The first three cars—painted red, white, and blue—represented the determination of workers and that company and the Nation to succeed to bounce back, despite national naysayers who were willing to stand idly by while our economy stalled.

We read it in newspapers, saw it on television, heard it on the radio how some elected officials not only wanted to turn their back on an industry that has provided middle-class wages, college educations, homes, and cars to millions of Americans, but a number of elected officials wanted to bet against the American automotive industry.

During the height of the economic crisis, when American manufacturing was sputtering—and the Presiding Officer knows the statistics because he paid attention in his State of Alaska, which is not so much a manufacturing State but a State that contributes a lot to manufacturing. The Presiding Officer knows what has happened in this country. From 2000 to 2010, we lost 5 million manufacturing jobs. That was one-third of all the manufacturing jobs in this country. Six thousand plants closed in the United States in that decade. Since 2010—and more on that in a moment—because of the auto rescue and because we have a Federal Government that is willing to enforce trade laws, we have seen a growth of 500,000 manufacturing jobs, the first time we have seen month-to-month manufacturing job growth for almost every month for 2-plus years. It is the first time since 1999 this country has actually seen any manufacturing job growth.

Some said: Let the industry go bankrupt. A Presidential candidate said—I believe his words to Detroit were along the lines of drop dead; that wasn't something we wanted to do, to do anything to help that industry. They were willing to let the auto industry go bankrupt and then see what happened.

Some of these naysayers thought it was OK to bail out Wall Street. They thought it was OK to pad the salaries of reckless bankers who drove our economy off the cliff. It wasn't the nonunion autoworker in Marysville who built the Honda, it wasn't the Chrysler autoworker in Toledo who built the Wrangler or the Liberty, it wasn't the Chevy autoworker in Lordstown who built the Cruze, it wasn't the autoworker in Defiance who built the engine or the glass worker in Crestline who made the glass for the Chevy Cruze or the aluminum worker in Cleveland or the steelworker in Middletown who caused the collapse of the economy and the problems with the banks. In many ways, they were blamed by the people who bet against America, who were willing to say it is OK to pad the salary of reckless bankers, even though they are the ones who drove the economy off the cliff.

They railed against rescuing autoworkers in places such as Holmesville, Waverly, Middletown, and Youngstown. The easy road—and it wasn't the easy road by a long shot—isn't always the right path, not when this many jobs are at stake, paying these kind of wages, strengthening this middle-class.

The Chevy Cruze represents what was at stake. Three days ago, when I was in Lordstown, we marked the day of the 2-year anniversary, how resilient we can be when we make decisions not based on politics but what is best for the country. Plain and simple, the auto rescue was the right choice.

Last year, the Cruze was elected the Car of the Year by the North American Dealer Association. Now it is the best-selling compact car in America. My

daughter drives one. My wife traded in her 6-year-old Pontiac Vibe and bought a Chevy Cruze. Just a few short years ago, 1,000 workers in Lordstown were laid off. Today, nearly 5,000 workers build one of the fastest selling small cars in the country.

For people such as Glenn Johnson, who is the local President in the Lordstown assembly plant, the politically unpopular decision to save the auto industry was about saving the livelihood for hard-working families in Ohio and in the Midwest. Two years later, we are moving forward. GM profits are up. GM has been profitable for 10 consecutive quarters. None of the naysayers thought it could possibly happen. None of the naysayers were willing to invest in GM and to find private capital. It only happened because taxpayers stepped forward because the government was willing to understand and recognize that this mattered for our country.

GM has announced plans to make a \$200 million additional investment in Lordstown, where they have added a third shift to produce the Chevy Cruze. Chrysler has invested tens of millions of dollars in Toledo. Honda has invested tens of millions of dollars in a new model in Marysville. Ford has invested tens of millions of dollars in Cleveland. All three American auto companies and the major U.S. auto transplant Honda have all made major investments in Ohio since the auto rescue. The Cruze epitomizes how essential the auto industry is in Ohio.

The engine for the Cruze is made in Defiance, the transmission for the Cruze is made in Toledo, the brackets are made in Brunswick, the glass for the Wrangler is made in Crestline, the sound system for the Cruze is made in Springboro, the underneath steel for the Cruze comes from Middletown, the exposed steel comes from Cleveland, the seat frame comes from Lorain, the seats are made in Warren, and the aluminum for the Chevy Cruze Eco comes from Cleveland. The car is assembled by 5,000 workers in Lordstown, OH.

This success story goes far beyond one State. In my State alone, hundreds of thousands of jobs are associated with the auto industry. There are 120,000 Ohioans who are directly employed by automakers, dealers, and supply chain parts manufacturers. We know even with that success and even with the success of enforcing trade laws, which have turned into—as a result of enforcing trade rules, we have a new steel mill in Youngstown. More tires are made in Findlay and more aluminum is made in Heath and Sidney, OH. More steel is made in Lorain and Cleveland.

Because we have enforced trade rules, that doesn't mean we don't need to do more. The economy is still not what it should be. Our unemployment rate from 2 years ago went from over 10.5 percent to under 7.5 percent, but it is clearly still not enough because far too many workers in Ohio, Alaska and

America and all over are underemployed or unemployed.

We are moving in the right direction. Since January of 2010, after a full decade of manufacturing job loss from 2000 to 2010, where 5 million manufacturing jobs were lost, we have gained 500,000 manufacturing jobs in those 2 years.

Supporting America means valuing workers. It is patriotic to support America's middle class. When it comes to protecting American workers and supporting American manufacturers and boasting America's middle class, we still have much to do. We have made major progress in the last years. We have much to do. We have no choice but to move forward.

#### MORNING BUSINESS

Mr. BROWN of Ohio. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMEMBERING 9/11

Mr. INOUE. Mr. President, I rise in memory of an unspeakable tragedy that shook our great Nation free of the belief that we are an untouchable force in the modern world, 11 years ago today.

Eleven years ago today an unspeakable tragedy shook our great Nation free of the belief that we are an untouchable force in the modern world.

Today, as we honor the nearly 3,000 innocent men, women, and children who lost their lives at the World Trade Center, the Pentagon, and in a field in Shanksville, PA, we must remember more than the pain and rage that followed the events of that Tuesday morning.

I cannot help but compare that day to the morning of December 7, 1941, when Imperial Japan attacked Pearl Harbor, killing more than 2,400 sailors, soldiers, and civilians, and plunging our Nation into World War II.

The bombing of Pearl Harbor moved me to put on the uniform and join thousands of my brothers in a fight that spanned across Europe and the Asia Pacific.

Like Pearl Harbor, the events of September 11 forced our Nation to send troops into Afghanistan, and later it was used to help justify the invasion of Iraq.

More than 6,000 of our brave men and women have died fighting in those countries, and, like World War II, the loss of life and American resources is staggering.

These attacks on America, the wars that followed, and the aftermath where we searched for hope and dealt with the pain of loss, altered our national consciousness and fortified us for the future that we continue to work hard to build.

To move forward, we must recognize that September 11 was a painful re-

minder that America must remain ever vigilant to the threats posed by foreign forces and those who abhor the freedom and equality that defines our great Nation.

But most importantly, we have to understand the role America plays in the global community, and we must be respectful of our place and work hard to use what we have been blessed with to ensure that peace and good will reign, regardless of our differences.

I speak from experience when I say that no matter the justification and no matter the final outcome, no nation, no people, escape from war unscathed.

Mr. LEAHY. Mr. President, eleven years ago today, on a crisp early autumn morning much like today's, I was at the Supreme Court for the semi-annual meeting of the Judicial Conference when I got word of the first attack of 9/11. I quietly informed Chief Justice William Rehnquist, who was presiding over our meeting. Soon afterward we heard a muffled "bump," followed by a report that a car bomb may have gone off across town at the State Department. Of course, we later learned that this had been the sound of another plane, as it slammed into the Pentagon.

I remember later that day, evacuating my staff from the Russell Senate Building. I remember crossing along the West Front of the Capitol as two fighter jets streaked up the Mall. I remember the unnatural stillness of a big city in shock, similar only to what I saw as a law student at Georgetown, when a pall descended over Washington after the news that President John F. Kennedy had been killed.

At this morning's meeting of the Judicial Conference in that same room where we met 11 years ago on this date, several participants offered reflections about this somber anniversary.

I noted that much of what holds our country together in times of crisis is the integrity of the three branches of our constitutional government. In recent times, for temporary political gain, there too often has been the temptation to tear down our foundational institutions, undermining the public's faith and confidence in our system. Over time, that cannot help but erode that foundation. I pointed out that this was why, the day after the attacks 11 years ago, each and every Senator made the effort to be in his or her seat in an unmistakable gesture of unity of purpose. We knew that we had to reopen this emblem and pillar of American democracy, and I was proud to be in my seat representing Vermont when the Senate convened for business that next morning.

Over this past decade, as Americans we have gathered each year on this date to remember the thousands of innocent lives that were taken so casually and so callously on that terrible morning. We also remember and honor the brave first responders and military servicemembers who have lost their lives protecting and serving our country. It has been more than a year since

President Obama announced that Osama bin Laden had finally been brought to justice. Although his death will never heal the pain of the families who grieve their losses, we all hope that it will bring a degree of closure and a measure of solace to them, and to all Americans.

In the aftermath of this tragedy, it became clear that changes to our intelligence and law enforcement agencies were needed to address the government's failure to connect the dots before the attacks. I have worked to ensure that Federal agencies have the tools they need to make our borders more secure, improve our intelligence gathering, track down terrorists and bring them to justice, in ways that are consistent with our laws and fundamental values. I firmly believe that we can keep our Nation safe without relinquishing our values.

The last 11 years have further exposed the perversity and bankruptcy at the core of al-Qaida's philosophy and the resilient strength at the core of America's foundational principles. We are a people whose power is in our diversity, our principles, and our liberty. No attack on our shores has ever taken those from us, and no attack ever will.

Ms. MURKOWSKI. Mr. President, I remember, as many do, exactly where I was on this day 11 years ago. On that Tuesday morning the United States suffered a terrible attack that resulted in almost 3,000 immediate deaths. When we think of 9/11, we remember the shock, horror and feelings of helplessness. But as we reflect on that day, we also remember the outpouring of compassion and common purpose that united us then and in the days, weeks, and months that followed. We remember the courage shown by the firefighters, police, and other first responders, by the passengers of United Flight 93, and by so many others. That day left us with a resolve to regroup, rebuild and recover while renewing our country's reputation as a world leader and symbol of freedom.

Eleven years later, Americans have shown that our resolve cannot be broken. We remember and honor all those who have and continue to sacrifice to keep us safe, especially the more than 2 million members of our military who have served in the years since 9/11.

We should also remember the spirit of unity and determination that followed in the weeks and months after 9/11. We were not divided as Democrats and Republicans, we were Americans united in purpose. We would do well in these divisive campaigns to reflect on that unity as Americans and pledge to work together to advance the best interests of this great nation.

On this day of remembrance to our fallen heroes, I urge all Alaskans and Americans across the country to join together in service to our neighbors and communities.

Mr. BROWN of Massachusetts. Mr. President, although 11 years have passed since September 11, 2001, our

hearts still ache for the families of the victims as we recall the horror and disbelief of that day. The attacks were a barbaric assault on our Nation's values, meant to crack the foundations of our civilization, strike fear in our hearts, and shake our resolve as a people. But the terrorists have failed in their twisted objectives, as we remain steadfast in our belief in the goodness of our Nation and her enduring ideals. We will never forget the tragedy of that day and the lives that were lost, just as we will never forget the sacrifices made by our troops to protect our freedoms. Today, we stand proudly as Americans first.

Among the nearly 3,000 innocent lives taken in the terror attacks of September 11, 2001, were more than 90 residents of my State of Massachusetts. In alphabetical order are those residents and more than 110 victims with close personal ties to the Commonwealth:

Anna S. W. Allison of Stoneham, MA; Barbara Arestegui of Marston Mills, MA; Myra Joy Aronson of Charlestown, MA; Garnet Edward Bailey of Lynnfield, MA; Christine Johnna Barbutto of Brookline, MA; Mark Lawrence Bavis of West Newton, MA; Graham Andrew Berkeley of Wellesley, MA; David W. Bernard of Chelmsford, MA; Kelly Ann Booms of Brookline, MA; John Brett Cahill of Wellesley, MA; Christoffer Mikael Carstanjen of Turner Falls, MA; Neillie Anne Heffernan Casey of Wellesley, MA; Jeffrey William Coombs of Abington, MA; John Corcoran of Norwell, MA; Tara Kathleen Creamer of Worcester, MA; Patrick J. Curran of Winchester, MA; David DiMeglio of Wakefield, MA; Donald Americo DiTullio of Peabody, MA; Paige Farley-Hackel of Newton, MA; Alexander Milan Filipov of Concord, MA; Paul J. Friedman of Belmont, MA; Karleton Douglas Beye Fyfe of Brookline, MA; Peter Allan Gay of Tewksbury, MA; Linda Mae George of Westboro, MA; and Edmund Glazer of Wellesley, MA.

Lynn Catherine Goodchild of Attleboro, MA; Peter Morgan Goodrich of Sudbury, MA; Lisa Reinhard Fenn Gordenstein of Needham, MA; Douglas A. Gowell of Methuen, MA; Francis Grogan of Easton, MA; Maile Rachel Hale of Cambridge, MA; Christine Lee Hanson of Groton, MA; Peter Burton Hanson of Groton, MA; Sue Jue Kim Hanson of Groton, MA; Eric Smadikhan Hartono of Boston, MA; Peter Paul Hashem of Tewksbury, MA; James E. Hayden of Westford, MA; Robert Jay Hayes of Amesbury, MA; Edward R. Hennessy, Jr. of Belmont, MA; Todd Russell Hill of Boston, MA; Cora Hidalgo Holland of Sudbury, MA; Herbert Wilson Homer of Milford, MA; John Nicholas Humber, Jr. of Newton, MA; Robert Adrian Jalbert of Swampscott, MA; John Charles Jenkins of Cambridge, MA; Charles Edward Jones of Bedford, MA; Robin L. Kaplan of Westboro, MA; Ralph Francis Kershaw of Manchester-by-the-Sea, MA; Brian Kevin Kinney of Lowell, MA; and Judy Camilla Larocque of Framingham, MA.

Natalie Janis Lasden of Peabody, MA; Daniel M. Lewin of Brookline, MA; Sara Elizabeth Low of Boston, MA; Marianne MacFarlane of Revere, MA; Susan McAleney Mackay of Westford, MA; Karen Ann Martin of Danvers, MA; Joseph Mathai of Arlington, MA; Michael Gregory McGinty of Foxboro, MA; Deborah Medwig of Dedham, MA; Christopher Daniel Mello of Boston, MA; Carlos Alberto Montoya of Belmont, MA; Laura Lee DeFazio Morabito of Framingham, MA; Christopher Martel Morrison of Charleston,

MA; Mildred Rose Naiman of Andover, MA; Kathleen Ann Nicosia of Winthrop, MA; John Ogonowski of Dracut, MA; Betty Ann Ong of Andover, MA; Jane M. Orth of Haverhill, MA; Sonia Mercedes Morales Puopolo of Dover, MA; Patrick J. Quigley, IV of Wellesley Hills, MA; David E. Retik of Needham, MA; Frederick Charles Rimmel, III of Marblehead, MA; Raymond J. Rocha of Malden, MA; Jean Destrehan Roger of Longmeadow, MA; and Philip Martin Rosenzweig of Acton, MA.

Richard Barry Ross of Newton, MA; Jessica Leigh Sachs of Billerica, MA; Rahma Salie of Boston, MA; Jesus Sanchez of Hudson, MA; Jane Louise Simpkin of Wayland, MA; Heather Lee Smith of Boston, MA; Dianne Bullis Snyder of Westport, MA; Brian David Sweeney of Barnstable, MA; Madeline Amy Sweeney of Acton, MA; Michael Theodoridis of Boston, MA; Amy E. Toyen of Newton, MA; James Anthony Trentini of Everett, MA; Mary Trentini of Everett, MA; Antonio De Jesus Montoya Valdez of East Boston, MA; Kenneth E. Waldie of Methuen, MA; William Michael Weems of Marblehead, MA; Candace Lee Williams of Dorchester, MA; and Christopher Rudolph Zarba, Jr. of Hopkinton, MA.

And, Mr. President, those victims with close personal ties to Massachusetts include:

Stephen Adams, Gertrude Alagero, Japhet Aryee, Mark Bingham, Jeffrey D. Bittner, Susan L. Blair, Carol Marie Bouchard, Michael R. Canty, William Caspar, Swarna Chalasani, Stephen Cherry, Geoffrey William Cloud, Jeffrey D. Collman, Kevin Patrick Connors, Fredrick John Cox, Jr., Thelma Cuccinello, Dorothy deAraujo, Gerard DeConto, Manuel DelValle, Jr., Gerard Dewan, Simon Dhanani, Alberto Dominguez, Jamie Lynn Fallon, John R. Fisher, and Richard Fitzsimons.

Carol Flyzik, Alan Friedlander, Thomas Edward Galvin, Douglas Gardner, Andrew Curry Green, Donald Freeman Greene, Philip T. Guza, Carl Hammond, Gerald Hardacre, Melissa Harrington-Hughes, John C. Hartz, Roberta Bernstein Heber, Norberto Hernandez, William Christopher Hunt, Erik Hans Isbrandtsen, Waleed J. Iskandar, Aaron J. Jacobs, Ariel L. Jacobs, Jason K. Jacobs, Gricelda E. Garo James, Amy Nicole Jarret, Joseph Jenkins Jr., Jennifer Lynn Kane, Robert M. Kaulfers, and Richard M. Keane.

Barbara A. Keating, David P. Kovalcin, Kathryn L. LaBorie, Robert George LeBlanc, Dong Lee, Joseph A. Lenihan, Jeffrey LeVeen, Sean Patrick Lynch, Louis Neil Mariani, Kenneth J. Marino, Margaret Mattic, Kevin M. McCarthy, Julian Valentine McCourt, Ruth Clifford McCourt, Thomas F. McGuinness Jr., Gavin McMahon, Stuart Todd Meltzer, Raymond Joseph Metz, III, Martin P. Michelstein, Craig J. Miller, Brian Joseph Murphy, Shawn M. Nassaney, Laurie Olsen Neira, Renee Tetreault Newell, and Jacqueline Norton.

Robert Norton, Leah E. Oliver, Seamus O'Neal, Marie Pappalardo, Robert Pattison, Thomas Nicolas Pecorelli, Todd D. Pelino, Berinthia Berenson Perkins, Jean Peterson, Dennis J. Pierce, Everett Proctor, III, Carrie Beth Progen, Jonathan Randall, Venesha Richards, Isaias Rivera, Waleska Martinez Rivera, Stephen L. Roach, Laura Rockefeller, Michael Craig Rothberg, James M. Roux, Matthew Carmen Sellito, Kathleen Shearer, Robert M. Shearer, Antoinette Sherman, and Timothy C. Stout.

Edward W. Straub, Kevin T. Szocik, Leonard E. Taylor, Eric Thorpe, Alicia Titus, Daniel Trant, Tyler Ugolyn, Michael Augustine Uliano, Meta Fuller Waller, Stephen Ward, John L. Wenckus, Peter M. West, and Maudlyn A. White.

## HONORING OUR ARMED FORCES

## CALIFORNIA CASUALTIES

Mrs. BOXER. Mr. President, I rise today to pay tribute to 30 servicemembers from California or based in California who have died while serving our country in Operation Enduring Freedom since June 6, 2012. This brings to 381 the number of servicemembers either from California or based in California who have been killed while serving our country in Afghanistan. This represents 18 percent of all U.S. deaths in Afghanistan.

CPT Scott P. Pace, 39, of Brawley, CA, died June 6, in Qarah Bagh, Afghanistan, of wounds suffered when his helicopter crashed. Captain Pace was assigned to 1st Squadron, 17th Cavalry Regiment, 82nd Combat Aviation Brigade, 82nd Airborne Division, Fort Bragg, NC.

Cpl Anthony R. Servin, 22, of Moreno Valley, CA, died June 8, while conducting combat operations in Helmand Province, Afghanistan. Corporal Servin was assigned to 2nd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Nathan T. Davis, 20, Yucaipa, CA, died June 9, in Tore Obek, Afghanistan, of injuries suffered when his vehicle was attacked with an enemy improvised explosive device. Specialist Davis was assigned to 1st Battalion, Airborne, 501st Infantry Regiment, 4th Brigade Combat Team, Airborne, 25th Infantry Division, Joint Base Elmendorf-Richardson, AK.

Cpl Taylor J. Baune, 21, of Andover, MN, died June 13, while conducting combat operations in Helmand Province, Afghanistan. Corporal Baune was assigned to 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

SSG Nicholas C. Fredsti, 30, of San Diego, CA, died June 15, in Spedar, Afghanistan, when insurgents attacked his unit with small arms fire. Staff Sergeant Fredsti was assigned to 1st Battalion, 504th Parachute Infantry Regiment, 1st Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC.

SGT Jose Rodriguez, 22, of Gustine, CA, died June 19, in Kandahar Province, Afghanistan, of wounds suffered from enemy small arms fire. Sergeant Rodriguez was assigned to 4th Battalion, 23rd Infantry Regiment, 2nd Stryker Brigade Combat Team, 2nd Infantry Division, Joint Base Lewis-McChord, WA.

PFC Steven P. Stevens II, 23, of Tallahassee, FL, died June 22, while conducting combat operations in Helmand Province, Afghanistan. Private First Class Stevens was assigned to 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Niall W. Cotisears, 23, of Arlington, VA, died June 23, while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal

Cotisears was assigned to 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

SPC Alejandro J. Pardo, 21, of Porterville, CA, died July 8, of wounds suffered when enemy forces attacked his unit in Maidan Shahr, Wardak Province, Afghanistan, with an improvised explosive device. Specialist Pardo was assigned to 978th Military Police Company, 93rd Military Police Battalion, Fort Bliss, TX.

Cpl Joshua R. Ashley, 23, of Rancho Cucamonga, CA, died July 19, while conducting combat operations in Helmand Province, Afghanistan. Corporal Ashley was assigned to 2nd Law Enforcement Battalion, II Marine Expeditionary Force, Camp Lejeune, NC.

PO2 Michael J. Brodsky, 33, of Tamarac, FL, died July 21, in Kandahar Province, Afghanistan, from injuries related to a dismounted improvised explosive device blast. Petty Officer Second Class Brodsky was assigned to Navy Region Southwest Security Detachment, San Diego, CA.

SGT Eric E. Williams, 27, of Murrieta, CA, died July 23, of injuries sustained when his forward operating base received indirect fire in Pul-E Alam, Afghanistan. Sergeant Williams was assigned to 3rd Battalion, 82nd Combat Aviation Brigade, 82nd Airborne Division, Fort Bragg, NC.

1LT Sean R. Jacobs, 23, of Redding, CA, died July 26, in Khakrez, Afghanistan, of wounds suffered when he encountered an enemy improvised explosive device. First Lieutenant Jacobs was assigned to 2nd Battalion, 17th Field Artillery Regiment, 2nd Stryker Brigade Combat Team, 2nd Infantry Division, Joint Base Lewis-McChord, WA.

SPC Benjamin C. Pleitez, 25, of Turlock, CA, died July 27, of injuries sustained from a non-combat related incident in Mazar E Sharif, Afghanistan. Specialist Pleitez was assigned to 1072nd Transportation Company, 746th Combat Support Battalion, 224th Sustainment Brigade, Van Nuys, CA.

PFC Jose Oscar Belmontes, 28, of La Verne, CA, died July 28, in Wardak Province, Afghanistan, of wounds suffered from enemy small arms fire. Private First Class Belmontes was assigned to 630th Engineer Company, 7th Engineer Battalion, 10th Sustainment Brigade, Fort Drum, NY.

GySgt Daniel J. Price, 27, of Holland, MI, died July 29, while conducting combat operations in Badghis province, Afghanistan. Gunnery Sergeant Price was assigned to 1st Marine Special Operations Battalion, Camp Pendleton, CA.

LCpl Curtis J. Duarte, 22, of Covina, CA, died August 1, while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Duarte was assigned to 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

PFC Jesus J. Lopez, 22, of San Bernardino, CA, died August 1, in Paktika Province, Afghanistan, of

wounds suffered when he encountered an enemy improvised explosive device. Private First Class Lopez was assigned to 1st Battalion, 28th Infantry Regiment, 4th Infantry Brigade Combat Team, 1st Infantry Division, Fort Riley, KS.

PO3 Clayton R. Beauchamp, of Weatherford, TX, died August 7, when enemy forces attacked his unit with an improvised explosive device while conducting a dismounted patrol in the Shaban District, Helmand Province, Afghanistan. Petty Officer Third Class Beauchamp was assigned to 1st Battalion, 1st Marine Regiment, Regimental Combat Team 6, 1st Marine Division, Forward, I Marine Expeditionary Force, Forward, Camp Pendleton, CA.

Capt. Matthew P. Manoukian, 29, of Los Altos Hills, CA, died August 10, while conducting combat operations in Helmand Province, Afghanistan. Captain Manoukian was assigned to 1st Marine Special Operations Battalion, Camp Pendleton, CA.

GySgt Ryan Jeschke, 31, of Herndon, VA, died August 10, while conducting combat operations in Helmand Province, Afghanistan. Gunnery Sergeant Jeschke was assigned to 1st Marine Special Operations Battalion, Camp Pendleton, CA.

SSgt Sky R. Mote, 27, of El Dorado, CA, died August 10, while conducting combat operations in Helmand Province, Afghanistan. Staff Sergeant Mote was assigned to 1st Marine Special Operations Battalion, Camp Pendleton, CA.

SSgt Scott E. Dickinson, 29, of San Diego, CA, died August 10, while supporting combat operations in Helmand Province, Afghanistan. Staff Sergeant Dickinson was assigned to 3rd Battalion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force.

Cpl Richard A. Rivera Jr., 20, of Ventura, CA, died August 10, while supporting combat operations in Helmand Province, Afghanistan. Corporal Rivera Jr. was assigned to 3rd Battalion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force.

CW2 Suresh N. Krause, 29, of Cathedral City, CA, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Chief Warrant Officer 2 Krause was assigned to 2nd Battalion, 25th Aviation Regiment, 25th Combat Aviation Brigade, 25th Infantry Division, Schofield Barracks, HI.

SGT Richard A. Essex, 23, of Kelseyville, CA, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Sergeant Essex was assigned to 2nd Battalion, 25th Aviation Regiment, 25th Combat Aviation Brigade, 25th Infantry Division, Schofield Barracks, HI.

PO1 Sean P. Carson, 32, of Des Moines, WA, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Explosive Ordnance Disposal Petty Officer First Class Carson was assigned to an explosive ordnance disposal mobile unit in San Diego, CA.

PO1 Patrick D. Feeks, 28, of Edgewater, MD, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Special Warfare Operator Petty Officer First Class Feeks was assigned to a west coast-based naval special warfare unit.

PO2 David J. Warsen, 27, of Kentwood, MI, died August 16, in a helicopter crash northeast of Kandahar, Afghanistan. Special Warfare Operator Petty Officer Second Class Warsen was assigned to a west coast-based naval special warfare unit.

LCpl Alec R. Terwiske, 21, of Dubois, IN, died September 3, while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Terwiske was assigned to 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

#### PRODUCTION TAX CREDIT

Mr. LEAHY. Mr. President, like others in this body, including Senator UDALL of Colorado and my fellow senator from Vermont, Senator SANDERS, I support extending the production tax credit for wind energy. This extension is critical to maintaining America's leadership in green energy development and can directly increase domestic job growth. Vermont has already seen the positive results of the production tax credit for wind energy, but the wind industry impacts our entire country. Every American has a stake in the extension of this tax credit.

I am proud that Vermont is a leader in green energy. My State has set ambitious, yet achievable, goals to develop renewable energy resources and technology. We are doing our part to promote job growth, national security, and environmental benefits that tap into local, renewable energy sources. Yet despite these efforts, Vermont has already experienced negative consequences from the uncertainty that surrounds the extension of this tax credit.

I frequently hear the success stories in the renewable energy industry coming out of Vermont, and from industry leaders there about the exciting new projects they are developing. But this summer, the stories have been different. One such company, NRG Systems in Vermont, has been a global leader in wind measurement. The company's CEO, Jan Blittersdorf, and her team of dedicated employees take great pride in delivering precise, reliable and proven wind measurement and turbine control equipment. Jan is an industry leader who has been recognized as a Champion of Change by President Obama and who has been praised for her renewable energy work and efforts to advance the role of women in the green energy sector.

During the recession, as jobs were being cut in many sectors across the country and in Vermont, NRG bucked the trend by hiring new workers, and the company continued to innovate

and look for ways to grow their business. Today, you can find their products in more than 144 countries. Now, however, due to the uncertainty surrounding the extension of the production tax credit, companies like NRG are putting new projects on hold, and for the first time in its 30 year history NRG Systems has been forced to lay off workers—a devastating prospect for a business in a rural state that has prided itself on its ability to adapt to changing market conditions and its strong support for its workers.

These are skilled and dedicated employees losing vital domestic jobs. American workers cannot afford a delay in the extension of the production tax credit. At a time when manufacturing jobs have been shipped overseas, the wind energy sector has done the opposite: it has added manufacturing jobs here in America. Wind energy companies, like NRG Systems, are entrepreneurs who are doing the kind of groundbreaking work that drives our economy.

We have a chance to invest in jobs for America, rather than subsidizing the oil industry to the tune of billions of dollars every year. Our continued dependence on fossil fuels ensures that we will have more of the extreme weather events that have long been a predicted consequence of global warming, such as the drought that is devastating our Nation's farmers this summer and the terrible flooding from Hurricane Irene last summer. It is time to say goodbye to the big oil tax subsidies and usher in a new era of wind energy. The benefits are clear: wind energy has propelled a sustainable and domestic energy source, increased jobs for Americans, and strengthened our domestic energy security.

These are jobs we cannot afford to lose. In Vermont, and for the wind industry across the country, NRG Systems is the canary in the coal mine—an early indicator of the crisis that the wind industry is headed toward if the production tax credit is not extended. This crisis is something we have seen every time this tax credit has lapsed. Each time the production tax credit has been allowed to lapse, revenues in the wind industry fall precipitously, businesses shutter their doors, and workers lose their jobs. There are ways to avoid this catastrophe.

We must continue the production tax credit now or we will most certainly cede these jobs to other countries. I urge all Senators to join me in supporting these important credits. They support American jobs, American companies, American ingenuity, and American energy security. We should extend the production tax credit for wind and continue America's leadership in this growing energy sector.

#### OVARIAN CANCER AWARENESS MONTH

Ms. KLOBUCHAR. Mr. President, I rise to express my support for women

and families affected by ovarian cancer. In 2012, it is estimated that approximately 22,280 women will be diagnosed with ovarian cancer and 15,500 will die of the disease. In my State of Minnesota, an estimated 260 women will die from ovarian cancer this year. Too many American women—sisters, daughters, nieces, wives, friends, neighbors, and coworkers—are losing their lives to this disease.

Because no ovarian cancer screening or early detection test exists, organizations such as the Ovarian Cancer National Alliance stress that “until there's a test, awareness is best.” I commend the Ovarian Cancer National Alliance for its steadfast commitment to make women aware of the risk factors, signs, and symptoms of ovarian cancer and for its advocacy on behalf of women and families touched by this devastating disease. I also would like to commend the Ovarian Cancer National Alliance's Partner Member groups in my State, including the Minnesota Ovarian Cancer Alliance, which is one of the largest funders of research for ovarian cancer in the country.

Experts recommend that women see a gynecologist if they experience any of the often subtle symptoms of ovarian cancer daily for more than a few weeks. Four major symptoms of ovarian cancer include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, and frequent or urgent need to urinate. I ask all of my colleagues to become familiar with these symptoms and to share the information with their friends, family, staff, and constituents.

Ovarian cancer is the ninth most common cancer among women and the fifth leading cause of cancer-related deaths, making it the deadliest of gynecologic cancers. If ovarian cancer is treated before it has spread outside the ovary, the 5-year survival rate is 93 percent. Currently, only 15 percent of ovarian cancers are found at such an early stage and overall the relative 5-year survival rate is 46 percent. I urge my colleagues to help make women aware of the potential warning signs to prevent future deaths. Experts acknowledge that symptoms can be vague and may be associated with other medical conditions. However, as the saying goes, it is better to be safe than sorry.

September is National Ovarian Cancer Awareness Month—an important time during which ovarian cancer organizations, advocates, and others will be helping to raise awareness about the disease and its symptoms. I urge my colleagues and their staff to join me in recognizing September as National Ovarian Cancer Awareness Month and to join with us in wearing teal throughout September to increase public knowledge about this deadly disease.

#### TRIBUTE TO ROSAIRE LONGE

Mr. LEAHY. Mr. President, it is an honor to recognize Rosaire Longe, a



man who has dedicated much of his life to civil service. Whether fighting fires, serving the city of Burlington, VT, as city assessor, representing his district in the Vermont State Legislature, or maintaining order in the courtroom as a court officer, Mr. Longe has continually served the people and State of Vermont.

A native of New York, Mr. Longe spent most of his childhood years in Vermont. After graduating from Burlington High School in 1958, Mr. Longe worked as a firefighter for the Burlington Fire Department, a profession he continued for 10 years. Mr. Longe went back to school at Champlain College, where he received his associate's degree in accounting in 1979. Before beginning his career as a court officer, Mr. Longe worked as the Burlington City Assessor and served as a state representative for one term in the Vermont Legislature. For the past 20 years, Mr. Longe has ensured the smooth running of the Vermont Superior Court in Burlington as a court officer. His ready smile and easy manners have helped jurors, witnesses and judges alike feel assured in the courtroom. Outside of work, Mr. Longe served as a Justice of the Peace for over 30 years, and in that capacity, he has presided over the marriage of over 2,000 couples.

These professional accomplishments aside, Mr. Longe has touched the lives of many Vermonters. Friends and co-workers have described him as "one of the best men" they know. Whether he is leading people in and out of the courthouse, officiating a neighbor's wedding, or merely encouraging those around him with a smile and a laugh, Mr. Longe has proven himself to be the epitome of a true Vermonter. Marcelle and I have known Rosaire and his wife, Irene, for decades, and share Vermonters admiration for him. In light of his character and history as a public servant, Rosaire deserves recognition for a full lifetime of civil service and contribution to his community and State.

#### TRIBUTE TO DR. HENRY JARECKI

Mr. LEAHY. Mr. President, I want to use this opportunity to recognize the extraordinary contribution of a dear friend of mine, Dr. Henry Jarecki, who is the founding chairman of the Institute of International Education's Scholar Rescue Fund.

This year is the fund's 10th anniversary, and on September 18, 2012, Dr. Jarecki will be honored with the Institute of International Education's Humanitarian Award—along with Scholar Rescue's other founders, Tom Russo, Henry Kaufman and George Soros—for his commitment to protecting endangered scholars around the world.

The Scholar Rescue Fund provides safe havens to scholars whose lives are threatened, often for no other reason than their intellectual pursuits, allowing them to continue their academic

work. No other global fund of this kind exists. Since 2002, with congressional support, the Scholar Rescue Fund has enabled 469 threatened scholars from 48 countries to resettle in places where they have safely pursued their professional studies and research, preserving the intellectual capacity of a country during conflict or crisis.

Over 40 percent of these scholars have returned to their home countries. For example, as reports emerged of assassinations of Iraqi scholars, the Scholar Rescue Fund identified those in danger and provided stipends so they could resettle and continue teaching and writing in Jordan and other neighboring countries. Many have since returned to leadership positions at Iraqi universities as that country rebuilds its institutions of higher education.

While many have supported the Scholar Rescue Fund, Dr. Henry Jarecki stands out. Drawing on his own experiences as a child whose family fled Nazi Germany, Dr. Jarecki has generously devoted his energy, resources, and time to the fund. He has been a passionate voice for responding to the dangers confronting scholars in Iraq, Iran, Yemen, and now Syria.

He has guided staff and inspired fellow board members, always striving to do more on behalf of persecuted academics. He has been a source of support and hope to threatened scholars everywhere. Dr. Jarecki's own words explain his motivation best: "Most of all, I thank and admire our scholars, who have gone through hell to educate us."

I am proud to have been his friend for decades, and I know his deep commitment. It is with great respect, gratitude, and admiration that, on the occasion of the Scholar Rescue Fund's 10th anniversary, we recognize and commend Dr. Henry Jarecki's work to protect scholars worldwide. Because of his efforts the fund will continue into the future, saving the lives, work, and voices of threatened academics and reminding us all of the importance of intellectual freedom.

#### ADDITIONAL STATEMENTS

##### HAZEN, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I am pleased to honor a community in North Dakota that will celebrate its 100th anniversary next year. On July 4 through July 7, 2013, residents of Hazen will be celebrating their community's history and founding.

Hazen has a rich Native American and settler's history, from the Mandan and Hidatsa tribes establishing horticultural villages to Lewis and Clark spending a winter in what is now Mercer County. Settlers began establishing the area after the Lewis and Clark expedition discovered the "highway to the Northwest", otherwise known as the Missouri River. Hazen was named for A.D. Hazen, who was Third Assistant Postmaster General in the summer

of 1884. General Hazen served at Fort Stevenson, a military post on the north side of the Missouri River.

Located in the Bakken oil formation, Hazen is part of North Dakota's thriving energy industry. The community supports investing and expanding the energy industry and also remains committed to a high quality of life for its residents. The city of Hazen has developed a well-rounded business district and a dedicated parks and recreation department, offering activities such as fishing, camping, and archery. The area offers many opportunities to enjoy North Dakota's natural beauty.

Among the events planned for the centennial are a fireworks display, concerts, dinners, a glow-in-the-dark 5k run, and a fish fry. Hazen's celebration is sure to give attendees an all-around experience that is true to its roots, providing that unique hometown feel for which North Dakota is known.

I ask the United States Senate to join me in congratulating Hazen, ND, and its residents on their 100th anniversary and in wishing them well in the future.●

#### TRIBUTE TO MICHAEL DONOHOE

• Ms. KLOBUCHAR. Mr. President, today I wish to recognize a fellow Minnesotan, Mr. Michael Donohoe, as he nears the end of his term as the 107th chairman of the nation's largest insurance association, the Independent Insurance Agents & Brokers of America, IIAA. Mike is principal of the James R. Weir Insurance Agency in Mankato, MN, and was installed as the association's chairman last September.

Mike has contributed to the independent agency system in a variety of ways at the State and national level, including serving as the Minnesota Independent Insurance Agents & Brokers, MIIAB, president and as the organization's representative on the National Board of Directors. He is a former MIIAB Agent of the Year.

In 2005, Mike received the Woodworth Memorial, the highest honor the Big "I" awards to an agent which is presented annually to the Big "I" member who best demonstrates outstanding service benefiting independent insurance agents and the entire insurance industry. He is the only Minnesotan ever to be awarded the Woodworth Memorial. Amongst his many other accomplishments at the Big "I," he was instrumental to the success of the Big "I" Virtual University and served as the chair of the VU Oversight Task Force from 2001 to 2006.

Donohoe grew up in Lake Forest, IL, and is a graduate of St. Mary's College, in Winona, MN. He has been married to his wife Mary for more than 30 years, and they have four children: Katie, Gina, Meghan, and Patrick. I would like to commend Mike's commitment to his profession, his community, and our State of Minnesota, and I wish him and his family all the best in their future endeavors.●

## CELEBRATING STAN OVSHINSKY

• Mr. LEVIN. Over the August recess, I had the pleasure of attending a 90th birthday party for a remarkable Michigianian, Stan Ovshinsky. I would like to share with my colleagues some of my remarks from that event.

The word "visionary" is over used, but surely it applies to Stan Ovshinsky.

His vision for decades has been a world freed from its dependence on fossil fuels. One in which we create good jobs and a growing economy on the strength of green ideas. One in which science lights the way to a brighter future, and in which justice and fairness prevail.

He has worked for that vision every day of his 90 years, beginning in the machine shops of Akron, OH.

The science behind what Stan has accomplished might be incomprehensible to most of us, even though Webster's New World Dictionary tries to make it simple. Webster's defines the word "ovonic," from the name Ovshinsky, as "designating, of, or utilizing various glassy, amorphous materials that undergo electronic or structural changes, act as semiconductors when subjected to voltage, light, etc., and are used in computer memory elements, electronic switches, etc." That may still be pretty hard to understand for many of us.

But we certainly can understand the impact these innovations have had on the world. Through his work on advanced batteries, solar cells, hydrogen power and more, Stan is one of the people who has brought us closer to breaking our dependence on energy sources that endanger our environment, our economic well-being, and our national security.

We can also understand Stan's passion. Spend a few minutes talking to him about his vision, and you see the world as it could be, a world in which American innovators pioneer the technologies that power a new economy and create good jobs.

So his vision isn't just that of a scientist. It is the vision of a patriot.

Stan knows that the visionary's path is not an easy one. Those who seek to change the world embark on a lifetime of ups and downs.

He never attended college, but lack of formal education didn't stop him. As Edison showed us, humankind's creative juices aren't always meant for the more confined spaces of academia.

Two centuries ago, a Frenchman, Alexis de Tocqueville, toured our brandnew Nation, traveling from its major cities to the raw frontier of places such as Detroit and Saginaw.

Reflecting on the American character, de Tocqueville wrote that the average American was "above all an innovator. . . . Nothing prevents him from innovating. Everything leads him to innovate."

Stan is proof positive that the American spirit of innovation de Tocqueville described is alive and well.

Many others joined me in celebrating Stan's accomplishments. I would like

to share with my colleagues the remarks of two distinguished guests: those of Hellmut Fritzsche, the former chairman of the Physics Department at the University of Chicago; and of Harley Shaiken, the chair of the Center for Latin American Studies at the University of California-Berkley. I ask unanimous consent that their remarks be included in the RECORD. •

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## REMARKS OF HELLMUT FRITZSCHE

## STAN'S 90TH BIRTHDAY

This is a very special occasion! We are getting together with love, admiration and gratitude to celebrate the 90th birthday of Stan. He has deeply touched and profoundly influenced each one of us and changed our lives. Let me tell you about myself.

Exactly 49 years ago began our most fruitful and exciting collaboration and a deeply enriching friendship that includes all our family members. Max Powel picked me up from the airport and I looked in vain for a sign saying Energy Conversion Devices at any of the big buildings we passed; Max said "they haven't put up a big sign yet". Soon I was sitting across Stan at his storefront office and laboratory at W. McNichols Rd. Right away Stan showed me the completely symmetric switching characteristics of his new devices on his oscilloscope. I was flabbergasted, astonished, puzzled and curious about the materials covering the two crossing wires which formed his device. All this was new. I was hooked. This was the opening to a new science which started a fruitful phase of my research.

I was captivated by Stan's immense intellect, exuberance, and his personal warmth and that of his young wife Iris. Iris, Stan's soul, spirit and closest collaborator. Soon I was guest in their small house in Birmingham and played violin with their eight year old Steven.

I realized that Stan had discovered a huge unexplored field of material science. This happens very rarely. We were in uncharted territory. In Stan's disordered Ovonic materials we were confronted with phenomena of bewildering diversity and complexity which required for their explanation a new language and concepts. Stan's intuition and deep understanding of the roles of different elements in his materials were ingenious.

You would think that the scientific community welcomed with enthusiasm Stan's lead into an entirely new field of materials with promising device possibilities. What a disappointment! Stan's discoveries were contemptuously dismissed and attacked by mainstream physicists. Was it because Stan did not carry the union card of academic credentials? Stan who rightfully views science as the noblest endeavor was greatly disappointed by the pettiness, irrationality and lack of curiosity of a good fraction of scientists. Stan's reaction was admirable. He did not respond impatiently or in anger. Since he was absolutely convinced of the correctness of his ideas and the potential of his materials, he trusted that his opponents would be won over as soon as they understood his ideas and discoveries. However, since his enemies were from the established research institutions, they were able to block all federal research support. That brought out Stan's other talents, that of attracting and convincing like-minded people to help him accomplish his goals and realize his vision. These usually were likewise extraordinarily creative and imaginative personalities. Frequent visitors to Stan and Iris

and ECD were Sir Nevill Mott, Isidor Rabi, Robert Wilson, Ed and Haru Reishauer and Edward Teller.

Since I am name dropping, I have to tell you about a fascinating dream. I dreamed that Stan and Albert Einstein had become close friends, Stan was sitting at the desk and Einstein on his bed, there was no other furniture in Einstein's Spartan room—They were in the house near Berlin which Einstein designed and had built for himself after the city of Berlin rescinded on its promise to present a house to Einstein as a gift of the city to his 50th birthday. Stan and Einstein were in a deep discussion. Einstein had just said "Stan, we have much in common. We both feel that the greatest joy in life is to discover a new truth of nature, we both were fortunate to experience it a number of times." Stan objected to equating their achievements but Einstein stopped him "No, my work was much easier. Both of us follow our intuition and are doggedly stubborn like mules, but I needed only pencil and paper and was kept on a safe track by the logical rules of mathematics. You, on the other hand, navigated in uncharted territories, gathering all knowledge by experiments of your design on new materials of your making and interpreting measurements of limited accuracy. Yet you succeeded many times in discovering new materials and new laws of material science. Not only that, you designed these materials to be of great value to society."

"I know some of the difficulties you must have encountered. I did an experiment only once in my life, with the young De Haas. It was a complete flop. We made such an unforgivable mistake that our experiment is still quoted under the demeaning rubric 'Pathological Science' serving as an example of what experimentalists must avoid: 'Never let your preconceived notion influence your experiment!'. We fell into that trap. We knew the value which we should find in our experiment because I had calculated it. We indeed measured it quite accurately. However, we were influenced and fooled by our prior knowledge. The true value turned out to be different by a factor two. My calculation, based on classical concepts, was wrong."

"Now you see, Stan, how much I admire your successful forays into completely unknown territories with naysayers and enemies lurking around you. Who was this Oxford professor who claimed amorphous semiconductors cannot exist because he taught his students that their energy gap is formed by interference of the electron wave functions at the periodic lattice of crystals? We both had plenty of enemies, but for us they lived in a different universe because we knew we were right. I could easily disregard them, but for you they were serious, they tried to prevent your work from getting funded, experiments are expensive. So you had to play all the other roles: being an entrepreneur, fund raiser, inventor and engineer and machine builder, all in one person. Now you know why I consider you to be the one to be admired."

Stan was speechless, so Einstein carried on and said "I learned to protect my solitude, uncombed and dressed in my ragged sweater—I protect my privacy. You notice there is no living room and no telephone in this house I designed, and my wife Elsa has a great talent shunning away visitors."

I don't remember what Stan said, but Einstein continued: "People are in awe of me but no one loves me. I never had true friends, I failed in my marriage. I envy you and Iris for your talent to form deep friendships and to elicit love. People are drawn to you; you understand them and you care. Even more, you bring out their best, many working with you feel you changed their lives. You and

Iris created a unique ECD culture of innovation and collaboration. Enough said. So stop admiring me, you are great!"

"We share fundamental human values, I talked about them, but you practiced them; you were effective starting as a Union organizer and continued fighting against injustice and prejudice all your life. It is typical for you to be the only Fellow of the American Physical Society who, at the same time, is a union member of the International Association of Machinists."

Einstein then talked about his work in the patent office and how he enjoyed reading many of Stan's 400 or so patents. Their discussion became too technical for me to include in this talk. Getting up, Einstein finally said: "by the way Stan, I learned about your explanation of dark matter, the 26 percent of all matter in the universe, one of the great puzzles of modern Cosmology. You said it is not matter at all but pure gravitation without matter. It is space/time curvature produced by non-uniform expansion of the universe instead of by matter. I agree with you, the expansion cannot be uniform because mass, that is the galaxies and nebula fill space in clumps. That will cause wrinkles in space time and hence additional curvatures, which of course act gravitationally, just what dark matter does. The referee was wrong rejecting your paper on the grounds of my field equations. These were written for a stationary universe in order to keep the mathematics simple and tractable. Modern scientists must not take as a gospel what I wrote down more than 80 years ago."

Here our dog jumped on my bed waking me up—what a dream! I had to tell you about it. I hope you appreciate my effort to imitate Einstein's German accent.

You might be surprised to hear Stan thinking about cosmological problems. I always stayed with Stan and Iris when I visited ECD. When we got to his home after a grueling and strenuous day for Stan, we swam in the lake, had a martini and enjoyed Iris' delicious dinner. Then Stan said "Let us relax and talk about physics". Besides high temperature superconductivity, Bose Einstein condensation, non-silver photography, high remanence magnets, catalytic actions of nano-crystals, and of course the Ovonic switching and memory phenomena, we discussed current problems of cosmology. We sat in his basement study surrounded by thousands of his books, discussed and argued about scientific problems. Between my visits we exchanged letters summarizing and clarifying our thoughts in preparation of our next session. I found a bundle of our letters. These are the ones of 6 years between 1994 and 2000 dealing with cosmology. They awake fond memories.

I mentioned thousands of his books. They fill all rooms and the study, the guest room, the former gym and sauna in the basement. The books, most of them heavily annotated with colored markers, lead you through the history of the labor movement, biographies of all important and admirable people including some anarchists, books on Japanese Haiku, Chinese art, history of social movements and world history. With his incredible memory, Stan picks from the books piling up to the ceiling and finds the passage supporting his argument. Stan is a Renaissance man except for the important difference that in the Renaissance no one was at the same time a scientist, social activist, entrepreneur, machine builder, inventor, and manufacturer. We have to find a new name for a person with the incredible scope of knowledge and creativity of Stan. On the other hand, there is no other person, so let's just call him Stan Ovshinsky.

We wish you good health, success and a happy birthday.

STAN OVSHINSKY: CELEBRATING THE PAST AND ILLUMINATING THE FUTURE—HARLEY SHAIKEN, UC-BERKELEY

It is an honor and a joy to be here today with Stan and Rosa, with their family and friends, to celebrate Stan's 90th birthday. I will take my cue from Stan who has always celebrated the past while looking to the future.

From a very young age Stan set out to change the world in a progressive—no, in a radical way—and the world is a far better place for his efforts. As impressive as his works have been, I believe they will prove defining for future generations.

Stan has combined brilliant science with a deep commitment to social justice and he has pursued both with exceptional vision and courage. They are fully intertwined in his mind and his heart. They are not separate sides of Stan, they are Stan.

If the term were not already used in physics, we might call the passionate combination of science and social justice: Ovonics.

His path has never been easy. When the times were toughest, when the night was darkest, Stan persevered. Since it's his birthday, let me begin with a verse by Ralph Chaplin, the IWW poet and troubadour, who at times wrote from a jail cell and who Stan reads in difficult times.

Chaplin wrote in "No Truce for Us":  
"Stubborn we stood against the stars to span

The night with dreams, our faces to the gale".

Stan has spanned a lifetime with dreams, surmounted the fiercest gales, and turned those dreams into profound new realities.

Stan for me has been the dearest of friends, the most exceptional of mentors. There is no one with whom it is more exciting to share good news. When I met a beautiful young woman from Chile in 1973, who is the love of my life, I first brought her to meet Stan and Iris. And, there is no one who is more supportive when the sky appears to be falling. I wouldn't be who I am today without Stan.

Out of a lifetime of special moments I will speak briefly about two separated by decades and thousands of miles: the first was when I met Stan and Iris so many years ago in Detroit and, the second, when I stood with Stan and Rosa only a few years ago on an 8,000 foot mountain in the north of Chile.

I first met Stan and Iris when I was 15 in a basement community room in Northwest Detroit at a meeting to organize a chapter of the Congress of Racial Equality (CORE), a civil rights group. Their ideals and their love for each other flowed through the room. The 1960s were just beginning. The times were very heady and the times were deeply troubled. Stan and Iris's commitment to civil rights was inspiring. They supported students in the South who were being brutally beaten for sitting at lunch counters and they stood with African American families in Detroit who were threatened for wanting a decent home down the block.

I would soon learn that Stan had organized workers into unions in the 1930s and 1940s, on occasion being chased or beaten for his efforts, and I would see him stand proudly with labor throughout his life; I would see Stan champion human rights throughout the world whether in Russia or Chile; I would see his support of women in his life and in his company far ahead of the curve; and I would witness him oppose unjust wars guided by a moral compass whatever the personal cost.

In the weeks and months after we met a friendship bloomed. I would meet Stan and Iris after school in the storefront offices on Six Mile Road of a company they had just founded. At the time, the company had an oscilloscope or two and was about to hire its

first employee. It's name and its mission would prove prophetic: Energy Conversion Laboratories. What a name to choose in 1960!

In Stan's office, there was a periodic table of the elements on the wall and shelves of books from Albert Einstein to the Chilean poet Pablo Neruda, from the British philosopher Bertrand Russell to the American labor leader A. Philip Randolph.

As we talked, Stan would pull books off the shelves and put them into my hands, books that would change my life. George Orwell's *Homage to Catalonia*; John Reed's *Ten Days That Shook the World*; the Rev. Martin Luther King Jr's *Stride Toward Freedom*; and the German expressionist George Grosz's paintings and drawings, among many others.

Although Stan has honorary doctorates in physics from the University of Michigan and great universities throughout the world, he says he acquired his advanced degree at the Akron Public Library; I acquired mine in that Six Mile Road office.

In his office and in his living room, Stan spoke passionately about science, he spoke about energy and information as the pillars of a new age, and he spoke about building a better world with urgency.

As I would quickly learn, for Stan speaking was the prelude to action. Ideas led to new theories, new materials, new areas of science; they led to machines and factories; they laid the foundation for new industries.

Stan's path-breaking science harnessed the energy of the sun and his values sought to use science to create jobs, avoid wars over energy, and preserve the environment.

His vision was always international. He has traveled the world tirelessly I suspect with the words of Eugene Debs in mind "if there is a lower class I am in it, if there is a criminal element I am of it, if there is a soul in prison I am not free." And, his practice seemed to have added "if someone sits in darkness my world becomes dimmer." Among so many global achievements, forgotten villagers in Oaxaca, Mexico were able to light the night using his solar materials and illuminate a path to a better future.

Three years ago I came with Ricardo Lagos, the legendary former president of Chile, to Detroit to meet Stan and Rosa.

He was so impressed by the visit—Stan and he proved to be kindred spirits—that he organized a trip for them to Chile a few months later.

We were invited to spend a magical day at the Paranal Observatory on an 8,000-foot peak in the Atacama desert, the driest place on the planet. Under a sun-drenched sky and during a night overflowing with stars, Stan expressed admiration for what democratic governments had achieved in Chile and spoke eloquently about solar possibilities for the future. Over an intense week, he added a vital, transforming voice to thinking about renewable energy in the country.

The magic continued at the home of President Michelle Bachelet, a remarkable woman and an exceptional president. Stan and her shared an instant rapport and a deep, personal connection on values and ideals. The commitment for a better world burned brightly for both of them.

These special moments made me realize that Stan has changed the world in ways that he and we may not yet fully recognize. We will look back and see that his science and his life defined our age in profound ways.

He has inspired far more deeply and far more widely than he may know. He has inspired because, as Senator CARL LEVIN so eloquently put it, "Stan has allowed us to see the world as it could be."

Those who worked with him at Energy Conversion Devices saw his ideals in practice. He created a culture that celebrated the worth and capacity of people—whatever

their formal qualifications, whoever they were—and inspired unparalleled innovation and achievement over five decades.

Along the way there have been setbacks and tough defeats. How could there not be given the powerful interests he has challenged and the profound ways in which he has upended the status quo? I am reminded about something his friend Norman Thomas once said, which is now enshrined on a plaque in the library at Princeton University. “I am not the champion of lost causes, but the champion of causes not yet won.”

Let me conclude with another poem. In a world spiraling toward nightmare in 1938 Bertolt Brecht wrote “To Posterity.”

He lamented “Alas, we who sought a world of human kindness could not ourselves be kind.”

Stan has rewritten the poem with the work of a lifetime. His version would read “we who sought a world of human kindness could only achieve it through kindness, generosity, and solidarity with our fellow human beings.”

Happy birthday, Stan!

#### REMEMBERING LEO R. SEGALLA, SR.

● Mr. VITTER. Mr. President, today I wish to honor the life, legacy, and contributions of Leo R. Segalla, Sr., who passed away on Monday, September 10, 2012. Mr. Segalla was a dedicated pro-life leader whose tireless efforts for many ministries and outreaches had a tremendous impact on the fight to defend the dignity of life.

In 2007, Leo approached Louisiana Right to Life with the vision of creating a pro-life leadership training program for high school students. He developed the Louisiana Camp Joshua program on behalf of the Knights of Columbus and Louisiana Right to Life. Under his leadership, Camp Joshua flourished and grew to two camps, the first in Baton Rouge and the second in Lake Charles. Over the past 5 years, this program has trained hundreds of teens to speak effectively on life issues and has inspired young adults to be pro-life leaders in their communities.

Leo also greatly contributed to the pro-life cause through his leadership in Baton Rouge Right to Life and as part of the Louisiana Life March Coalition. The pro-life community has lost a great friend and advocate, but his legacy will live on in the hundreds of young people who have been empowered to stand for the dignity and sanctity of all human life.

It is with great sadness but also great honor that I recognize, commend, and celebrate the life and legacy of Leo Segalla. Leo was a champion of life who was unwavering in his defense of those who cannot defend themselves. I extend my deepest condolences to his family and friends in Louisiana.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Sen-

ate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13224 ON SEPTEMBER 23, 2001—PM 61

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

#### *To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the national emergency with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2012.

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism, and maintain in force the comprehensive sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, September 11, 2012.

#### REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE TERRORIST ATTACKS ON THE UNITED STATES OF SEPTEMBER 11, 2001—PM 62

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

#### *To the Congress of the United States*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2012, the national emergency with respect to the terrorist threat.

BARACK OBAMA.

THE WHITE HOUSE, September 11, 2012.

#### MESSAGE FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 406. An act to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate.

H.R. 2139. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

H.R. 2489. An act to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

H.R. 2706. An act to prohibit the sale of billfish.

H.R. 3397. An act to modify the Forest Service Recreation Residence Program by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes.

H.R. 6007. An act to exempt from the Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority.

H.R. 6122. An act to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes.

H.R. 6186. An act to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes.

H.R. 6336. An act to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District

of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 132. Concurrent resolution providing funding to ensure the printing and production of the authorized number of copies of the revised and updated version of the House document entitled "Hispanic Americans in Congress", and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 406. An act to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; to the Committee on Rules and Administration.

H.R. 3397. An act to modify the Forest Service Recreation Residence Program by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6007. An act to exempt from the Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority; to the Committee on Environment and Public Works.

H.R. 6122. An act to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes; to the Committee on Rules and Administration.

H.R. 6186. An act to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 132. Concurrent resolution providing funding to ensure the printing and production of the authorized number of copies of the revised and updated version of the House document entitled "Hispanic Americans in Congress", and for other purposes; to the Committee on Rules and Administration.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3522. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3525. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

H.R. 8. To extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2489. An act to authorize the acquisition and protection of nationally significant

battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7311. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Flagship Niagara Mariners Ball Fireworks, Presque Isle Bay; Erie, PA" ((RIN1625-AA00) (Docket No. USCG-2012-0349)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7312. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; A Salute to Our Heroes Fireworks, Hamlin Beach State Park; Hamlin, NY" ((RIN1625-AA00) (Docket No. USCG-2012-00354)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7313. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fourth of July Fireworks Event, Pagan River; Smithfield, VA" ((RIN1625-AA00) (Docket No. USCG-2012-0377)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7314. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Barrel Recovery, Lake Superior; Duluth, MN" ((RIN1625-AA00) (Docket No. USCG-2012-0491)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7315. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Olde Ellison Bay Days Fireworks Display, Ellison Bay, Wisconsin" ((RIN1625-AA00) (Docket No. USCG-2012-0536)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7316. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Portage Cove, Haines, AK for 4th of July Fireworks Presentation" ((RIN1625-AA00) (Docket No. USCG-2012-0576)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7317. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; F/V Deep Sea, Penn Cove, WA" ((RIN1625-AA00) (Docket No. USCG-2011-1007)) received during adjournment of the Senate in the Office of the President of

the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7318. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; USMMA Fireworks, Long Island Sound, Kings Point, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0404)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7319. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Barrel Recovery, Lake Superior; Duluth, MN" ((RIN1625-AA00) (Docket No. USCG-2012-0491)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation; to the Committee on Commerce, Science, and Transportation.

EC-7320. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Atlantic Intracoastal Waterway; North Topsail Beach, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0426)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7321. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Annually Recurring Marine Events in Coast Guard Southeastern New England Captain of the Port Zone" ((RIN1625-AA08) (Docket No. USCG-2011-1026)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7322. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Sequestration Update Report to the President and Congress for Fiscal Year 2013"; to the Committees on Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Finance; Foreign Relations; Homeland Security and Governmental Affairs; Health, Education, Labor, and Pensions; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; Veterans' Affairs; Indian Affairs; and Select Committee on Intelligence.

EC-7323. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program: Disqualified Recipient Reporting and Computer Matching Requirements" (RIN0584-AB51) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7324. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program; Amendments to the National List of Allowed and Prohibited Substances (Crops, Livestock and Processing)" ((RIN0581-AD15) (AMS-NOP-11-0058;

NOP-11-09FR)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7325. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program (NOP); Sunset Review (2012); Correction" ((RIN0581-AC96) (AMS-NOP-09-0074; NOP-09-01FR)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7326. A communication from the Administrator of Dairy Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Midwest Marketing Area; Order Amending the Order" (AMS-DA-11-0067) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7327. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Livestock Mandatory Reporting Program; Establishment of the Reporting Regulation for Wholesale Pork" ((RIN0581-AD07) (AMS-LS-11-0049)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7328. A communication from the Administrator of the Livestock and Seed Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Beef Promotion and Research; Amendment to the Order" (AMS-LS-11-0086) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7329. A communication from the Administrator of the Cotton and Tobacco Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cotton Board Rules and Regulations; Adjusting Supplemental Assessment on Imports" (AMS-CN-11-0091) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7330. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changing Reporting Requirements" (Docket No. AMS-FV-12-0002; FV12-929-1 IR) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7331. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tomatoes Grown in Florida; Increased Assessment Rate" (Docket No. AMS-FV-11-0080; FV11-966-1 FR) received during adjournment of the Senate in the Office of the Presi-

dent of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7332. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Specialty Crops; Import Regulations; New Pistachio Import Requirements" (Docket No. AMS-FV-09-0064; FV09-999-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7333. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Increased Assessment Rate" (Docket No. AMS-FV-11-0093; FV12-932-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7334. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clothianidin; Pesticide Tolerances" (FRL No. 9360-4) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7335. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticides; Microbial Pesticide Definitions and Applicability; Clarification and Availability of Test Guideline" (FRL No. 9338-9) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7336. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pendimethalin; Pesticide Tolerances" (FRL No. 9360-5) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7337. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nitric Acid; Exemption from the Requirement of a Tolerance" (FRL No. 9338-2) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7338. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thifensulfuron Methyl; Pesticide Tolerances" (FRL No. 9360-2) received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7339. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Inflation Adjustment of Threshold for Acquisition of Right-Hand Drive Passenger Sedans" ((RIN0750-AH65) (DFARS Case 2012-D016)) received during adjournment of the Senate in the Office of the

President of the Senate on August 22, 2012; to the Committee on Armed Services.

EC-7340. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Reporting of Government-Furnished Property" ((RIN0750-AG83) (DFARS Case 2012-D001)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Armed Services.

EC-7341. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to the Defense Industrial Base Capabilities Fund; to the Committee on Armed Services.

EC-7342. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "The Fiscal Year 2011 Inventory of Contracts for Services"; to the Committee on Armed Services.

EC-7343. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, five (5) Selected Acquisition Reports (SARs) for the quarter ending June 2012; to the Committee on Armed Services.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WICKER (for himself and Mr. INHOFE):

S. 3526. A bill to amend title 10, United States Code, to protect the rights of conscience of members of the Armed Forces and chaplains of members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. SCHUMER (for himself, Mr. GRASSLEY, Mrs. FEINSTEIN, and Mrs. MCCASKILL):

S. 3527. A bill to provide for enhanced criminal penalties for individuals who file a SEVP certification petition under false pretenses, to prohibit certain schools from accessing SEVIS or participating in the SEVP and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER:

S. 3528. A bill to repeal the authorization to provide office space, a furnishings allowance, congressional franking privileges, and staff assistance to former Speakers of the House of Representatives; to the Committee on Rules and Administration.

By Mr. ROBERTS:

S. 3529. A bill to amend the Clean Air Act to clarify a certain provision relating to prevention of accidental releases; to the Committee on Environment and Public Works.

By Mr. HATCH (for himself, Mr. MCCONNELL, Mr. GRASSLEY, Mr. CORNYN, Mr. THUNE, Mr. TOOMBY, Mr. ENZI, Mr. VITTER, Mr. CRAPO, Mr. ROBERTS, Mr. BURR, Mr. COBURN, and Mr. KYL):

S.J. Res. 50. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program; to the Committee on Finance.



## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Nebraska (for himself and Ms. COLLINS):

S. Res. 548. A resolution designating the week beginning September 9, 2012, as "National Direct Support Professionals Recognition Week"; considered and agreed to.

By Mr. LAUTENBERG (for himself and Ms. COLLINS):

S. Res. 549. A resolution designating September 2012 as "Campus Fire Safety Month"; considered and agreed to.

By Mr. NELSON of Nebraska (for himself and Mr. INHOPE):

S. Res. 550. A resolution designating September 13, 2012, as "National Celiac Disease Awareness Day"; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 339

At the request of Mr. BAUCUS, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 434

At the request of Mr. COCHRAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 634

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 634, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 645

At the request of Mr. SCHUMER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 645, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Con-

necticut (Mr. LIEBERMAN) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 1069

At the request of Ms. CANTWELL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1069, a bill to suspend temporarily the duty on certain footwear, and for other purposes.

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1391

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1391, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with post-traumatic stress disorder or mental health conditions related to military sexual trauma, and for other purposes.

S. 1577

At the request of Mr. BAUCUS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1577, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1798

At the request of Mr. UDALL of New Mexico, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1798, a bill to direct the Secretary of Veterans Affairs to establish an open burn pit registry to ensure that members of the Armed Forces who may have been exposed to toxic chemicals and fumes caused by open burn pits while deployed to Afghanistan or Iraq receive information regarding such exposure, and for other purposes.

S. 1832

At the request of Mr. ENZI, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1832, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1935

At the request of Mrs. HAGAN, the names of the Senator from Delaware

(Mr. CARPER) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 1966

At the request of Ms. AYOTTE, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1966, a bill to direct the Secretary of Homeland Security to reform the process for enrolling, activating, issuing, and renewing Transportation Worker Identification Credentials so that applicants are not required to visit a designated enrollment center more than once.

S. 1989

At the request of Ms. CANTWELL, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 2078

At the request of Mr. MENENDEZ, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2078, a bill to enable Federal and State chartered banks and thrifts to meet the credit needs of the Nation's home builders, and to provide liquidity and ensure stable credit for meeting the Nation's need for new homes.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2620

At the request of Mr. SCHUMER, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2620, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 3083

At the request of Mr. RUBIO, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 3083, a bill to amend the Internal Revenue Code of 1986 to require certain nonresident aliens to provide valid immigration documents to claim the refundable portion of the child tax credit.

S. 3199

At the request of Mr. SCHUMER, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3199, a bill to amend the

Immigration and Nationality Act to stimulate international tourism to the United States and for other purposes.

S. 3204

At the request of Mr. JOHANNIS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3208

At the request of Mr. PORTMAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3208, a bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp, and for other purposes.

S. 3237

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3340

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3340, a bill to improve and enhance the programs and activities of the Department of Defense and the Department of Veterans Affairs regarding suicide prevention and resilience and behavioral health disorders for members of the Armed Forces and veterans, and for other purposes.

S. 3354

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3354, a bill to authorize the Transition Assistance Advisor program of the Department of Defense, and for other purposes.

S. 3402

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3402, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 3418

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3418, a bill to amend title 10, United States Code, to require the Secretary of Defense to use only human-based methods for training members of the Armed Forces in the treatment of severe combat injuries.

S. 3435

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3435, a bill to designate the facility of the United States Postal

Service located at 26 East Genesee Street in Baldwinsville, New York, as the "Corporal Kyle Schneider Post Office Building".

S. 3457

At the request of Mr. NELSON of Florida, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

S. 3471

At the request of Mr. RUBIO, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 3471, a bill to amend the Internal Revenue Code of 1986 to eliminate the tax on Olympic medals won by United States athletes.

S. 3520

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3520, a bill to require a portion of closing costs to be paid by the enterprises with respect to certain refinanced mortgage loans, and for other purposes.

S.J. RES. 45

At the request of Mrs. HUTCHISON, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S.J. Res. 45, a joint resolution amending title 36, United States Code, to designate June 19 as "Juneteenth Independence Day".

S. RES. 385

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 385, a resolution condemning the Government of Iran for its continued persecution, imprisonment, and sentencing of Youcef Nadarkhani on the charge of apostasy.

S. RES. 543

At the request of Mrs. BOXER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

AMENDMENT NO. 2780

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 2780 intended to be proposed to S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 548—DESIGNATING THE WEEK BEGINNING SEPTEMBER 9, 2012, AS "NATIONAL DIRECT SUPPORT PROFESSIONAL RECOGNITION WEEK"

Mr. NELSON of Nebraska (for himself and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 548

Whereas direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as "direct support professionals") are the primary providers of publicly funded long term supports and services for millions of individuals with disabilities;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs on a daily basis;

Whereas direct support professionals perform a broad range of activities for individuals with disabilities, including preparing meals, managing medications, bathing, dressing, helping with mobility, providing transportation to school, work, and religious and recreational activities, and helping with general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas direct support professionals are the key to allowing an individual with disabilities to live successfully in the community and avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas, although direct support professionals work and pay taxes, many are impoverished and are eligible for the same Federal and State public assistance programs that individuals with disabilities depend on;

Whereas Federal policies, State policies, and the opinion of the Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999) assert the right of an individual to live in his or her home and community;

Whereas the majority of direct support professionals are employed in home and community-based settings, and the percentage of direct support professionals employed in such settings is projected to increase during this decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates, which, research demonstrates, adversely affects the quality of supports provided to individuals with disabilities: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning September 9, 2012, as "National Direct Support Professionals Recognition Week";

(2) recognizes the dedication and vital role of direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this resolution as "direct support professionals") in enhancing the lives of individuals of all ages with disabilities;

(3) appreciates the contribution of direct support professionals in serving needs that are beyond the capacity of millions of families in the United States;

(4) commends direct support professionals as integral participants in the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United

States depends on the dedication of direct support professionals.

**SENATE RESOLUTION 549—DESIGNATING SEPTEMBER 2012 AS “CAMPUS FIRE SAFETY MONTH”**

Mr. LAUTENBERG (for himself and Ms. COLLINS) submitted the following resolution; which was considered and, agreed to:

S. RES. 549

Whereas, each year, States across the United States formally designate the month of September as “Campus Fire Safety Month”;

Whereas, since January 2000, at least 152 people, including students, parents, and children, have died in campus-related fires;

Whereas 85 percent of those deaths occurred in off-campus residences;

Whereas a majority of college students in the United States live in an off-campus residence;

Whereas many fatal fires have occurred in a building in which the occupants had compromised or disabled the fire safety system;

Whereas automatic fire alarm systems provide the early warning of a fire that is necessary for occupants of a building and the fire department to take appropriate action;

Whereas automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in the early stages, thus protecting the lives of building occupants;

Whereas many college students live in an off-campus residence, fraternity or sorority housing, or a residence hall that is not adequately protected by automatic fire sprinkler systems and automatic fire alarm systems;

Whereas fire safety education is an effective method of reducing the occurrence of fires and the resulting loss of life and property damage;

Whereas college students do not routinely receive effective fire safety education while in college;

Whereas educating young people in the United States about the importance of fire safety is vital to help ensure that young people engage in fire-safe behavior during college and after college; and

Whereas developing a generation of adults who practice fire safety may significantly reduce future loss of life from fires: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2012 as “Campus Fire Safety Month”; and

(2) encourages administrators of institutions of higher education and municipalities across the United States—

(A) to provide educational programs to all college students in September and throughout the school year;

(B) to evaluate the level of fire safety being provided in both on-campus and off-campus student housing; and

(C) to ensure fire-safe living environments through fire safety education, the installation of fire suppression and detection systems, and the development and enforcement of applicable codes relating to fire safety.

**SENATE RESOLUTION 550—DESIGNATING SEPTEMBER 13, 2012, AS “NATIONAL CELIAC DISEASE AWARENESS DAY”**

Mr. NELSON of Nebraska (for himself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 550

Whereas according to the National Center for Health Statistics of the Centers for Disease Control and Prevention, celiac disease affects approximately 1 in every 141 people in the United States;

Whereas the majority of people with celiac disease have yet to be diagnosed;

Whereas celiac disease is a chronic inflammatory disorder that is classified as both an autoimmune condition and a genetic condition;

Whereas celiac disease causes damage to the lining of the small intestine, which results in overall malnutrition;

Whereas when a person with celiac disease consumes foods that contain certain protein fractions, that person suffers a cell-mediated immune response that damages the villi of the small intestine, interfering with the absorption of nutrients in food and the effectiveness of medications;

Whereas such problematic protein fractions are found in wheat, barley, rye, and oats, which are used to produce many foods, medications, and vitamins;

Whereas because celiac disease is a genetic disease, there is an increased incidence of celiac disease in families with a known history of celiac disease;

Whereas celiac disease is underdiagnosed because the symptoms can be attributed to other conditions and are easily overlooked by doctors and patients;

Whereas as recently as 2000, the average person with celiac disease waited 11 years for a correct diagnosis;

Whereas ½ of all people with celiac disease do not show symptoms of the disease;

Whereas celiac disease is diagnosed by tests that measure the blood for abnormally high levels of the antibodies of immunoglobulin A, antitissue transglutaminase, and IgA antiendomysium antibodies;

Whereas celiac disease can be treated only by implementing a diet free of wheat, barley, rye, and oats, often called a “gluten-free diet”;

Whereas a delay in the diagnosis of celiac disease can result in damage to the small intestine, which leads to an increased risk for malnutrition, anemia, lymphoma, adenocarcinoma, osteoporosis, miscarriage, congenital malformation, short stature, and disorders of the skin and other organs;

Whereas celiac disease is linked to many autoimmune disorders, including thyroid disease, systemic lupus erythematosus, type 1 diabetes, liver disease, collagen vascular disease, rheumatoid arthritis, and Sjögren’s syndrome;

Whereas the connection between celiac disease and diet was first established by Dr. Samuel Gee, who wrote, “if the patient can be cured at all, it must be by means of diet”;

Whereas Dr. Samuel Gee was born on September 13, 1839; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of celiac disease: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 13, 2012, as “National Celiac Disease Awareness Day”;

(2) recognizes that all people of the United States should become more informed and aware of celiac disease;

(3) calls upon the people of the United States to observe National Celiac Disease Awareness Day with appropriate ceremonies and activities; and

(4) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Celiac Sprue Association, the American Celiac Society, and the Celiac Disease Foundation.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 2781. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans job corps, and for other purposes, which was ordered to lie on the table.

SA 2782. Mr. BURR submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2783. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2784. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2785. Mr. BEGICH (for himself, Mr. WYDEN, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2786. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2787. Ms. COLLINS (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2788. Ms. COLLINS (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

SA 2789. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 3457, supra; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

**SA 2781.** Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, between lines 5 and 6, insert the following:

**SEC. 7. TREATMENT OF BUSINESSES AFTER DEATHS OF SERVICEMEMBER-OWNERS FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS CONTRACTING GOALS AND PREFERENCES.**

(a) IN GENERAL.—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsections (i) through (l) as subsections (j) through (m), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) TREATMENT OF BUSINESSES AFTER DEATH OF SERVICEMEMBER-OWNER.—(1) If a member of the Armed Forces owns at least 51 percent of a small business concern and such member is killed in line of duty in the active military, naval, or air service, the surviving spouse or dependent of such member who acquires such ownership rights in such small business concern shall, for the period described in paragraph (2), be treated as if the surviving spouse or dependent were a veteran with a service-connected disability for purposes of determining the status of the small business concern as a small business concern owned and controlled by veterans for purposes of contracting goals and preferences under this section.

“(2) The period referred to in paragraph (1) is the period beginning on the date on which

the member of the Armed Forces dies and ending on the date as follows:

“(A) In the case of a surviving spouse, the earliest of the following dates:

“(i) The date on which the surviving spouse remarries.

“(ii) The date on which the surviving spouse relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(iii) The date that is ten years after the date of the member's death.

“(B) In the case of a dependent who is not a spouse, the earliest of the following dates:

“(i) The date on which the surviving dependant relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(ii) The date that is ten years after the date of the member's death.”

(b) EFFECTIVE DATE.—Subsection (i) of section 8127 of such title, as added by subsection (a), take effect on the date of the enactment of this Act and shall apply with respect to the deaths of members of the Armed Forces occurring on or after such date.

**SA 2782.** Mr. BURR submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table, as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Careers for Veterans Act of 2012”.

**SEC. 2. EMPLOYMENT OF VETERANS WITH THE FEDERAL GOVERNMENT.**

(a) IN GENERAL.—Section 4214 of title 38, United States Code, is amended—

(1) in subsection (b), by adding at the end the following:

“(4)(A) The requirement under this section is in addition to the appointment of qualified covered veterans under the authority under paragraph (1) by the Department of Veterans Affairs and the Department of Defense.

“(B) The head of each agency, in consultation with the Director of the Office of Personnel Management, shall develop a plan for exercising the authority under paragraph (1) during the five-year period beginning on the date of enactment of the Careers for Veterans Act of 2012.

“(C) The Director of the Office of Personnel Management shall ensure that under the plans developed under subparagraph (B) agencies shall appoint to existing vacancies not fewer than 10,000 qualified covered veterans during the five-year period beginning on the date of enactment of the Careers for Veterans Act of 2012.”;

(2) in subsection (d), in the third sentence, by inserting “(including, during the 5-year period beginning on the date of enactment of the Careers for Veterans Act of 2012, the development and implementation by each agency of the plan required under subsection (b)(4), which shall include information regarding the grade or pay level of appointments by the agency under the plan and whether the appointments are, or are converted to, career or career-conditional appointments)” after “subsection (b) of this section”; and

(3) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter before subparagraph (A), by striking “to the Congress” and inserting “to the appropriate committees of Congress”; and

(ii) in subparagraph (A), by inserting “(including, during the 5-year period beginning on the date of enactment of the Careers for Veterans Act of 2012, the development and implementation by the agency of the plan required under subsection (b)(4), which shall include information regarding the grade or pay level of appointments by the agency under the plan and whether the appointments are, or are converted to, permanent appointments)” before the period; and

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

“(3) In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Veterans’ Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Veterans’ Affairs and the Committee on Oversight and Government Reform of the House of Representatives.”

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall submit to the appropriate committees of Congress (as defined under section 4214(e)(3) of title 38, United States Code, as amended by subsection (a)) regarding the development of a plan to carry out the amendments made by subsection (a).

**SEC. 3. REQUIREMENT THAT STATES RECOGNIZE MILITARY EXPERIENCE OF VETERANS WHEN ISSUING LICENSES AND CREDENTIALS TO VETERANS.**

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(9)(A) As a condition of a grant or contract under which funds are made available to a State under subsection (b)(5) in order to carry out section 4103A or 4104 of this title, the State shall—

“(i) establish a program under which the State administers an examination to each veteran seeking a license or credential issued by the State and issues such license or credential to such veteran without requiring such veteran to undergo any training or apprenticeship if the veteran—

“(I) receives a satisfactory score on completion of such examination, as determined by the State; and

“(II) has not less than 10 years of experience in a military occupational specialty that, as determined by the State, is similar to a civilian occupation for which such license or credential is required by the State; and

“(ii) submit each year to the Secretary a report on the exams administered under clause (i) during the most recently completed 12-month period that includes, for the period covered by the report the number of veterans who completed an exam administered by the State under clause (i) and a description of the results of such exams, disaggregated by occupational field.

“(B) Not less frequently than once each year, the Secretary shall submit to Congress and the Secretary of Defense a report summarizing the information received by the Secretary under subparagraph (A)(ii).”

(b) EFFECTIVE DATE.—

(1) EXAMS.—Subparagraph (A) of section 4102A(c)(9) of such title, as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act and shall apply with respect to grants and contracts described in such subparagraph awarded after such date.

(2) REPORTS.—Subparagraph (B) of section 4102A(c)(9), as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act and the Secretary of Labor shall submit the first report under such subparagraph not later than two years after the date of the enactment of this Act.

**SEC. 4. SUPPORT FOR JOB SEARCHES OF VETERANS THROUGH ONE-STOP CENTERS.**

(a) FURNISHING OF LIST OF INTERNET RESOURCES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Labor shall furnish each one-stop center with a list of all Internet websites and applications that the Secretary has identified as beneficial for veterans in pursuit of employment to their pursuit.

(b) IDENTIFICATION OF ADDITIONAL RESOURCES.—The Secretary shall coordinate with public and private sector entities to identify Internet websites and applications not already included in a list furnished under subsection (a) that—

(1) match veterans seeking employment with available jobs based on the skills the veterans acquired as members of the Armed Forces; and

(2) allow employers to post information about available jobs.

(c) SUPPLEMENTS.—The Secretary of Labor shall furnish each one-stop center with a list of Internet websites and applications identified under subsection (b).

(d) REPORT.—Not later than 455 days after the date of the enactment of this Act, the Secretary of Labor shall submit to the appropriate committees of Congress a report on the use of the Internet websites and applications identified under subsection (b) for the benefit of veterans in pursuit of employment.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Veterans’ Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(B) the Committee on Veterans’ Affairs and the Committee on Education and the Workforce of the House of Representatives.

(2) ONE-STOP CENTER.—The term “one-stop center” means a center described in section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c)).

**SEC. 5. EXPANSION OF CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE SMALL BUSINESS CONCERNS 100 PERCENT BUT CONDITIONALLY OWNED BY VETERANS.**

Section 8127(1) of title 38, United States Code, is amended—

(1) in paragraph (2), by inserting “unconditionally” before “owned by” each place it appears; and

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

“(3) The term ‘unconditionally owned’ includes, with respect to ownership of a small business concern, conditional ownership of such small business concern if such business concern is 100 percent owned by one or more veterans.”

**SEC. 6. MODIFICATION OF TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS FOR SMALL BUSINESSES OWNED BY VETERANS OF SMALL BUSINESSES AFTER DEATH OF DISABLED VETERAN OWNERS.**

(a) IN GENERAL.—Section 8127(h) of title 38, United States Code, is amended—

(1) in paragraph (3), by striking “rated as” and all that follows through “disability.” and inserting a period; and

(2) in paragraph (2), by amending subparagraph (C) to read as follows:

“(C) The date that—

“(i) in the case of a surviving spouse of a veteran with a service-connected disability rated as 100 percent disabling or who dies as a result of a service-connected disability, is 10 years after the date of the veteran's death; or

“(ii) in the case of a surviving spouse of a veteran with a service-connected disability rated as less than 100 percent disabling who does not die as a result of a service-connected disability, is three years after the date of the veteran’s death.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to contracts awarded on or after such date.

**SEC. 7. TREATMENT OF BUSINESSES AFTER DEATHS OF SERVICEMEMBER-OWNERS FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS CONTRACTING GOALS AND PREFERENCES.**

(a) IN GENERAL.—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsections (i) through (l) as subsections (j) through (m), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) TREATMENT OF BUSINESSES AFTER DEATH OF SERVICEMEMBER-OWNER.—(1) If a member of the Armed Forces owns at least 51 percent of a small business concern and such member is killed in line of duty in the active military, naval, or air service, the surviving spouse or dependent of such member who acquires such ownership rights in such small business concern shall, for the period described in paragraph (2), be treated as if the surviving spouse or dependent were a veteran with a service-connected disability for purposes of determining the status of the small business concern as a small business concern owned and controlled by veterans for purposes of contracting goals and preferences under this section.

“(2) The period referred to in paragraph (1) is the period beginning on the date on which the member of the Armed Forces dies and ending on the date as follows:

“(A) In the case of a surviving spouse, the earliest of the following dates:

“(i) The date on which the surviving spouse remarries.

“(ii) The date on which the surviving spouse relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(iii) The date that is ten years after the date of the member’s death.

“(B) In the case of a dependent who is not a spouse, the earliest of the following dates:

“(i) The date on which the surviving dependant relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(ii) The date that is ten years after the date of the member’s death.”.

(b) EFFECTIVE DATE.—Subsection (i) of section 8127 of such title, as added by subsection (a), take effect on the date of the enactment of this Act and shall apply with respect to the deaths of members of the Armed Forces occurring on or after such date.

**SEC. 8. SPECIAL RULE FOR TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS OF SMALL BUSINESS CONCERNS LICENSED IN COMMUNITY PROPERTY STATES.**

Section 8127 of title 38, United States Code, as amended by section 7, is further amended by adding at the end the following new subsection:

“(n) SPECIAL RULE FOR COMMUNITY PROPERTY STATES.—Whenever the Secretary assesses, for purposes of this section, the degree of ownership by an individual of a small business concern licensed in a community property State, the Secretary shall also as-

sess what that degree of ownership would be if such small business concern had been licensed in a State other than a community property State. If the Secretary determines that such individual would have had a greater degree of ownership of the small business concern had such small business concern been licensed in a State other than a community property State, the Secretary shall treat, for purposes of this section, such small business concern as if it had been licensed in a State other than a community property State.”.

**SEC. 9. OFF-BASE TRANSITION TRAINING.**

(a) PROVISION OF OFF-BASE TRANSITION TRAINING.—During the three-year period beginning on the date of the enactment of this Act, the Secretary of Labor shall provide the Transition Assistance Program under section 1144 of title 10, United States Code, to eligible individuals at locations other than military installations in not less than three and not more than five States selected by the Secretary.

(b) SELECTION OF LOCATIONS.—In selecting States in which to carry out the training under subsection (a), the Secretary shall select the States with the highest rates of veteran unemployment. The Secretary shall provide such training to veterans at a sufficient number of locations within the selected States to meet the need. The Secretary shall select such locations to facilitate access by participants and may not select any location on a military installation other than a National Guard or reserve facility that is not located on an active duty military installation.

(c) ELIGIBLE INDIVIDUALS.—For purposes of this section, an eligible individual is a veteran or the spouse of a veteran.

(d) INCLUSION OF INFORMATION ABOUT VETERANS BENEFITS.—The Secretary shall ensure that the training provided under subsection (a) generally follows the content of the Transition Assistance Program under section 1144 of title 10, United States Code.

(e) INTEGRATING SUBJECT MATTER EXPERTS.—The Secretary of Labor shall include in any contract entered into pursuant to section 1144 of title 10, United States Code, or section 4113 of title 38, United States Code, a requirement to include experts in subject matters relating to human resources practices, including resume writing, interviewing and job searching skills, and the provision of information about post-secondary education.

(f) ANNUAL REPORT.—Not later than March 1 of any year during which the Secretary provides training under subsection (a), the Secretary shall submit to Congress a report on the provision of such training.

(g) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the termination of the three-year period described in subsection (a), the Comptroller General of the United States shall submit to Congress a report on the training provided under such subsection. The report shall include the evaluation of the Comptroller General regarding the feasibility of carrying out off-base transition training at locations nationwide.

**SA 2783.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table, as follows:

At the end, add the following:

**SEC. 10. LIMITATION ON FOREIGN ASSISTANCE TO PAKISTAN.**

No amounts may be obligated or expended to provide any direct United States assistance to the Government of Pakistan unless the President certifies to Congress that—

(1) Dr. Shakil Afridi has been released from prison in Pakistan;

(2) any criminal charges brought against Dr. Afridi, including treason, have been dropped; and

(3) if necessary to ensure his freedom, Dr. Afridi has been allowed to leave Pakistan.

**SA 2784.** Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table, as follows:

On page 18, between lines 5 and 6, insert the following:

**SEC. 7. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.**

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting “(including the territorial seas of such Republic)” after “served in the Republic of Vietnam” each place it appears.

(b) HEALTH CARE.—Section 1710(e)(4)(A) of such title is amended by inserting “(including the territorial seas of such Republic)” after “served on active duty in the Republic of Vietnam”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as of September 25, 1985.

**SA 2785.** Mr. BEGICH (for himself, Mr. WYDEN, and Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table, as follows:

On page 4, between lines 5 and 6, insert the following:

(5) MARINE DEBRIS CLEAN-UP.—

(A) IN GENERAL.—The Secretary of Commerce, in consultation with the Secretary of Veterans Affairs, shall establish a program to employ veterans to lead community groups in carrying out, in eligible States, clean-up of marine debris that was a result of the tsunami that hit Japan on March 11, 2011.

(B) ELIGIBLE STATE.—For purposes of this paragraph, an eligible State is any of the following:

(i) The State of Alaska.

(ii) The State of California.

(iii) The State of Hawaii.

(iv) The State of Oregon.

(v) The State of Washington.

(vi) The Territory of Guam.

(vii) The Commonwealth of the Northern Mariana Islands.

(C) USE OF FUNDING.—Amounts made available under subsection (d)(1) to the Secretary of Commerce to carry out the program required by subparagraph (A) may be used as follows:

(i) To employ veterans as team leaders or coordinators in community groups, State or local governmental entities, or nongovernmental organizations to carry out, in eligible States, clean-up of marine debris that was a result of the tsunami that hit Japan on March 11, 2011.

(ii) To train veterans to lead and coordinate such community groups, State and local governmental entities, and nongovernmental organizations to carry out such clean-up.

(iii) To provide logistical support for such clean-up efforts, including clean-up supplies, debris transportation and disposal, and such

other support as may be necessary to carry out such community debris clean-up efforts.

(iv) To transport veterans, volunteers, and employees of the community groups, entities, and organizations concerned to clean-up locations.

(v) To provide administrative support and coordination within the Department of Commerce and the Department of Veterans Affairs for such debris clean-up.

(vi) To award grants to States or local governments for purposes of clauses (i) through (v).

(D) MINIMUM FUNDING.—The Secretary of Veterans Affairs shall ensure that not less than five percent of the amounts made available under subsection (g)(1) is made available under subsection (d)(1) to the Secretary of Commerce to carry out the program required by subparagraph (A).

**SA 2786.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 10. SHORT TITLE FOR DIVISIONS A THROUGH D.**

Divisions A through D of this Act may be cited as the “National Defense Authorization Act for Fiscal Year 2013”.

**SEC. 11. ORGANIZATION OF DIVISIONS A THROUGH D; TABLE OF CONTENTS.**

(a) DIVISIONS.—Divisions A through D of this Act are organized as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

(b) TABLE OF CONTENTS.—The table of contents for divisions A through D of this Act is as follows:

**DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

**TITLE I—PROCUREMENT**

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority for Army CH–47F helicopters.

Subtitle C—Navy Programs

Sec. 121. Refueling and complex overhaul of the U.S.S. Abraham Lincoln.

Sec. 122. Ford class aircraft carriers.

Sec. 123. Limitation on availability of amounts for second Ford class aircraft carrier.

Sec. 124. Multiyear procurement authority for Virginia class submarine program.

Sec. 125. Multiyear procurement authority for Arleigh Burke class destroyers and associated systems.

Sec. 126. Authority for relocation of certain AEGIS weapon system assets between and within the DDG–51 class destroyer and AEGIS Ashore programs in order to meet mission requirements.

Sec. 127. Designation of mission modules of the Littoral Combat Ship as a major defense acquisition program.

Sec. 128. Transfer of certain fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds.

Sec. 129. Transfer of certain fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles.

Sec. 130. Sense of Congress on Marine Corps amphibious lift and presence requirements.

Sec. 131. Sense of Senate on Department of Navy fiscal year 2014 budget request for tactical aviation aircraft.

Subtitle D—Air Force Programs

Sec. 141. Reduction in number of aircraft required to be maintained in strategic airlift aircraft inventory.

Sec. 142. Treatment of certain programs for the F–22A Raptor aircraft as major defense acquisition programs.

Sec. 143. Avionics systems for C–130 aircraft.

Sec. 144. Procurement of space-based infrared system satellites.

Sec. 145. Transfer of certain fiscal year 2011 and 2012 funds for Aircraft Procurement for the Air Force.

Subtitle E—Joint and Multiservice Matters

Sec. 151. Multiyear procurement authority for V–22 joint aircraft program.

Sec. 152. Limitation on availability of funds for full-rate production of Handheld, Manpack, and Small Form/Fit radios under the Joint Tactical Radio System program.

Sec. 153. Shallow Water Combat Submersible program.

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

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Next Generation Foundry for the Defense Microelectronics Activity.

Sec. 212. Advanced rotorcraft initiative.

Sec. 213. Transfer of certain fiscal year 2012 Navy research, development, test, and evaluation funds.

Sec. 214. Authority for Department of Defense laboratories to enter into education partnerships with educational institutions in United States territories and possessions.

Sec. 215. Transfer of certain fiscal year 2012 Air Force research, development, test, and evaluation funds.

Subtitle C—Missile Defense Matters

Sec. 231. Homeland ballistic missile defense.

Sec. 232. Regional ballistic missile defense.

Sec. 233. Missile defense cooperation with Russia.

Sec. 234. Next generation Exo-atmospheric Kill Vehicle.

Sec. 235. Modernization of the Patriot air and missile defense system.

Sec. 236. Medium Extended Air Defense System.

Sec. 237. Availability of funds for Iron Dome short-range rocket defense program.

Subtitle D—Reports

Sec. 251. Mission Packages for the Littoral Combat Ship.

Sec. 252. Comptroller General of the United States annual reports on the acquisition program for the Amphibious Combat Vehicle.

Sec. 253. Conditional requirement for report on amphibious assault vehicles for the Marine Corps.

Subtitle E—Other Matters

Sec. 271. Transfer of administration of Ocean Research and Resources Advisory Panel from Department of the Navy to National Oceanic and Atmospheric Administration.

**TITLE III—OPERATION AND MAINTENANCE**

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Energy and Environmental Provisions

Sec. 311. Department of Defense guidance on environmental exposures at military installations.

Sec. 312. Funding of agreements under the Sikes Act.

Sec. 313. Limitation on availability of funds for procurement of alternative fuel.

Subtitle C—Logistics and Sustainment

Sec. 321. Repeal of certain provisions relating to depot-level maintenance.

Subtitle D—Reports

Sec. 331. Annual report on Department of Defense long-term corrosion strategy.

Sec. 332. Modified deadline for Comptroller General review of annual report on prepositioned materiel and equipment.

Subtitle E—Other Matters

Sec. 341. Savings to be achieved in civilian workforce and contractor employee workforce of the Department of Defense.

Sec. 342. NATO Special Operations Headquarters.

Sec. 343. Repeal of redundant authority to ensure interoperability of law enforcement and emergency responder training.

**TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the Reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Fiscal year 2013 limitation on number of non-dual status technicians.

Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

**TITLE V—MILITARY PERSONNEL POLICY**

Subtitle A—Officer Policy

Sec. 501. Extension of relaxation of limitation on selective early discharges.

Sec. 502. Exception to 30-year retirement for regular Navy warrant officers in the grade of chief warrant officer, W-5.

Sec. 503. Modification of definition of joint duty assignment to include all instructor assignments for joint training and education.

Sec. 504. Sense of Senate on inclusion of assignments as academic instructor at the military service academies as joint duty assignments.

Subtitle B—Reserve Component Management

Sec. 511. Authority for appointment of persons who are lawful permanent residents as officers of the National Guard.

Sec. 512. Reserve component suicide prevention and resilience program.



- Subtitle C—General Service Authorities
- Sec. 521. Diversity in the Armed Forces and related reporting requirements.
- Sec. 522. Modification of authority to conduct programs on career flexibility to enhance retention of members of the Armed Forces.
- Sec. 523. Authority for additional behavioral health professionals to conduct pre-separation medical examinations for post-traumatic stress disorder.
- Sec. 524. Quarterly reports on involuntary separation of members of the Armed Forces.
- Sec. 525. Review of eligibility of victims of domestic terrorism for award of the Purple Heart and the Defense Medal of Freedom.
- Subtitle D—Military Justice and Legal Matters Generally
- Sec. 531. Clarification and enhancement of the role of the Staff Judge Advocate to the Commandant of the Marine Corps.
- Sec. 532. Additional information in reports on annual surveys of the committee on the Uniform Code of Military Justice.
- Subtitle E—Sexual Assault, Hazing, and Related Matters
- Sec. 541. Authority to retain or recall to active duty reserve component members who are victims of sexual assault while on active duty.
- Sec. 542. Additional elements in comprehensive Department of Defense policy on sexual assault prevention and response.
- Sec. 543. Hazing in the Armed Forces.
- Subtitle F—Education and Training
- Sec. 551. Inclusion of the School of Advanced Military Studies Senior Level Course as a senior level service school.
- Sec. 552. Modification of eligibility for associate degree programs under the Community College of the Air Force.
- Sec. 553. Support of Naval Academy athletic programs.
- Sec. 554. Grade of commissioned officers in uniformed medical accession programs.
- Sec. 555. Authority for service commitment for Reservists who accept fellowships, scholarships, or grants to be performed in the Selected Reserve.
- Sec. 556. Repeal of requirement for eligibility for in-State tuition of at least 50 percent of participants in Senior Reserve Officers' Training Corps program.
- Sec. 557. Modification of requirements on plan to increase the number of units of the Junior Reserve Officers' Training Corps.
- Sec. 558. Consolidation of military department authority to issue arms, tentage, and equipment to educational institutions not maintaining units of the Junior ROTC.
- Sec. 559. Modification of requirement for reports in Federal Register on institutions of higher education ineligible for contracts and grants for denial of ROTC or military recruiter access to campus.
- Sec. 560. Comptroller General of the United States report on the Reserve Officers' Training Corps.
- Subtitle G—Defense Dependents' Education and Military Family Readiness Matters
- Sec. 571. Impact aid for children with severe disabilities.
- Sec. 572. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
- Sec. 573. Amendments to the Impact Aid program.
- Sec. 574. Military spouses.
- Sec. 575. Modification of authority to allow Department of Defense domestic dependent elementary and secondary schools to enroll certain students.
- Sec. 576. Sense of Congress regarding support for Yellow Ribbon Day.
- Subtitle H—Other Matters
- Sec. 581. Family briefings concerning accountings for members of the Armed Forces and Department of Defense civilian employees listed as missing.
- Sec. 582. Enhancement of authority to accept gifts and services.
- Sec. 583. Clarification of authorized Fisher House residents at the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware.
- Sec. 584. Report on accuracy of data in the Defense Enrollment Eligibility Reporting System.
- TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS
- Subtitle A—Pay and Allowances
- Sec. 601. Rates of basic allowance for housing for Army National Guard and Air National Guard members on full-time National Guard duty.
- Subtitle B—Bonuses and Special and Incentive Pays
- Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.
- Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.
- Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.
- Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.
- Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.
- Sec. 616. Increase in amount of officer affiliation bonus for officers in the Selected Reserve.
- Sec. 617. Increase in maximum amount of incentive bonus for reserve component members who convert military occupational specialty to ease personnel shortages.
- Subtitle C—Travel and Transportation Allowances
- Sec. 631. Permanent change of station allowances for members of Selected Reserve units filling a vacancy in another unit after being involuntarily separated.
- Sec. 632. Authority for comprehensive program for space-available travel on Department of Defense aircraft.
- Subtitle D—Disability, Retired Pay, and Survivor Benefits
- Sec. 641. Repeal of requirement for payment of Survivor Benefit Plan premiums when participant waives retired pay to provide a survivor annuity under Federal Employees Retirement System and termination of payment of Survivor Benefit Plan annuity.
- Sec. 642. Repeal of automatic enrollment in Family Servicemembers' Group Life Insurance for members of the Armed Forces married to other members.
- Subtitle E—Military Lending Matters
- Sec. 651. Enhancement of protections on consumer credit for members of the Armed Forces and their dependents.
- Sec. 652. Additional enhancements of protections on consumer credit for members of the Armed Forces and their dependents.
- Sec. 653. Relief in civil actions for violations of protections on consumer credit extended to members of the Armed Forces and their dependents.
- Sec. 654. Modification of definition of dependent for purposes of limitations on terms of consumer credit extended to members of the Armed Forces and their dependents.
- Subtitle F—Other Matters
- Sec. 661. Transitional compensation for dependent children who are carried during pregnancy at time of dependent-abuse offense.
- TITLE VII—HEALTH CARE PROVISIONS
- Subtitle A—TRICARE Program
- Sec. 701. Extension of TRICARE Standard coverage and TRICARE dental program for members of the Selected Reserve who are involuntarily separated.
- Sec. 702. Inclusion of certain over-the-counter drugs in TRICARE uniform formulary.
- Sec. 703. Expansion of evaluation of the effectiveness of the TRICARE program.
- Subtitle B—Other Health Care Benefits
- Sec. 711. Use of Department of Defense funds for abortions in cases of rape and incest.
- Sec. 712. Availability of certain fertility preservation treatments for members of the Armed Forces on active duty.
- Sec. 713. Modification of requirements on mental health assessments for members of the Armed forces deployed in connection with a contingency operation.
- Subtitle C—Health Care Administration
- Sec. 721. Clarification of applicability of certain authority and requirements to subcontractors employed to provide health care services to the Department of Defense.
- Sec. 722. Research program to enhance Department of Defense efforts on mental health in the National Guard and Reserves through community partnerships.
- Subtitle D—Reports and Other Matters
- Sec. 731. Reports on performance data on Warriors in Transition programs.

- Sec. 732. Report on Department of Defense support of members of the Armed Forces who experience traumatic injury as a result of vaccinations required by the Department.
- Sec. 733. Plan to eliminate gaps and redundancies in programs of the Department of Defense on psychological health and traumatic brain injury among members of the Armed Forces.
- Sec. 734. Report on implementation of recommendations of the Comptroller General of the United States on prevention of hearing loss among members of the Armed Forces.
- TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS**
- Subtitle A—Provisions Relating to Major Defense Acquisition Programs**
- Sec. 801. Limitation on use of cost-type contracts.
- Sec. 802. Acquisition strategies for major subsystems and subassemblies on major defense acquisition programs.
- Sec. 803. Management structure for developmental test and evaluation.
- Sec. 804. Assessments of potential termination liability of contracts for the development or production of major defense acquisition programs.
- Sec. 805. Technical change regarding programs experiencing critical cost growth due to change in quantity purchased.
- Sec. 806. Repeal of requirement to review ongoing programs initiated before enactment of Milestone B certification and approval process.
- Subtitle B—Acquisition Policy and Management**
- Sec. 821. One-year extension of temporary limitation on aggregate annual amount available for contract services.
- Sec. 822. Prohibition of excessive pass-through contracts and charges in the acquisition of services.
- Sec. 823. Availability of amounts in Defense Acquisition Workforce Development Fund for temporary members of workforce.
- Sec. 824. Department of Defense policy on contractor profits.
- Sec. 825. Modification of authorities on internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies.
- Sec. 826. Extension of pilot program on management of supply-chain risk.
- Subtitle C—Amendments Relating to General Contracting Authorities, Procedures, and Limitations**
- Sec. 841. Applicability of Truth in Negotiations Act to major systems and related subsystems, components, and support services.
- Sec. 842. Maximum amount of allowable costs of compensation of contractor employees.
- Sec. 843. Department of Defense access to and use of contractor internal audit reports.
- Sec. 844. Enhancement of whistleblower protections for contractor employees.
- Sec. 845. Extension of contractor conflict of interest limitations.
- Sec. 846. Repeal of sunset for certain protests of task and delivery order contracts.
- Subtitle D—Provisions Relating to Wartime Contracting**
- Sec. 861. Responsibility within Department of Defense for contract support for overseas contingency operations.
- Sec. 862. Annual reports on contract support for overseas contingency operations involving combat operations.
- Sec. 863. Inclusion of contract support in certain requirements for Department of Defense planning, joint professional military education, and management structure.
- Sec. 864. Risk assessment and mitigation for contractor performance of critical functions in support of overseas contingency operations.
- Sec. 865. Extension and modification of reports on contracting in Iraq and Afghanistan.
- Sec. 866. Extension of temporary authority to acquire products and services in countries along a major route of supply to Afghanistan.
- Sec. 867. Compliance with Berry amendment required for uniform components supplied to Afghanistan military or Afghanistan National Police.
- Sec. 868. Sense of Senate on the contributions of Latvia and other North Atlantic Treaty Organization member nations to the success of the Northern Distribution Network.
- Subtitle E—Other Matters**
- Sec. 881. Requirements and limitations for suspension and debarment officials of the Department of Defense.
- Sec. 882. Uniform contract writing system requirements for the Department of Defense.
- Sec. 883. Comptroller General of the United States review of use by the Department of Defense of urgent and compelling exception to competition.
- Sec. 884. Authority to provide fee-for-service inspection and testing by Defense Contract Management Agency for certain critical equipment in the absence of a procurement contract.
- Sec. 885. Disestablishment of Defense Materiel Readiness Board.
- Sec. 886. Modification of period of wait following notice to Congress of intent to contract for leases of certain vessels and vehicles.
- Sec. 887. Extension of other transaction authority.
- TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT**
- Subtitle A—Department of Defense Management**
- Sec. 901. Definition and report on terms “preparation of the environment” and “operational preparation of the environment” for joint doctrine purposes.
- Sec. 902. Expansion of duties and responsibilities of the Nuclear Weapons Council.
- Subtitle B—Space Activities**
- Sec. 911. Operationally Responsive Space Program Office.
- Sec. 912. Commercial space launch cooperation.
- Sec. 913. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs.
- Sec. 914. Department of Defense representation in dispute resolution regarding surrender of Department of Defense bands of electromagnetic frequencies.
- Subtitle C—Intelligence-Related and Cyber Matters**
- Sec. 921. Authority to provide geospatial intelligence support to security alliances and international and regional organizations.
- Sec. 922. Army Distributed Common Ground System.
- Sec. 923. Rationalization of cyber networks and cyber personnel of the Department of Defense.
- Sec. 924. Next-generation host-based cyber security system for the Department of Defense.
- Sec. 925. Improvements of security, quality, and competition in computer software procured by the Department of Defense.
- Sec. 926. Competition in connection with Department of Defense data link systems.
- Sec. 927. Integration of critical signals intelligence capabilities.
- Sec. 928. Collection and analysis of network flow data.
- Sec. 929. Department of Defense use of National Security Agency cloud computing database and intelligence community cloud computing infrastructure and services.
- Sec. 930. Electro-optical imagery.
- Sec. 931. Software licenses of the Department of Defense.
- Sec. 932. Defense Clandestine Service.
- Sec. 933. Authority for short-term extension of lease for aircraft supporting the Blue Devil intelligence, surveillance, and reconnaissance program.
- Sec. 934. Sense of Senate on potential security risks to Department of Defense networks.
- Subtitle D—Other Matters**
- Sec. 941. National Language Service Corps.
- Sec. 942. Report on education and training and promotion rates for pilots of remotely piloted aircraft.
- TITLE X—GENERAL PROVISIONS**
- Subtitle A—Financial Matters**
- Sec. 1001. General transfer authority.
- Sec. 1002. Authority to transfer funds to the National Nuclear Security Administration to sustain nuclear weapons modernization.
- Sec. 1003. Audit readiness of Department of Defense statements of budgetary resources.
- Sec. 1004. Report on effects of budget sequestration on the Department of Defense.
- Subtitle B—Counter-Drug Activities**
- Sec. 1011. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
- Sec. 1012. Requirement for biennial certification on provision of support for counter-drug activities to certain foreign governments.
- Sec. 1013. Authority to support the unified counterdrug and counterterrorism campaign in Colombia.

- Sec. 1014. Quarterly reports on use of funds in the Drug Interdiction and Counter-Drug Activities, Defense-wide account.
- Subtitle C—Naval Vessels and Shipyards
- Sec. 1021. Retirement of naval vessels.
- Sec. 1022. Termination of a Maritime Prepositioning Ship squadron.
- Sec. 1023. Sense of Congress on recapitalization for the Navy and Coast Guard.
- Subtitle D—Counterterrorism
- Sec. 1031. Extension of certain prohibitions and requirements relating to detainees at United States Naval Station, Guantanamo Bay, Cuba.
- Subtitle E—Miscellaneous Authorities and Limitations
- Sec. 1041. Enhancement of responsibilities of the Chairman of the Joint Chiefs of Staff regarding the National Military Strategy.
- Sec. 1042. Modification of authority on training of special operations forces with friendly foreign forces.
- Sec. 1043. Extension of authority to provide assured business guarantees to carriers participating in Civil Reserve Air Fleet.
- Sec. 1044. Participation of veterans in the Transition Assistance Program of the Department of Defense.
- Sec. 1045. Modification of the Ministry of Defense Advisor Program.
- Sec. 1046. Interagency collaboration on unmanned aircraft systems.
- Sec. 1047. Sense of Senate on notice to Congress on unfunded priorities.
- Subtitle F—Reports
- Sec. 1061. Report on strategic airlift aircraft.
- Sec. 1062. Repeal of biennial report on the Global Positioning System.
- Sec. 1063. Repeal of annual report on threat posed by weapons of mass destruction, ballistic missiles, and cruise missiles.
- Subtitle G—Nuclear Matters
- Sec. 1071. Strategic delivery systems.
- Sec. 1072. Requirements definition for combined warhead for certain missile systems.
- Sec. 1073. Congressional Budget Office estimate of costs of nuclear weapons and delivery systems.
- Subtitle H—Other Matters
- Sec. 1081. Redesignation of the Center for Hemispheric Defense Studies as the William J. Perry Center for Hemispheric Defense Studies.
- Sec. 1082. Technical amendments to repeal statutory references to United States Joint Forces Command.
- Sec. 1083. Sense of Congress on non-United States citizens who are graduates of United States educational institutions with advanced degrees in science, technology, engineering, and mathematics.
- TITLE XI—CIVILIAN PERSONNEL MATTERS
- Sec. 1101. Authority for transportation of family household pets of civilian personnel during evacuation of non-essential personnel.
- Sec. 1102. Expansion of experimental personnel program for scientific and technical personnel at the Defense Advanced Research Projects Agency.
- Sec. 1103. One-year extension of discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone.
- TITLE XII—MATTERS RELATING TO FOREIGN NATIONS
- Subtitle A—Assistance and Training
- Sec. 1201. Extension of authority to build the capacity of foreign military forces and modification of notice in connection with initiation of activities.
- Sec. 1202. Extension of authority for non-reciprocal exchange of defense personnel between the United States and foreign countries.
- Sec. 1203. Authority to build the capacity of certain counterterrorism forces in Yemen and East Africa.
- Sec. 1204. Limitation on availability of funds for State Partnership Program.
- Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan
- Sec. 1211. Commanders' Emergency Response Program in Afghanistan.
- Sec. 1212. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.
- Sec. 1213. One-year extension and modification of authority to use funds for reintegration activities in Afghanistan.
- Sec. 1214. One-year extension and modification of authority for program to develop and carry out infrastructure projects in Afghanistan.
- Sec. 1215. Extension of Pakistan Counterinsurgency Fund.
- Sec. 1216. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
- Sec. 1217. Extension and modification of logistical support for coalition forces supporting certain United States military operations.
- Sec. 1218. Strategy for supporting the achievement of a secure presidential election in Afghanistan in 2014.
- Sec. 1219. Independent assessment of the Afghan National Security Forces.
- Sec. 1220. Report on Afghanistan Peace and Reintegration Program.
- Subtitle C—Reports
- Sec. 1231. Review and reports on Department of Defense efforts to build the capacity of and partner with foreign security forces.
- Sec. 1232. Additional elements in annual report on military and security developments involving the People's Republic of China.
- Subtitle D—Other Matters
- Sec. 1241. Improved administration of the American, British, Canadian, and Australian Armies' Program.
- Sec. 1242. United States participation in Headquarters Eurocorps.
- Sec. 1243. Department of Defense participation in European program on multilateral exchange of air transportation and air refueling services.
- Sec. 1244. Authority to establish program to provide assistance to foreign civilians for harm incident to combat operations of the Armed Forces in foreign countries.
- Sec. 1245. Limitation on availability of funds for certain capital projects in connection with overseas contingency operations.
- TITLE XIII—COOPERATIVE THREAT REDUCTION
- Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
- Sec. 1302. Funding allocations.
- TITLE XIV—OTHER AUTHORIZATIONS
- Subtitle A—Military Programs
- Sec. 1401. Working capital funds.
- Sec. 1402. National Defense Sealift Fund.
- Sec. 1403. Defense Health Program.
- Sec. 1404. Chemical Agents and Munitions Destruction, Defense.
- Sec. 1405. Drug Interdiction and Counter-Drug Activities, Defense-wide.
- Sec. 1406. Defense Inspector General.
- Subtitle B—National Defense Stockpile
- Sec. 1411. Release of materials needed for national defense purposes from the Strategic and Critical Materials Stockpile.
- Subtitle C—Chemical Demilitarization Matters
- Sec. 1421. Supplemental chemical agent and munitions destruction technologies at Pueblo Chemical Depot, Colorado, and Blue Grass Army Depot, Kentucky.
- Subtitle D—Other Matters
- Sec. 1431. Authorization of appropriations for Armed Forces Retirement Home.
- Sec. 1432. Additional Weapons of Mass Destruction Civil Support Teams.
- TITLE XV—AUTHORIZATION OF APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
- Subtitle A—Authorization of Appropriations
- Sec. 1501. Purpose.
- Sec. 1502. Procurement.
- Sec. 1503. Research, development, test, and evaluation.
- Sec. 1504. Operation and maintenance.
- Sec. 1505. Military personnel.
- Sec. 1506. Working capital funds.
- Sec. 1507. Defense Health Program.
- Sec. 1508. Drug Interdiction and Counter-Drug Activities, Defense-wide.
- Sec. 1509. Defense Inspector General.
- Subtitle B—Financial Matters
- Sec. 1521. Treatment as additional authorizations.
- Sec. 1522. Special transfer authority.
- Subtitle C—Limitations and Other Matters
- Sec. 1531. Afghanistan Security Forces Fund.
- Sec. 1532. Joint Improvised Explosive Device Defeat Fund.
- Sec. 1533. Plan for transition in funding of United States Special Operations Command from supplemental funding for overseas contingency operations to recurring funding under the future-years defense program.
- Sec. 1534. Extension of authority on Task Force for Business and Stability Operations in Afghanistan.
- Sec. 1535. Assessments of training activities and intelligence activities of the Joint Improvised Explosive Device Defeat Organization.
- TITLE XVI—MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION
- Sec. 1601. Short title.
- Sec. 1602. Purpose.

- Sec. 1603. Definitions.
- Sec. 1604. Military Compensation and Retirement Modernization Commission.
- Sec. 1605. Commission hearings and meetings.
- Sec. 1606. Principles and procedure for Commission recommendations.
- Sec. 1607. Consideration of Commission recommendations by the President and Congress.
- Sec. 1608. Pay for members of the Commission.
- Sec. 1609. Executive Director.
- Sec. 1610. Staff.
- Sec. 1611. Contracting authority.
- Sec. 1612. Judicial review precluded.
- Sec. 1613. Termination.
- Sec. 1614. Funding.
- TITLE XVII—NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE**
- Sec. 1701. Short title.
- Sec. 1702. Establishment of Commission.
- Sec. 1703. Duties of the Commission.
- Sec. 1704. Powers of the Commission.
- Sec. 1705. Commission personnel matters.
- Sec. 1706. Termination of the Commission.
- Sec. 1707. Funding.
- Sec. 1708. Limitation on availability of funds for reductions to the Air National Guard and the Air Force Reserve.
- Sec. 1709. Funding for maintenance of force structure of the Air Force pending Commission recommendations.
- Sec. 1710. Retention of core functions of the Electronic Systems Center at Hanscom Air Force Base pending future structure study.
- DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**
- Sec. 2001. Short title.
- Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
- TITLE XXI—ARMY MILITARY CONSTRUCTION**
- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Authorization of appropriations, Army.
- Sec. 2104. Modification of authority to carry out certain fiscal year 2010 project.
- Sec. 2105. Extension of authorizations of certain fiscal year 2009 projects.
- Sec. 2106. Extension of authorizations of certain fiscal year 2010 projects.
- Sec. 2107. Additional authority to carry out certain fiscal year 2013 project.
- TITLE XXII—NAVY MILITARY CONSTRUCTION**
- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Modification of authority to carry out certain fiscal year 2012 project.
- Sec. 2206. Extension of authorizations of certain fiscal year 2009 projects.
- Sec. 2207. Extension of authorizations of certain fiscal year 2010 projects.
- Sec. 2208. Realignment of Marines in the Asia-Pacific Region.
- TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION**
- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Extension of authorizations of certain fiscal year 2010 projects.
- TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**
- Subtitle A—Defense Agency Authorizations**
- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Authorized energy conservation projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.
- Sec. 2404. Extension of authorization of certain fiscal year 2010 project.
- Sec. 2405. Modification of authority to carry out certain fiscal year 2012 project.
- Sec. 2406. Additional authority to carry out certain fiscal year 2013 project.
- Subtitle B—Chemical Demilitarization Authorizations**
- Sec. 2411. Authorization of appropriations, chemical demilitarization construction, defense-wide.
- Sec. 2412. Modification of authority to carry out certain fiscal year 1997 project.
- TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM**
- Sec. 2501. Authorized NATO construction and land acquisition projects.
- Sec. 2502. Authorization of appropriations, NATO.
- TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**
- Subtitle A—Project Authorizations and Authorization of Appropriations**
- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
- Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. Authorization of appropriations, National Guard and Reserve.
- Subtitle B—Other Matters**
- Sec. 2611. Extension of authorization of certain fiscal year 2009 project.
- Sec. 2612. Extension of authorization of certain fiscal year 2010 projects.
- TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**
- Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 1990.
- Sec. 2702. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 2005.
- Sec. 2703. Technical amendments to section 2702 of fiscal year 2012 Act.
- Sec. 2704. Criteria for decisions involving certain base closure and realignment activities.
- TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS**
- Subtitle A—Military Construction Program and Military Family Housing Changes**
- Sec. 2801. Authorized cost and scope variations.
- Sec. 2802. Comptroller General report on in-kind payments.
- Sec. 2803. Extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.
- Subtitle B—Real Property and Facilities Administration**
- Sec. 2811. Authority to accept as consideration for leases of non-excess property of military departments and Defense Agencies real property interests and natural resource management services related to agreements to limit encroachment.
- Sec. 2812. Clarification of parties with whom Department of Defense may conduct exchanges of real property at military installations.
- Subtitle C—Energy Security**
- Sec. 2821. Guidance on financing for renewable energy projects.
- Sec. 2822. Continuation of limitation on use of funds for Leadership in Energy and Environmental Design (LEED) Gold or Platinum certification.
- Sec. 2823. Prohibition on biofuel refinery construction.
- Subtitle D—Land Conveyances**
- Sec. 2831. Land conveyance, local training area for Browning Army Reserve Center, Utah.
- Sec. 2832. Use of proceeds, land conveyance, Tyndall Air Force Base, Florida.
- Subtitle E—Other Matters**
- Sec. 2841. Clarification of authority of Secretary to assist with development of public infrastructure in connection with the establishment or expansion of a military installation.
- Sec. 2842. Petersburg National Battlefield boundary modification.
- Sec. 2843. Congressional notification with respect to oversight and maintenance of base cemeteries following closure of overseas military installations.
- DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS**
- TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**
- Subtitle A—National Security Programs Authorizations**
- Sec. 3101. National Nuclear Security Administration.
- Sec. 3102. Defense environmental cleanup.
- Sec. 3103. Other defense activities.
- Subtitle B—Program Authorizations, Restrictions, and Limitations**
- Sec. 3111. Replacement project for Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.
- Sec. 3112. Submittal to Congress of selected acquisition reports and independent cost estimates on nuclear weapon systems undergoing life extension.
- Sec. 3113. Two-year extension of schedule for disposition of weapons-usable plutonium at Savannah River Site, Aiken, South Carolina.

Sec. 3114. Program on scientific engagement for nonproliferation.

Sec. 3115. Repeal of requirement for annual update of Department of Energy defense nuclear facilities workforce restructuring plan.

Sec. 3116. Quarterly reports to Congress on financial balances for atomic energy defense activities.

Sec. 3117. Transparency in contractor performance evaluations by the National Nuclear Security Administration leading to award fees.

Sec. 3118. Expansion of authority to establish certain scientific, engineering, and technical positions.

Sec. 3119. Modification and extension of authority on acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.

Sec. 3120. Cost containment for Y-12 Uranium Processing Facility, Y-12 National Security Complex, Oak Ridge, Tennessee.

Sec. 3121. Authority to restore certain formerly Restricted Data to the Restricted Data category.  
Subtitle C—Reports

Sec. 3131. Report on actions required for transition of regulation of non-nuclear activities of the National Nuclear Security Administration to other Federal agencies.

Sec. 3132. Report on consolidation of facilities of the National Nuclear Security Administration.

Sec. 3133. Regional radiological security zones.

Sec. 3134. Report on legacy uranium mines.

Sec. 3135. Comptroller General of the United States review of projects carried out by Office of Environmental Management of the Department of Energy pursuant to the American Recovery and Reinvestment Act of 2009.

**TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

Sec. 3201. Authorization.

**TITLE XXXV—MARITIME ADMINISTRATION**

Sec. 3501. Maritime administration.  
DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.  
**TITLE XLI—PROCUREMENT**

Sec. 4101. Procurement.

Sec. 4102. Procurement for overseas contingency operations.

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

Sec. 4201. Research, development, test, and evaluation.

Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

**TITLE XLIII—OPERATION AND MAINTENANCE**

Sec. 4301. Operation and maintenance.

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

**TITLE XLIV—MILITARY PERSONNEL**

Sec. 4401. Military personnel.

Sec. 4402. Military personnel for overseas contingency operations.

**TITLE XLV—OTHER AUTHORIZATIONS**

Sec. 4501. Other authorizations.

Sec. 4502. Other authorizations for overseas contingency operations.

**TITLE XLVI—MILITARY CONSTRUCTION**

Sec. 4601. Military construction.

**TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

Sec. 4701. Department of Energy national security authorizations.

**SEC. 12. CONGRESSIONAL DEFENSE COMMITTEES.**

For purposes of divisions A through D of this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

**SEC. 13. SCORING OF BUDGETARY EFFECTS.**

The budgetary effects of divisions A through D of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for divisions A through D of this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

**SEC. 14. REFERENCES.**

Except as expressly provided otherwise, any reference to “this Act” in divisions A through D of this Act shall be treated as referring only to divisions A through D of this Act.

**DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

**TITLE I—PROCUREMENT**

**Subtitle A—Authorization of Appropriations**

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

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

**Subtitle B—Army Programs**

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

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

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

**Subtitle C—Navy Programs**

**SEC. 121. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. ABRAHAM LINCOLN.**

(a) **AMOUNT AUTHORIZED FROM SCN ACCOUNT.**—Of the amount authorized to be appropriated for fiscal year 2013 by section 101 and available for shipbuilding and conversion as specified in the funding table in section 4101, \$1,613,392,000 is authorized to be available for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln (CVN-72) during fiscal year 2013. The amount authorized to be made available in the preceding sentence is the first increment in the two-year sequence of incremental funding planned for the nuclear refueling and complex overhaul of that vessel.

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

complex overhaul of the U.S.S. Abraham Lincoln.

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

**SEC. 122. FORD CLASS AIRCRAFT CARRIERS.**

(a) **CONTRACT AUTHORITY FOR CONSTRUCTION OF AIRCRAFT CARRIERS DESIGNATED CVN-78, CVN-79, AND CVN-80.**—In the fiscal year immediately following the last fiscal year of the contract for advance procurement for a CVN-21 class aircraft carrier designated CVN-78, CVN-79 or CVN-80, the Secretary of the Navy may enter into a contract for the construction of such aircraft carrier to be funded in the fiscal year of such contract for construction and the succeeding four fiscal years, in the case of the vessel designated CVN-78, and the succeeding five fiscal years, in the case of the vessels designated CVN-79 and CVN-80.

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

(c) **REPEAL OF SUPERSEDED PROVISION.**—Section 121 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2104) is repealed.

**SEC. 123. LIMITATION ON AVAILABILITY OF AMOUNTS FOR SECOND FORD CLASS AIRCRAFT CARRIER.**

(a) **LIMITATION.**—Of the amount authorized to be appropriated for fiscal year 2013 by section 101 and available for shipbuilding and conversion for the second Ford class aircraft carrier as specified in the funding table in section 4101, not more than 50 percent of such amount may be obligated or expended until the Secretary of the Navy submits to the congressional defense committees a report setting forth a description of the program management and cost control measures that will be employed in constructing the second Ford class aircraft carrier.

(b) **ELEMENTS.**—The report described in subsection (a) shall include a plan to do the following with respect to the Ford class aircraft carriers:

(1) To maximize planned work in shops and early stages of construction.

(2) To sequence construction of structural units to maximize the effects of lessons learned.

(3) To incorporate design changes to improve producibility for the Ford class aircraft carriers.

(4) To increase the size of erection units to eliminate disruptive unit breaks and improve unit alignment and fairness.

(5) To increase outfitting levels for assembled units before erection in the dry-dock.

(6) To increase overall ship completion levels at each key construction event.

(7) To improve facilities in a manner that will lead to improved productivity.

(8) To ensure the shipbuilder initiates plans that will improve productivity through capital improvements that would provide targeted return on investment, including—

(A) increasing the amount of temporary and permanent covered work areas;

(B) adding ramps and service towers for improved access to work sites and the dry-dock; and

(C) increasing lift capacity to enable construction of larger, more fully outfitted super-lifts.

**SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.**

(a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into multiyear contracts, beginning with the fiscal year 2014 program year, for procurement of Virginia class submarines and Government-furnished equipment associated with the Virginia class submarine program.

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

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

(d) **LIMITATION ON TERMINATION LIABILITY.**—contract for construction of vessels or equipment, entered into in accordance with subsection (a) shall include a clause that limits the liability of the Government to the contractor for any termination of the contract. The maximum liability of the Government under the clause shall be the amount appropriated for the vessels or equipment covered by the contract. Additionally, in the event of cancellation, the maximum liability of the Government shall include the amount of the unfunded cancellation ceiling in the contract.

(e) **AUTHORITY TO EXPAND MULTIYEAR PROCUREMENT.**—The Secretary may employ incremental funding for the procurement of Virginia class submarines and Government-furnished equipment associated with the Virginia class submarines to be procured during fiscal years 2013 through 2018 if the Secretary—

(1) determines that such an approach will permit the Navy to procure an additional Virginia class submarine in fiscal year 2014; and

(2) intends to use the funding for that purpose.

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

(a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into multiyear contracts, beginning with the fiscal year 2013 program year, for the procurement of up to 10 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels.

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

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

**SEC. 126. AUTHORITY FOR RELOCATION OF CERTAIN AEGIS WEAPON SYSTEM ASSETS BETWEEN AND WITHIN THE DDG-51 CLASS DESTROYER AND AEGIS ASHORE PROGRAMS IN ORDER TO MEET MISSION REQUIREMENTS.**

(a) **AUTHORITY.**—

(1) **TRANSFER TO AEGIS ASHORE SYSTEM.**—Notwithstanding any other provision of law, the Secretary of the Navy may transfer AEGIS Weapon System (AWS) equipment with ballistic missile defense (BMD) capability to the Missile Defense Agency for use in the AEGIS Ashore System of the Agency for installation in the country designated as Host Nation #1 (HN-1) by transferring to the Agency such equipment procured with amounts authorized to be appropriated to the SCN account for fiscal years 2010 and 2011 for the DDG-51 Class Destroyer Program.

(2) **ADJUSTMENTS IN EQUIPMENT DELIVERIES.**—

(A) **USE OF FY12 FUNDS FOR AWS SYSTEMS ON DESTROYERS PROCURED WITH FY11 FUNDS.**—Amounts authorized to be appropriated to the SCN account for fiscal year 2012, and any AEGIS Weapon System assets procured with such amounts, may be used to deliver complete, mission-ready AEGIS Weapon Systems with ballistic missile defense capability to any DDG-51 class destroyer for which amounts were authorized to be appropriated for the SCN account for fiscal year 2011.

(B) **USE OF AWS SYSTEMS PROCURED WITH RDTE FUNDS ON DESTROYERS.**—The Secretary may install on any DDG-51class destroyer AEGIS weapon systems with ballistic missile defense capability transferred pursuant to paragraph (3).

(3) **TRANSFER FROM AEGIS ASHORE SYSTEM.**—The Director of the Missile Defense Agency shall transfer AEGIS Weapon System equipment with ballistic missile defense capability procured for installation in the AEGIS Ashore System to the Department of the Navy for the DDG-51 Class Destroyer Program to replace any equipment transferred to Agency under paragraph (1).

(4) **TREATMENT OF TRANSFER IN FUNDING DESTROYER CONSTRUCTION.**—Notwithstanding the source of funds for any equipment transferred under paragraph (3), the Secretary shall fund all work necessary to complete construction and outfitting of any destroyer in which such equipment is installed in the same manner as if such equipment had been acquired using amounts in the SCN account.

(5) **SCN ACCOUNT DEFINED.**—In this subsection, the term “SCN account” means the Shipbuilding and Conversion, Navy account.

(b) **RELATIONSHIP TO OTHER LAW.**—Nothing in this section shall be construed to repeal or otherwise modify in any way the limitation on obligation or expenditure of funds for missile defense interceptors in Europe as specified in section 223 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 Public Law 111-383; 124 Stat. 4168).

**SEC. 127. DESIGNATION OF MISSION MODULES OF THE LITTORAL COMBAT SHIP AS A MAJOR DEFENSE ACQUISITION PROGRAM.**

(a) **DESIGNATION REQUIRED.**—The Secretary of Defense shall—

(1) designate the effort to develop and produce all variants of the mission modules in support of the Littoral Combat Ship program as a major defense acquisition program under section 2430 of title 10, United States Code; and

(2) with respect to the development and production of each variant, submit to the congressional defense committees a report setting forth such cost, schedule, and performance information as would be provided if such effort were a major defense acquisition program, including Selected Acquisition

Reports, unit cost reports, and program baselines.

(b) **ADDITIONAL QUARTERLY REPORTS.**—The Secretary shall submit to the congressional defense committees on a quarterly basis a report on the development and production of each variant of the mission modules in support of the Littoral Combat Ship, including cost, schedule, and performance, and identifying actual and potential problems with such development or production and potential mitigation plans to address such problems.

**SEC. 128. TRANSFER OF CERTAIN FISCAL YEAR 2012 PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS FUNDS.**

(a) **IN GENERAL.**—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds, \$88,300,000 to other, higher priority programs of the Navy and the Marine Corps.

(b) **COVERED FUNDS.**—For purposes of this section, the term “fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds” means amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1317) and available for Procurement of Ammunition, Navy and Marine Corps as specified in the funding table in section 4101 of that Act.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **CONSTRUCTION OF AUTHORITY.**—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

**SEC. 129. TRANSFER OF CERTAIN FISCAL YEAR 2012 PROCUREMENT, MARINE CORPS FUNDS FOR PROCUREMENT OF WEAPONS AND COMBAT VEHICLES.**

(a) **IN GENERAL.**—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles, \$135,200,000 to other, higher priority programs of the Navy and the Marine Corps.

(b) **COVERED FUNDS.**—For purposes of this section, the term “fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles” means amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1317) and available for Procurement, Marine Corps for the procurement of weapons and combat vehicles as specified in the funding table in section 4101 of that Act.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **CONSTRUCTION OF AUTHORITY.**—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

**SEC. 130. SENSE OF CONGRESS ON MARINE CORPS AMPHIBIOUS LIFT AND PRESENCE REQUIREMENTS.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) The United States Marine Corps is a combat force which leverages maneuver from the sea as a force multiplier allowing for a



variety of operational tasks ranging from major combat operations to humanitarian assistance.

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

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

(4) Due to fiscal constraints only, that requirement of 38 vessels was reduced to 33 vessels, which adds military risk to future operations.

(5) The Department of the Navy has been unable to meet even the minimal requirement of 30 operationally available vessels and has submitted a shipbuilding and ship retirement plan to Congress which will reduce the force to 28 vessels.

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

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

(1) the Department of Defense should carefully evaluate the maritime force structure necessary to execute demand for forces by the commanders of the combatant commands;

(2) the Department of the Navy carefully evaluate amphibious lift capabilities to meet current and projected requirements;

(3) the Department of the Navy should consider prioritization of investment in and procurement of the next generation of amphibious assault ships, as a component of the balanced battle force;

(4) the next generation amphibious assault ships should maintain survivability protection;

(5) operation and maintenance requirements analysis, as well as the potential to leverage a common hull form design, should be considered to reduce total ownership cost and acquisition cost; and

(6) maintaining a robust amphibious ship building industrial base is vital for the future of the national security of the United States.

**SEC. 131. SENSE OF SENATE ON DEPARTMENT OF NAVY FISCAL YEAR 2014 BUDGET REQUEST FOR TACTICAL AVIATION AIRCRAFT.**

It is the sense of Senate that, if the budget request of the Department of the Navy for fiscal year 2014 for F-18 aircraft includes a request for funds for more than 13 new F-18 aircraft, the budget request of the Department of the Navy for fiscal year 2014 for F-35 aircraft should include a request for funds for not fewer than 6 F-35B aircraft and 4 F-35C aircraft, presuming that development, testing, and production of the F-35 aircraft are proceeding according to current plans.

**Subtitle D—Air Force Programs**

**SEC. 141. REDUCTION IN NUMBER OF AIRCRAFT REQUIRED TO BE MAINTAINED IN STRATEGIC AIRLIFT AIRCRAFT INVENTORY.**

(a) REDUCTION IN INVENTORY REQUIREMENT.—Section 8062(g)(1) of title 10, United States Code, is amended—

(1) by striking “Effective October 1, 2011, the” and inserting “The”; and

(2) by striking “301 aircraft” and inserting “275 aircraft”.

(b) MODIFICATION OF CERTIFICATION REQUIREMENT.—Section 137(d)(3)(B) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2221) is amended by striking “316 strategic airlift aircraft” and inserting “275 strategic airlift aircraft”.

(c) PRESERVATION OF CERTAIN RETIRED C-5 AIRCRAFT.—The Secretary of the Air Force shall preserve each C-5 aircraft retired by the Secretary after September 30, 2012, such that the aircraft—

(1) is stored in flyable condition;

(2) can be returned to service; and

(3) is not used to supply parts to other aircraft unless specifically authorized by the Secretary of Defense upon a request by the Secretary of the Air Force.

**SEC. 142. TREATMENT OF CERTAIN PROGRAMS FOR THE F-22A RAPTOR AIRCRAFT AS MAJOR DEFENSE ACQUISITION PROGRAMS.**

(a) IN GENERAL.—The Secretary of Defense shall treat the programs referred to in subsection (b) for the F-22A Raptor aircraft as a major defense acquisition program for which Selected Acquisition Reports shall be submitted to Congress in accordance with the requirements of section 2432 of title 10, United States Code.

(b) COVERED PROGRAMS.—The programs referred to in this subsection for the F-22A Raptor aircraft are the following:

(1) Any modernization program through Increment 3.2A.

(2) The Reliability and Maintainability Maturation Program (RAMMP) and the Structural Repair Program (SRP II).

(3) The modernization Increment 3.2B and any future F-22A Raptor aircraft modernization program that would otherwise, if a standalone program, qualify for treatment as a major defense acquisition program for purposes of chapter 144 of title 10, United States Code.

**SEC. 143. AVIONICS SYSTEMS FOR C-130 AIRCRAFT.**

(a) LIMITATIONS.—

(1) AVIONICS MODERNIZATION PROGRAM.—The Secretary of the Air Force shall take no action to cancel or modify the Avionics Modernization Program (AMP) for the C-130 aircraft until 30 days after the date of the submittal to the congressional defense committees of the report required by subsection (b).

(2) CNS/ATM PROGRAM.—

(A) IN GENERAL.—The Secretary shall take no action described in subparagraph (B) until 30 days after the date of the submittal to the congressional defense committees of the report required by subsection (b).

(B) COVERED ACTIONS.—An action described in this subparagraph is an action to begin an alternative communication, navigation, surveillance, and air traffic management (CNS/ATM) program for the C-130 aircraft that is designed or intended—

(i) to meet international communication, navigation, surveillance, and air traffic management standards for the fleet of C-130 aircraft; or

(ii) to replace the current Avionics Modernization Program for the C-130 aircraft.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees report on the results of a study to be conducted by the Office of Cost Assessment and Program Evaluation of the Department of Defense on the following:

(1) The costs and schedule to complete the current program of record for the Avionics Modernization Program for the C-130 aircraft, as anticipated at the time of the last certification on that program under section 2433a of title 10, United States Code.

(2) The total cost and schedule, from start to completion, of any proposed alternative communication, navigation, surveillance, and air traffic management program for the C-130 aircraft.

(3) The projected manpower savings to be derived from the current program of record for the Avionics Modernization Program for

the C-130 aircraft in comparison with the projected manpower savings to be derived from any proposed alternative communication, navigation, surveillance, and air traffic management program for the C-130 aircraft.

**SEC. 144. PROCUREMENT OF SPACE-BASED INFRARED SYSTEM SATELLITES.**

(a) CONTRACT AUTHORITY.—

(1) IN GENERAL.—The Secretary of the Air Force may procure two space-based infrared system satellites by entering into a fixed-price contract for such procurement.

(2) COST REDUCTION.—The Secretary may include in a contract entered into under paragraph (1) the following:

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

(B) Cost reduction initiatives.

(3) USE OF INCREMENTAL FUNDING.—The Secretary may use incremental funding for a contract entered into under paragraph (1) for a period not to exceed six fiscal years.

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

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

(B) the total liability of the Federal Government for the termination of the contract shall be limited to the total amount of funding obligated at the time of the termination of the contract.

(b) LIMITATION OF COSTS.—

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

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

(A) Plans.

(B) Technical data packages.

(C) Post-delivery and program-related support costs.

(D) Technical support for obsolescence studies.

(c) ADJUSTMENT TO LIMITATION AMOUNT.—

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

(2) INCREASE DESCRIBED.—An increase described in this paragraph is one of the following:

(A) An increase in costs that is attributable to economic inflation after September 30, 2012.

(B) An increase in costs that is attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2012.

(C) An increase in the cost of a space-based infrared system satellite that is attributable to the insertion of a new technology into the satellite that was not built into such satellites procured before fiscal year 2013, if the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology into the satellite is—

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

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

(d) REPORTS.—

(1) REPORT ON CONTRACTS.—Not later than 30 days after the date on which the Secretary

enters into a contract under subsection (a), the Secretary shall submit to the congressional defense committees a report on the contract that includes the following:

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

(B) The type and duration of the contract.

(C) The total value of the contract.

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

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

(2) **PLAN FOR USING COST SAVINGS.**—Not later than 90 days after the date on which the Secretary enters into a contract under subsection (a), the Secretary shall submit to the congressional defense committees a plan for using the cost savings described in paragraph (1)(A) to improve the capability of military infrared and early warning satellites that includes a description of the following:

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

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

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

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

(E) The method by which the Secretary will determine which such activities or subprograms to fund, including whether that determination will be on a competitive basis.

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

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

(e) **USE OF FUNDS AVAILABLE FOR SPACE VEHICLE NUMBER 5 FOR SPACE VEHICLE NUMBER 6.**—The Secretary may obligate and expend amounts authorized to be appropriated for fiscal year 2013 by section 101 for procurement for the Air Force as specified in the funding table in section 4101 and available for the advanced procurement of long-lead parts and the replacement of obsolete parts for space-based infrared system satellite space vehicle number 5 for the advanced procurement of long-lead parts and the replacement of obsolete parts for space-based infrared system space vehicle number 6.

(f) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary should not enter into a fixed-price contract under subsection (a) for the procurement of two space-based infrared system satellites unless the Secretary determines that entering into such a contract will save the Air Force not less than 20 percent over the cost of procuring two such satellites separately.

**SEC. 145. TRANSFER OF CERTAIN FISCAL YEAR 2011 AND 2012 FUNDS FOR AIRCRAFT PROCUREMENT FOR THE AIR FORCE.**

(a) **IN GENERAL.**—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from fiscal year 2011 and 2012 Aircraft Procurement, Air Force funds, an aggregate of \$920,748,000 to other, higher priority programs of the Air Force.

(b) **COVERED FUNDS.**—For purposes of this section, the term “fiscal year 2011 and 2012 Aircraft Procurement, Air Force funds” means—

(1) amounts authorized to be appropriated for fiscal year 2011 by section 103(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383;

124 Stat. 4152) for aircraft procurement for the Air Force; and

(2) amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1317) and available for Aircraft Procurement, Air Force as specified in the funding table in section 4101 of that Act.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **CONSTRUCTION OF AUTHORITY.**—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

**Subtitle E—Joint and Multiservice Matters**  
**SEC. 151. MULTIYEAR PROCUREMENT AUTHORITY FOR V-22 JOINT AIRCRAFT PROGRAM.**

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

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

**SEC. 152. LIMITATION ON AVAILABILITY OF FUNDS FOR FULL-RATE PRODUCTION OF HANDHELD, MANPACK, AND SMALL FORM/FIT RADIOS UNDER THE JOINT TACTICAL RADIO SYSTEM PROGRAM.**

Amounts available for the Joint Tactical Radio System (JTRS) program may not be obligated or expended for full-rate production of the Handheld, Manpack, and Small Form/Fit (HMS) radios under that program until the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies that the acquisition strategy for such radios provides, to the maximum extent practicable, for full and open competition in the acquisition of such radios.

**SEC. 153. SHALLOW WATER COMBAT SUBMERSIBLE PROGRAM.**

(a) **INITIAL REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Commander of the United States Special Operations Command shall submit to the congressional defense committees a report setting forth the following:

(1) A description of the efforts of the contractor under the Shallow Water Combat Submersible (SWCS) program and the United States Special Operations Command to improve the accuracy of the tracking of the schedule and costs of the program.

(2) The revised timeline for the initial and full operational capability of the Shallow Water Combat Submersible.

(3) A current estimate of the cost to meet the basis of issue requirement under the program.

(b) **SUBSEQUENT REPORTS.**—

(1) **QUARTERLY REPORTS REQUIRED.**—The Commander of the United States Special Operations Command shall submit to the congressional defense committees on a quarterly basis updates on the metrics from the earned value management system with which the Command is tracking the schedule and cost performance of the contractor of

the Shallow Water Combat Submersible program.

(2) **SUNSET.**—The requirement in paragraph (1) shall cease on the date the Shallow Water Combat Submersible has completed operational testing and has been found to be operationally effective and operationally suitable.

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

**Subtitle A—Authorization of Appropriations**

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

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

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

**SEC. 211. NEXT GENERATION FOUNDRY FOR THE DEFENSE MICROELECTRONICS ACTIVITY.**

Amounts authorized to be appropriated for fiscal year 2013 by section 201 and available for research, development, test, and evaluation for the Next Generation Foundry for the Defense Microelectronics Activity (DMEA) (PE #603720S) as specified in the funding table in section 4201 may not be obligated or expended for that purpose until 60 days after the date on which the Assistant Secretary of Defense for Research and Engineering—

(1) develops a microelectronics strategy as described in the Senate report to accompany S. 1235 of the 112th Congress (S. Rept. 112-26) and an estimate of the full life-cycle costs for the upgrade of the Next Generation Foundry; and

(2) submits the strategy and cost estimate required by paragraph (1) to the congressional defense committees.

**SEC. 212. ADVANCED ROTORCRAFT INITIATIVE.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in consultation with the military departments, the Defense Advanced Research Projects Agency, and industry (including the Vertical Lift Consortium (VLC)), submit to the congressional defense committees a report setting forth a strategy for the use of integrated platform design teams and agile prototyping approaches for the development of advanced rotorcraft capabilities.

(b) **ELEMENTS.**—The strategy required by subsection (a) shall include the following:

(1) Mechanisms for establishing agile prototyping practices and programs, including rotorcraft X-planes, and an identification of the resources required for such purposes.

(2) A restructuring of the Joint Multi-role (JMR) development program of the Army to include more technology demonstration platforms with challenge goals of significant reductions in cost and time to flight.

(3) A restructuring of the X-Plane Rotorcraft program of the Defense Advanced Research Projects Agency to develop performance objectives beyond the Joint Multi-role development program, including at least two competing teams.

(4) Approaches, including competitive prize awards, to encourage the development of advanced rotorcraft capabilities to address challenge problems such as nap-of-earth automated flight, urban operation near buildings, slope landings, automated autorotation or power-off recovery, and automated selection of landing areas.

**SEC. 213. TRANSFER OF CERTAIN FISCAL YEAR 2012 NAVY RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.**

(a) **IN GENERAL.**—To the extent provided in appropriations Acts, the Secretary of the

Navy may transfer from fiscal year 2012 Navy research, development, test, and evaluation funds, \$8,832,000 to other, higher priority programs of the Navy.

(b) COVERED FUNDS.—For purposes of this section, the term “fiscal year 2012 Navy research, development, test, and evaluation funds” means amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Navy as specified in the funding table in section 4201 of that Act.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

**SEC. 214. AUTHORITY FOR DEPARTMENT OF DEFENSE LABORATORIES TO ENTER INTO EDUCATION PARTNERSHIPS WITH EDUCATIONAL INSTITUTIONS IN UNITED STATES TERRITORIES AND POSSESSIONS.**

(a) AUTHORITY.—Subsection (a) of section 2194 of title 10, United States Code, is amended by inserting “, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any possession of the United States” after “institutions of the United States”.

(b) TECHNICAL AMENDMENT.—Subsection (f)(2) of such section is amended by inserting “(20 U.S.C. 7801)” before the period.

**SEC. 215. TRANSFER OF CERTAIN FISCAL YEAR 2012 AIR FORCE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.**

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from fiscal year 2012 Air Force research, development, test, and evaluation funds, \$78,426,000 to other, higher priority programs of the Air Force.

(b) COVERED FUNDS.—For purposes of this section, the term “fiscal year 2012 Air Force research, development, test, and evaluation funds” means amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Air Force as specified in the funding table in section 4201 of that Act.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

**Subtitle C—Missile Defense Matters**

**SEC. 231. HOMELAND BALLISTIC MISSILE DEFENSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Ballistic Missile Defense Review of February 2010 stated as its first policy priority that “the United States will continue to defend the homeland against the threat of limited ballistic missile attack” and that “an essential element of the United States’ homeland ballistic missile defense strategy is to hedge against future uncertainties, including both the uncertainty of future threat

capabilities and the technical risks inherent to our own development plans”.

(2) The United States currently has an operational Ground-based Midcourse Defense (GMD) system with 30 Ground-Based Interceptors (GBIs) deployed in Alaska and California, protecting the United States against the potential future threat of limited ballistic missile attack from countries such as North Korea and Iran.

(3) As Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy Bradley Roberts testified before the Committee on Armed Services of the Senate on April 25, 2012, “[w]ith 30 GBIs in place, the United States is in an advantageous position vis-à-vis the threats from North Korea and Iran,” and “neither has successfully tested an ICBM or demonstrated an ICBM-class warhead”.

(4) Deputy Assistant Secretary Roberts testified that maintaining this advantageous position “requires continued improvement to the GMD system, including enhanced performance by the GBIs and the deployment of new sensors. It also requires the development of the Precision Tracking Space System (PTSS) to handle larger raid sizes and the Standard Missile-3 (SM-3) Block IIB as the ICBM threat from states like Iran and North Korea matures. These efforts will help to ensure that the United States possesses the capability to counter the projected threat for the foreseeable future”.

(5) As its highest priority, the Missile Defense Agency is designing a correction to the problem that caused a December 2010 flight test failure of the Ground-based Midcourse Defense system using the Capability Enhancement II (CE-II) model of exo-atmospheric kill vehicle, and plans to demonstrate the correction in two flight tests before resuming production or assembly of additional Capability Enhancement II kill vehicles.

(6) The Department of Defense has a program to improve the performance and reliability of the Ground-based Midcourse Defense system, including a plan to test every component of the Ground-Based Interceptors for reliability. According to Department of Defense officials, the goal of the Ground-Based Interceptor reliability program is to double the number of threat Intercontinental Ballistic Missiles (ICBMs) that our current inventory of Ground-Based Interceptors could defeat, thereby effectively doubling the capability of our current Ground-based Midcourse Defense system.

(7) The Missile Defense Agency, working with the Director of Operational Test and Evaluation and with United States Strategic Command, has developed a comprehensive Integrated Master Test Plan (IMTP) for missile defense, with flight tests for the Ground-based Midcourse Defense system planned through fiscal year 2022, including salvo testing, multiple simultaneous engagement testing, and operational testing.

(8) The Director of Operational Test and Evaluation, who must review, approve, and sign each semi-annual version of the Integrated Master Test Plan, testified that the Test Plan is “a robust and rigorous test plan”. He also testified that the current pace of Ground-based Midcourse Defense system testing of one flight test per year is the “best that we’ve been able to achieve over a decade”.

(9) The Director of the Missile Defense Agency testified before the Committee on Armed Services of the Senate on April 25, 2012, that flight testing the Ground-based Midcourse Defense system more often than once per year could cause “greater risk of further failure and setbacks to developing our homeland defense capability as rapidly as possible”.

(10) As part of its homeland defense hedging strategy, the Department of Defense has already decided upon or implemented a number of actions to improve the missile defense posture of the United States in case the threat of Intercontinental Ballistic Missiles from North Korea or Iran emerges sooner or in greater numbers than anticipated. These include the following actions:

(A) The Missile Defense Agency has completed construction of Missile Field-2 at Fort Greely, Alaska, with eight extra silos available to deploy additional operational Ground-Based Interceptors, if needed.

(B) With its request for 5 additional Ground-Based Interceptors in the budget of the President for fiscal year 2013, the Missile Defense Agency plans to have enough test and spare Ground-Based Interceptors to emplace in the 8 extra silos from 2014 through 2025, and will keep the Ground-Based Interceptor production line active for 5 additional years, thus allowing additional Ground-Based Interceptor purchases in the future, if needed.

(C) The Department has decided not to decommission prototype Missile Field-1 at Fort Greely but, instead, to keep it in a storage status that would permit it to be refurbished and reactivated within a few years if future threat developments make that necessary.

(D) The Missile Defense Agency plans to build an in-flight interceptor communications terminal at Fort Drum, New York, to enhance the performance of Ground-Based Interceptors defending the eastern United States against possible future missile threats from Iran.

(E) The Missile Defense Agency is continuing the development and testing of the two-stage Ground-Based Interceptor for possible deployment in the future, if needed.

(F) The Missile Defense Agency is upgrading early warning radars in Clear, Alaska, and Cape Cod, Massachusetts, to enhance the ability to defend against potential multiple future Intercontinental Ballistic Missile threats from North Korea and Iran.

(G) The Missile Defense Agency is pursuing development of the Standard Missile-3 Block IIB interceptor for Phase 4 of the European Phased Adaptive Approach. It is intended to augment the Ground-based Midcourse Defense system as a cost-effective first layer of defense of the homeland against a possible future Intercontinental Ballistic Missile threat from Iran.

(H) The Missile Defense Agency is pursuing development of the Precision Tracking Space System, a satellite sensor system to provide persistent tracking of large numbers of missiles in flight, and fire-control quality targeting data to various missile defense interceptor systems. According to the Director of the Missile Defense Agency, “the greatest future enhancement for both homeland and regional defense in the next ten years is the development of the Precision Tracking Space System satellites”.

(11) As part of its homeland defense hedging strategy review, the Department of Defense is considering other options to enhance the future United States posture to defend the homeland, including the feasibility, advisability and affordability of deploying additional Ground-Based Interceptors, either in Alaska or at a missile defense site on the East Coast of the United States.

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

(1) it is a national priority to defend the homeland against the potential future threat of limited ballistic missile attack from countries such as North Korea and Iran;

(2) the currently deployed Ground-based Midcourse Defense system, with 30 Ground-Based Interceptors deployed in Alaska and

California, provides protection of the United States homeland against the potential future threat of limited ballistic missile attack from North Korea and Iran;

(3) it is essential for the Ground-based Midcourse Defense system to achieve the levels of reliability, availability, sustainability, and operational performance that will allow it to continue providing protection of the United States homeland against limited ballistic missile attack;

(4) the Missile Defense Agency should, as its highest priority, correct the problem that caused the December 2010 Ground-based Midcourse Defense system flight test failure and demonstrate the correction in flight tests before resuming production of the Capability Enhancement-II kill vehicle, in order to provide confidence that the system will work as intended;

(5) the Department of Defense should continue to enhance the performance and reliability of the Ground-based Midcourse Defense system, and enhance the capability of the Ballistic Missile Defense System, to provide improved capability to defend the homeland against possible increased future missile threats from North Korea and Iran;

(6) the Missile Defense Agency should continue its robust, rigorous, and realistic testing of the Ground-based Midcourse Defense system at a pace of one flight test per year, as described in the Integrated Master Test Plan, including salvo testing, multiple simultaneous engagement testing, and operational testing;

(7) if successfully developed, the Standard Missile-3 Block IIB interceptor would provide an essential first layer of defense of the homeland against an emerging Intercontinental Ballistic Missile threat from Iran, using a cost-effective forward-based early intercept system that could permit holding Ground-Based Interceptors in reserve, and if such interceptor could be deployed on ships, it would also provide a significant enhancement to defense against possible future threats from North Korea;

(8) the Precision Tracking Space System has the potential to improve dramatically the capability of homeland and regional missile defense systems against large numbers of missiles launched simultaneously, and should remain a high priority for development;

(9) the Department of Defense has taken a number of prudent, affordable, cost-effective, and operationally significant steps to hedge against the possibility of future growth in the missile threat to the homeland from North Korea and Iran; and

(10) the Department of Defense should continue to evaluate the evolution of the long-range missile threat from North Korea and Iran and consider other possibilities for prudent, affordable, cost-effective, and operationally significant steps to improve the posture of the United States to defend the homeland against possible future growth in the threat.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of efforts to improve the homeland ballistic missile defense capability of the United States.

(2) ELEMENTS OF REPORT.—The report required by paragraph (1) shall include the following:

(A) A detailed description of the actions taken or planned to improve the reliability, availability, and capability of the Ground-based Midcourse Defense system.

(B) A description of any improvements achieved as a result of the actions described in subparagraph (A).

(C) A description of the results of the two planned flight tests of the Ground-based Midcourse Defense system (Control Test Vehicle flight test-1, and GMD Flight Test-06b) intended to demonstrate the success of the correction of the problem that caused the flight test failure of December 2010, and the status of any decision to resume production of the Capability Enhancement-II kill vehicle.

(D) A detailed description of actions taken or planned to improve the homeland defense posture of the United States to hedge against potential future Intercontinental Ballistic Missile threat growth from North Korea and Iran.

(E) Any other matters the Secretary considers appropriate.

(3) FORM OF REPORT.—The report shall be submitted in unclassified form, but may include a classified annex.

**SEC. 232. REGIONAL BALLISTIC MISSILE DEFENSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) In the introduction to the Ballistic Missile Defense Review of February 2010, Secretary of Defense Robert Gates states that “I have made defending against near-term regional threats a top priority of our missile defense plans, programs and capabilities”.

(2) In describing the threat of regional ballistic missiles, the report of the Ballistic Missile Defense Review states that “there is no uncertainty about the existence of regional threats. They are clear and present. The threat from short-range, medium-range, and intermediate-range ballistic missiles (SRBMs, MRBMs, and IRBMs) in regions where the United States deploys forces and maintains security relationships is growing at a particularly rapid pace”.

(3) In testimony before the Committee on Armed Services of the Senate on April 25, 2012, Dr. Bradley Roberts, Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy stated, with respect to regional missile defense, that “the need arises from the rapidly emerging threats to our armed forces in Europe, the Middle East, and East Asia from regional missile proliferators and the basic challenge such proliferation poses to the safety and security of our forces and allies and to our power projection strategy”.

(4) Iran has the largest inventory of regional ballistic missiles in the Middle East, with hundreds of missiles that can reach southeastern Europe and all of the Middle East, including Israel. Iran is improving its existing missiles and developing new and longer-range missiles.

(5) North Korea has a large and growing inventory of short-range and medium-range ballistic missiles that can reach United States forces and allies in South Korea and Japan. North Korea is improving its existing missiles and developing new and longer-range missiles.

(6) In September 2009, President Barack Obama announced that he had accepted the unanimous recommendation of the Secretary of Defense and the Joint Chiefs of Staff to establish a European Phased Adaptive Approach to missile defense, designed to protect deployed United States forces and allies and partners in Europe against the large and growing threat of ballistic missiles from Iran.

(7) In November 2010, at the Lisbon Summit, the North Atlantic Treaty Organization (NATO) decided to adopt the core mission of missile defense of its population, territory and forces. The North Atlantic Treaty Organization agreed to enhance its missile defense command and control system, the Active Layered Theater Ballistic Missile Defense, to provide a North Atlantic Treaty Organization command and control capability.

This is in addition to contributions of missile defense capability from individual nations.

(8) During 2011, the United States successfully implemented Phase 1 of the European Phased Adaptive Approach, including deployment of an AN/TPY-2 radar in Turkey, deployment of an Aegis Ballistic Missile Defense ship in the eastern Mediterranean Sea with Standard Missile-3 Block IA interceptors, and establishment of a missile defense command and control system in Germany.

(9) During 2011, the United States successfully negotiated all the international agreements with North Atlantic Treaty Organization allies needed to permit future phases of the European Phased Adaptive Approach, including agreements with Romania and Poland to permit the deployment of Aegis Ashore missile defense systems on their territory, an agreement with Turkey to permit deployment of an AN/TPY-2 radar on its territory, and an agreement with Spain to permit the forward stationing of four Aegis Ballistic Missile Defense ships at Rota.

(10) Phase 2 of the European Phased Adaptive Approach is planned for deployment in 2015, and is planned to include the deployment of Standard Missile-3 Block IB interceptors on Aegis Ballistic Missile Defense ships and at an Aegis Ashore site in Romania.

(11) Phase 3 of the European Phased Adaptive Approach is planned for deployment in 2018, and is planned to include the deployment of Standard Missile-3 Block IIA interceptors on Aegis Ballistic Missile Defense ships and at an Aegis Ashore site in Poland.

(12) Phase 4 of the European Phased Adaptive Approach is planned for deployment in 2020, and is planned to include the deployment of Standard Missile-3 Block IIB interceptors at Aegis Ashore sites. This interceptor is intended to protect both Europe and the United States against potential future long-range ballistic missiles from Iran.

(13) At the North Atlantic Treaty Organization Summit in Chicago in 2012, the North Atlantic Treaty Organization plans to announce it has achieved an “interim capability” for the North Atlantic Treaty Organization missile defense system, including initial capability of its Active Layered Theater Ballistic Missile Defense system at a command and control facility in Germany.

(14) The United States has a robust program of missile defense cooperation with Israel, including joint development of the Arrow Weapon System and the new Arrow-3 upper tier interceptor, designed to defend Israel against ballistic missiles from Iran. These jointly developed missile defense systems are designed to be interoperable with United States ballistic missile defenses, and these interoperable systems are tested in large military exercises. The United States has deployed an AN/TPY-2 radar in Israel to enhance missile defense against missiles from Iran.

(15) The United States is working with the nations of the Gulf Cooperation Council on enhanced national and regional missile defense capabilities against growing missile threats from Iran. As part of this effort, the United Arab Emirates plans to purchase two batteries of the Terminal High Altitude Air Defense (THAAD) system, as well as other equipment.

(16) The United States has a strong program of missile defense cooperation with Japan, including the co-development of the Standard Missile-3 (SM-3) Block IIA interceptor for the Aegis Ballistic Missile Defense system, intended to be deployed by Japan and in Phase 3 of the European Phased Adaptive Approach, Japan’s fleet of Aegis Ballistic Missile Defense ships using the SM-3 Block IA interceptors, and the United

States deployment of an AN/TPY-2 radar in Japan.

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

(1) the threat from regional ballistic missiles, particularly from Iran and North Korea, is serious and growing, and puts at risk forward-deployed United States forces and allies and partners in Europe, the Middle East, and the Asia-Pacific region;

(2) the Department of Defense has an obligation to provide force protection of forward-deployed United States forces, assets, and facilities from regional ballistic missile attack;

(3) the United States has an obligation to meet its security commitments to its allies, including ballistic missile defense commitments;

(4) the Department of Defense has a balanced program of investment and capabilities to provide for both homeland defense and regional defense against ballistic missiles, consistent with the Ballistic Missile Defense Review and with the prioritized and integrated needs of the commanders of the combatant commands;

(5) the European Phased Adaptive Approach to missile defense is an appropriate and necessary response to the existing and growing ballistic missile threat from Iran to forward deployed United States forces and allies and partners in Europe;

(6) the Department of Defense—

(A) should, as a high priority, continue to develop, test, and plan to deploy all four phases of the European Phased Adaptive Approach, including all variants of the Standard Missile-3 interceptor; and

(B) should also continue with its other phased and adaptive regional missile defense efforts tailored to the Middle East and the Asia-Pacific region;

(7) European members of the North Atlantic Treaty Organization are making valuable contributions to missile defense in Europe, by hosting elements of United States missile defense systems on their territories, through individual national contributions to missile defense capability, and by collective funding and development of the Active Layered Theater Ballistic Missile Defense system; and

(8) the Department of Defense should continue with the development of the key enablers of enhanced regional missile defense, including the Precision Tracking Space System.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the status and progress of regional missile defense programs and efforts.

(2) ELEMENTS OF REPORT.—The report required by paragraph (1) shall include the following:

(A) An assessment of the adequacy of the existing and planned European Phased Adaptive Approach to provide force protection for forward deployed United States forces in Europe against ballistic missile threats from Iran, and an assessment whether adequate force protection would be available absent the European Phased Adaptive Approach.

(B) An assessment whether the European Phased Adaptive Approach and other planned regional missile defense approaches of the United States meet the integrated priorities of the commanders of the regional combatant commands in an affordable and balanced manner.

(C) A description of the progress made in the development and testing of elements of systems intended for deployment in Phases 2 through 4 of the European Phased Adaptive Approach, including the Standard Missile-3

Block IB interceptor and the Aegis Ashore system.

(D) A description of the manner in which elements of regional missile defense architectures, such as forward-based X-band radars in Turkey and Japan, contribute to the enhancement of homeland defense of the United States.

(E) A description of the current and planned contributions of North Atlantic Treaty Organization allies, both collectively and individually, to missile defense in Europe.

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

#### SEC. 233. MISSILE DEFENSE COOPERATION WITH RUSSIA.

(a) FINDINGS.—Congress makes the following findings:

(1) For more than a decade, the United States and Russia have discussed a variety of options for cooperation on shared early warning and ballistic missile defense. For example, on May 1, 2001, President George W. Bush spoke of a “new cooperative relationship” with Russia and said “it should be premised on openness, mutual confidence and real opportunities for cooperation, including the area of missile defense. It should allow us to share information so that each nation can improve its early warning capability, and its capability to defend its people and territory. And perhaps one day, we can even cooperate in a joint defense”.

(2) Section 1231 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 1654A–329) authorized the Department of Defense to establish in Russia a “joint center for the exchange of data from systems to provide early warning of launches of ballistic missiles and for notification of launches of such missiles”, also known as the Joint Data Exchange Center (JDEC).

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

(4) On July 6, 2009, President Barack Obama and Russian President Dmitry Medvedev issued a joint statement on missile defense issues, which stated that “Russia and the United States plan to continue the discussion concerning the establishment of cooperation in responding to the challenge of ballistic missile proliferation. . . . We have instructed our experts to work together to analyze the ballistic missile challenges of the 21st century and to prepare appropriate recommendations”.

(5) The February 2010 report of the Ballistic Missile Defense Review established as one of its central policy pillars that increased international missile defense cooperation is in the national security interest of the United States and, with regard to cooperation with Russia, the United States “is pursuing a broad agenda focused on shared early warning of missile launches, possible technical cooperation, and even operational cooperation”.

(6) at the November 2010 Lisbon Summit, the North Atlantic Treaty Organization (NATO) decided to develop a missile defense system to “protect NATO European populations, territory and forces” and also to

seek cooperation with Russia on missile defense. In its Lisbon Summit Declaration, the North Atlantic Treaty Organization reaffirmed its readiness to “invite Russia to explore jointly the potential for linking current and planned missile defense systems at an appropriate time in mutually beneficial ways”. The new NATO Strategic Concept adopted at the Lisbon Summit states that “we will actively seek cooperation on missile defense with Russia”, that “NATO-Russian cooperation is of strategic importance”, and that “the security of the North Atlantic Treaty Organization and Russia is intertwined”.

(7) In a December 18, 2010, letter to the leadership of the Senate, President Obama wrote that the North Atlantic Treaty Organization “invited Russia to cooperate on missile defense, which could lead to adding Russian capabilities to those deployed by NATO to enhance our common security against common threats. The Lisbon Summit thus demonstrated that the Alliance’s missile defenses can be strengthened by improving NATO-Russian relations. This comes even as we have made clear that the system we intend to pursue with Russia will not be a joint system, and it will not in any way limit United States’ or NATO’s missile defense capabilities. Effective cooperation with Russia could enhance the overall efficiency of our combined territorial missile defenses, and at the same time provide Russia with greater security”.

(8) Section 221(a)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4167) states that it is the sense of Congress “to support the efforts of the United States Government and the North Atlantic Treaty Organization to pursue cooperation with the Russian Federation on ballistic missile defense relative to Iranian missile threats”.

(9) In a speech in Russia on March 21, 2011, Secretary of Defense Robert Gates cited “the NATO-Russian decision to cooperate on defense against ballistic missiles. We’ve disagreed before, and Russia still has uncertainties about the European Phased Adaptive Approach, a limited system that poses no challenges to the large Russian nuclear arsenal. However, we’ve mutually committed to resolving these difficulties in order to develop a roadmap toward truly effective anti-ballistic missile collaboration. This collaboration may include exchanging launch information, setting up a joint data fusion center, allowing greater transparency with respect to our missile defense plans and exercises, and conducting a joint analysis to determine areas of future cooperation”.

(10) In testimony to the Committee on Armed Services of the Senate on April 13, 2011, Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy Bradley H. Roberts stated that the United States has been pursuing a Defense Technology Cooperation Agreement with Russia since 2004, and that such an agreement is necessary “for the safeguarding of sensitive information in support of cooperation” on missile defense, and to “provide the legal framework for undertaking cooperative efforts”. Further, Dr. Roberts stated that the United States would not provide any classified information to Russia without first conducting a National Disclosure Policy review. He also stated that the United States is not considering sharing “hit-to-kill” technology with Russia.

(11) In a March 2012 answer to a question from the Committee on Armed Services of the Senate on missile defense cooperation with Russia, Acting Under Secretary of Defense for Policy Jim Miller wrote that “I support U.S.-Russian cooperation on missile defenses first and foremost because it could improve the effectiveness of U.S. and NATO

missile defenses, thereby improving the protection of the United States, our forces overseas, and our Allies. Missile defense cooperation with Russia is in the security interests of the United States, NATO, and Russia, first and foremost because it could strengthen capabilities across Europe to intercept Iranian missiles". He also wrote that "[t]he United States has pursued missile defense cooperation with Russia with the clear understanding that we would not accept constraints on missile defense, and that we would undertake necessary qualitative and quantitative improvements to meet U.S. Security needs".

(12) In February 2012, an international group of independent experts known as the Euro-Atlantic Security Initiative issued a report proposing missile defense cooperation between the United States (with its North Atlantic Treaty Organization allies) and Russia. The group, whose leaders included Stephen Hadley, the National Security Advisor to President George W. Bush, proposed that the nations share satellite and radar early warning data at joint cooperation centers in order to improve their ability to detect, track, and defeat medium-range and intermediate-range ballistic missiles from the Middle East.

(13) In a letter dated April 13, 2012, Robert Nabors, Assistant to the President and Director of the Office of Legislative Affairs, wrote that "it is Administration policy that we will only provide information to Russia that will enhance the effectiveness of our missile defenses. The Administration will not provide Russia with sensitive information that would in any way compromise our national security, including hit-to-kill technology and interceptor telemetry".

(14) The United States and Russia already engage in substantial cooperation on a number of international security efforts, including nuclear nonproliferation, anti-piracy, counter-narcotics, nuclear security, counterterrorism, and logistics resupply through Russia of coalition forces in Afghanistan. These areas of cooperation require each side to share and protect sensitive information, which they have both done successfully.

(15) The United States currently has shared early warning agreements and programs of cooperation with eight nations in addition to the North Atlantic Treaty Organization. The United States has developed procedures and mechanisms for sharing early warning information with partner nations while ensuring the protection of sensitive United States information.

(16) Russia and the United States each have missile launch early warning and detection and tracking sensors that could contribute to and enhance each others' ability to detect, track, and defend against ballistic missile threats from Iran.

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

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

(1) it is in the national security interest of the United States to pursue efforts at missile defense cooperation with Russia that would enhance the security of the United States, its North Atlantic Treaty Organization allies, and Russia, particularly against missile threats from Iran;

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

(3) missile defense cooperation with Russia should not "in any way limit United States' or NATO's missile defense capabilities", as

acknowledged in the December 18, 2010, letter from President Obama to the leadership of the Senate, and should be mutually beneficial and reciprocal in nature;

(4) the United States should not provide Russia with sensitive missile defense information that would in any way compromise United States national security, including "hit-to-kill" technology and interceptor telemetry; and

(5) the United States should pursue missile defense cooperation with Russia in a manner that ensures that—

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

(B) prior to sharing classified information with Russia, the United States conducts a National Disclosure Policy review and determines the types and levels of information that may be shared and whether any additional procedures are necessary to protect such information;

(C) prior to entering into missile defense technology cooperation projects, the United States enters into a Defense Technology Cooperation Agreement with Russia that establishes the legal framework for a broad spectrum of potential cooperative defense projects; and

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

**SEC. 234. NEXT GENERATION EXO-ATMOSPHERIC KILL VEHICLE.**

(a) PLAN FOR NEXT GENERATION KILL VEHICLE.—The Director of the Missile Defense Agency shall develop a long-term plan for the Exo-atmospheric Kill Vehicle (EKV) that addresses both modifications and enhancements to the current Exo-atmospheric Kill Vehicle and options for the competitive development of a next generation Exo-atmospheric Kill Vehicle for the Ground-Based Interceptor (GBI) of the Ground-based Mid-course Defense (GMD) system and any other interceptor that might be developed for the defense of the United States against long-range ballistic missiles.

(b) DEFINITION OF PARAMETERS AND CAPABILITIES.—

(1) ASSESSMENT REQUIRED.—The Director shall define the desired technical parameters and performance capabilities for a next generation Exo-atmospheric Kill Vehicle using an assessment conducted by the Director for that purpose that is designed to ensure that a next generation Exo-atmospheric Kill Vehicle design—

(A) enables ease of manufacturing, high tolerances to production processes and supply chain variability, and inherent reliability;

(B) will be optimized to take advantage of the Ballistic Missile Defense System architecture and sensor system capabilities;

(C) leverages all relevant kill vehicle development activities and technologies, including from the current Standard Missile-3 Block IIB (SM-3 IIB) program and the previous Multiple Kill Vehicle technology development program;

(D) seeks to maximize, to the greatest extent practicable, commonality between subsystems of a next generation Exo-atmospheric Kill Vehicle and other exo-atmospheric kill vehicle programs; and

(E) meets Department of Defense criteria, as established in the February 2010 Ballistic Missile Defense Review, for affordability, reliability, suitability, and operational effectiveness to defend against limited attacks from evolving and future threats from long-range missiles.

(2) EVALUATION OF PAYLOADS.—The assessment required by paragraph (1) shall include an evaluation of the potential benefits and

drawbacks of options for both unitary and multiple Exo-atmospheric Kill Vehicle payloads.

(3) STANDARD MISSILE-3 BLOCK IIB INTERCEPTOR.—As part of the assessment required by paragraph (1), the Director shall evaluate whether there are potential options and opportunities arising from the Standard Missile-3 Block IIB interceptor development program for development of an exo-atmospheric kill vehicle, or kill vehicle technologies or components, that could be used for potential upgrades to the Ground-Based Interceptor or for a next generation Exo-atmospheric Kill Vehicle.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report setting forth the plan developed under subsection (a), including the results of the assessment under subsection (b), and an estimate of the cost and schedule of implementing the plan.

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

**SEC. 235. MODERNIZATION OF THE PATRIOT AIR AND MISSILE DEFENSE SYSTEM.**

(a) PLAN FOR MODERNIZATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a prioritized plan for support of the long-term requirements in connection with the modernization of the Patriot air and missile defense system.

(b) ADDITIONAL ELEMENTS.—The report required by subsection (a) shall also set forth the following:

(1) An assessment of the integrated air and missile defense capabilities required to meet the demands of evolving and emerging threats.

(2) A plan for the introduction of changes to the Patriot air and missile defense system program to achieve reductions in the lifecycle cost of the Patriot air and missile defense system.

**SEC. 236. MEDIUM EXTENDED AIR DEFENSE SYSTEM.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended for the Medium Extended Air Defense System (MEADS).

**SEC. 237. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE PROGRAM.**

Of the amounts authorized to be appropriated for fiscal year 2013 by section 201 for research, development, test, and evaluation, Defense-wide, and available for the Missile Defense Agency, \$210,000,000 may be provided to the Government of Israel for the Iron Dome short-range rocket defense program as specified in the funding table in section 4201.

**Subtitle D—Reports**

**SEC. 251. MISSION PACKAGES FOR THE LITTORAL COMBAT SHIP.**

(a) REPORT REQUIRED.—Not later than March 1, 2013, the Secretary of the Navy shall, in consultation with the Director of Operational Test and Evaluation, submit to the congressional defense committees a report on the mine countermeasures warfare (MCM), antisubmarine warfare (ASW), and surface warfare (SUW) Mission Packages for the Littoral Combat Ship.

(b) ELEMENTS.—The report required by subsection (a) shall set forth the following:

(1) A plan for the Mission Packages demonstrating that Preliminary Design Review for every capability increment precedes Milestone B or equivalent approval for that increment.



(2) A plan for demonstrating that the capability increment for each Mission Package, combined with a Littoral Combat Ship, on the basis of a Preliminary Design Review and post-Preliminary Design Review assessment, will achieve the capability specified for that increment.

(3) A plan for demonstrating the survivability and lethality of the Littoral Combat Ship with its Mission Packages sufficiently early in the development phase of the system to minimize costs of concurrency.

**SEC. 252. COMPTROLLER GENERAL OF THE UNITED STATES ANNUAL REPORTS ON THE ACQUISITION PROGRAM FOR THE AMPHIBIOUS COMBAT VEHICLE.**

(a) ANNUAL GAO REVIEW.—The Comptroller General of the United States shall conduct on an annual basis a review of the acquisition program for the Amphibious Combat Vehicle (ACV).

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than March 1 of each year beginning in 2013, the Comptroller General shall submit to the congressional defense committees a report on the review of the acquisition program for the Amphibious Combat Vehicle conducted under subsection (a).

(2) MATTERS TO BE INCLUDED.—Each report on the review of the acquisition program for the Amphibious Combat Vehicle shall include, to the extent appropriate and feasible, the following:

(A) An assessment of the extent to which the program is meeting development and procurement cost, schedule, performance, and risk mitigation goals.

(B) With respect to meeting the desired initial operational capability and full operational capability dates for the Amphibious Combat Vehicle, an assessment of the progress and results of—

(i) developmental and operational testing of the vehicle; and

(ii) plans for correcting deficiencies in vehicle performance, operational effectiveness, reliability, suitability, and safety.

(C) An assessment of procurement plans, production results, and efforts to improve manufacturing efficiency and supplier performance in connection with the Amphibious Combat Vehicle.

(D) An assessment of the acquisition strategy for the Amphibious Combat Vehicle, including whether the strategy complies with acquisition management best-practices and the acquisition policy and regulations of the Department of Defense.

(E) A risk assessment of the integrated master schedule and the test and evaluation master plan of the Amphibious Combat Vehicle as it relates to—

(i) the probability of success;

(ii) the funding required for the vehicle in comparison with the funding programmed for the vehicle; and

(iii) development and production concurrency.

(3) ADDITIONAL INFORMATION IN FIRST REPORT.—In submitting to the congressional defense committees the first report under paragraph (1), the Comptroller General shall include, with respect to the Amphibious Combat Vehicle program, an assessment of the sufficiency and objectivity of the following documents:

(A) The analysis of alternatives.

(B) The initial capabilities document.

(C) The capability development document.

(4) INFORMATION IN SUBSEQUENT REPORTS.—

(A) CERTAIN INFORMATION REQUIRED ONLY FOLLOWING SIGNIFICANT CHANGES.—A report under this subsection after the first report under paragraph (1) shall address the matters identified in subparagraphs (C), (D), and (E) of paragraph (2) only to the extent that

the Comptroller General determines that there have been significant changes to the applicable plans, strategies, or schedules since the last report under this subsection addressing such matters.

(B) ADDITIONAL INFORMATION AFTER APPROVAL OR CHANGE OF DOCUMENTS.—If any document specified in paragraph (3) is approved or changed after the first report under paragraph (1), the Comptroller General shall provide an assessment of the sufficiency and objectivity of that document in the report to the congressional defense committees under paragraph (1) submitted immediately following such approval or change.

(5) TERMINATION.—No report is required under this subsection after the first report following the award of a contract for full rate production of the Amphibious Combat Vehicle.

**SEC. 253. CONDITIONAL REQUIREMENT FOR REPORT ON AMPHIBIOUS ASSAULT VEHICLES FOR THE MARINE CORPS.**

(a) IN GENERAL.—If the ongoing Marine Corps ground combat vehicle fleet mix study recommends the acquisition of a separate Marine Personnel Carrier, the Secretary of the Navy and the Commandant of the Marine Corps shall jointly submit to the congressional defense committees a report that includes the following:

(1) A detailed description of the capability gaps that Marine Personnel Carriers are intended to mitigate and the capabilities that the Marine Personnel Carrier will be required to have to mitigate such gaps, and an assessment whether, and to what extent, Amphibious Combat Vehicles could mitigate such gaps.

(2) A detailed explanation of the role of the Marine Personnel Carriers in fulfilling the forcible entry requirement for the two Marine Expeditionary Brigades (MEBs) that make up the assault echelons of the three Marine Expeditionary Brigade force required to meet applicable war plans of the combatant commands.

(3) A description of the fraction of the assault echelon of the brigades referred to in paragraph (2) that would be comprised of Marine Personnel Carriers.

(4) An assessment of the direct operational risk associated with using ship-to-shore connectors to deliver Marine Personnel Carriers to shore in an amphibious assault.

(5) An assessment of the indirect operational risk associated with using ship-to-shore connectors to deliver Marine Personnel Carriers rather than tanks and artillery and other tactical vehicles.

(6) A comparative estimate of the acquisition and life-cycle costs of a split fleet of Amphibious Combat Vehicles and Marine Personnel Carriers with the acquisition and life-cycle costs of a pure fleet of Amphibious Combat Vehicles.

(b) SUBMITTAL DATE.—If required, the report under subsection (a) shall be submitted not later than the later of—

(1) the date that is 60 days after the date of the completion of the study referred to in subsection (a); or

(2) February 1, 2013.

**Subtitle E—Other Matters**

**SEC. 271. TRANSFER OF ADMINISTRATION OF OCEAN RESEARCH AND RESOURCES ADVISORY PANEL FROM DEPARTMENT OF THE NAVY TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.**

(a) IN GENERAL.—Subsection (a) of section 7903 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting “, through the Administrator of the National Oceanic and Atmospheric Administration,” after “The Council”;

(B) by inserting “and Resources” after “Ocean Research”;

(C) by striking “Panel consisting” and inserting “Panel. The Panel shall consist”;

(D) by striking “chairman” and inserting “Administrator, on behalf of the Council”;

(2) in paragraph (1), by striking “National Academy of Science” and inserting “National Academies of Science”;

(3) by striking paragraphs (2) and (3); and

(4) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively.

(b) RESPONSIBILITIES OF PANEL.—Subsection (b) of such section is amended—

(1) by inserting “, through the Administrator of the National Oceanic and Atmospheric Administration,” after “The Council”;

(2) by striking paragraph (2);

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

(4) by inserting after paragraph (1) the following new paragraphs (2) and (3):

“(2) To advise the Council on the determination of scientific priorities and needs.

“(3) To provide the Council strategic advice regarding national ocean program execution and collaboration.”

(c) FUNDING TO SUPPORT ACTIVITIES OF PANEL.—Subsection (c) of such section is amended by striking “Secretary of the Navy” and inserting “Secretary of Commerce”.

(d) CONFORMING AMENDMENT.—Section 7902(e)(1) of such title is amended by striking “Ocean Research Advisory Panel” and inserting “Ocean Research and Resources Advisory Panel”.

(e) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 7903 of such title is amended to read as follows:

**“§ 7903. Ocean Research and Resources Advisory Panel”.**

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 665 of such title is amended by striking the item relating to section 7903 and inserting the following new item:

“7903. Ocean Research and Resources Advisory Panel.”

(f) REFERENCES.—Any reference to the Ocean Research Advisory Panel in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Ocean Research and Resources Advisory Panel.

**TITLE III—OPERATION AND MAINTENANCE**

**Subtitle A—Authorization of Appropriations**  
**SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

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

**Subtitle B—Energy and Environmental Provisions**

**SEC. 311. DEPARTMENT OF DEFENSE GUIDANCE ON ENVIRONMENTAL EXPOSURES AT MILITARY INSTALLATIONS.**

(a) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue to the appropriate military departments and other defense agencies written guidance on environmental exposures at military installations. The guidance shall—

(1) set forth criteria for when and under what circumstances public health assessments by the Agency for Toxic Substances and Disease Registry shall be requested in connection with environmental contamination at military installations, including past incidents of environmental contamination;

(2) establish procedures for tracking and documenting the status and nature of responses to the findings and recommendations of the public health assessments of the Agency of Toxic Substances and Disease Registry that involve contamination at military installations; and

(3) prescribe appropriate actions with respect to the identification of military and civilian individuals who may have been exposed to contamination while living or working on military installations.

(b) REPORT.—Not later than 30 days after issuing the guidance required under subsection (a), the Secretary of Defense shall transmit a copy of the guidance to the congressional defense committees.

**SEC. 312. FUNDING OF AGREEMENTS UNDER THE SIKES ACT.**

Section 103a of the Sikes Act (16 U.S.C. 670c-1) is amended—

(1) in subsection (b)—

(A) by inserting “(1)” before “Funds”; and

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

“(2) In the case of a cooperative agreement under subsection (a)(2), such funds—

“(A) may be paid in a lump sum and include an amount intended to cover the future costs of the natural resource maintenance and improvement activities provided for under the agreement; and

“(B) may be placed by the recipient in an interest-bearing account, and any interest shall be applied for the same purposes as the principal.”; and

(2) by amending subsection (c) to read as follows:

“(c) AVAILABILITY OF FUNDS; AGREEMENT UNDER OTHER LAWS.—(1) Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds.

“(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the United States Government.”.

**SEC. 313. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF ALTERNATIVE FUEL.**

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

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

**Subtitle C—Logistics and Sustainment**

**SEC. 321. REPEAL OF CERTAIN PROVISIONS RELATING TO DEPOT-LEVEL MAINTENANCE.**

(a) REPEAL.—

(1) Section 2460 of title 10, United States Code (as amended by section 321 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81)), is repealed.

(2) Section 2464 of title 10, United States Code (as amended by section 327 of the National Defense Authorization Act for Fiscal Year 2012), is repealed.

(b) REVIVAL OF SUPERSEDED PROVISIONS.—

(1) The provisions of section 2460 of title 10, United States Code, as in effect on December 30, 2011 (the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012), are hereby revived.

(2)(A) The provisions of section 2464 of 10, United States Code, as in effect on that date, are hereby revived.

(B) The table of sections at the beginning of chapter 146 of such title is amended by striking the item relating to section 2464 and inserting the following new item:

“2464. Core logistics capabilities.”.

(c) CONFORMING AMENDMENTS.—

(1) Section 2366a of title 10, United States Code, is amended by striking “core depot-level maintenance and repair capabilities” each place it appears and inserting “core logistics capabilities”.

(2) Section 2366b(A)(3)(F) of title 10, United States Code, is amended by striking “core depot-level maintenance and repair capabilities, as well as the associated logistics capabilities” and inserting “core logistics capabilities”.

(3) Section 801(c) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1483; 10 U.S.C. 2366a note) is amended by striking “core depot-level maintenance and repair capabilities, as well as the associated logistics capabilities” and inserting “core logistics capabilities”.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on December 31, 2011, the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, immediately after the enactment of that Act.

**Subtitle D—Reports**

**SEC. 331. ANNUAL REPORT ON DEPARTMENT OF DEFENSE LONG-TERM CORROSION STRATEGY.**

Section 2228(e) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by inserting “, including available validated data on return on investment for completed corrosion projects and activities” after “the strategy”;

(B) in subparagraph (E), by striking “For the fiscal year covered by the report and the preceding fiscal year” and inserting “For the preceding fiscal year covered by the report”; and

(C) by inserting at the end the following new subparagraph:

“(F) For the preceding fiscal year covered by the report, a breakdown of the amount of funds used for military corrosion projects, the Technical Corrosion Collaboration pilot program, and other corrosion-related activities.”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

**SEC. 332. MODIFIED DEADLINE FOR COMPTROLLER GENERAL REVIEW OF ANNUAL REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.**

Section 2229a(b) of title 10, United States Code, is amended by striking “By not later than 120 days after the date on which a report is submitted under subsection (a), the Comptroller General shall review the report” and inserting “The Comptroller General shall review the report submitted under subsection (a)”.

**Subtitle E—Other Matters**

**SEC. 341. SAVINGS TO BE ACHIEVED IN CIVILIAN WORKFORCE AND CONTRACTOR EMPLOYEE WORKFORCE OF THE DEPARTMENT OF DEFENSE.**

(a) REQUIRED SAVINGS.—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall begin the implementation of an efficiencies plan for the civilian workforce and

the service contractor workforce of the Department of Defense which shall achieve savings in the funding for each such workforce over the period from fiscal year 2012 through fiscal year 2017 that are not less, as a percentage of such funding, than the savings in funding for military personnel achieved by the planned reduction in military end strengths over the same period of time.

(b) EXCLUSIONS.—The funding reduction required by subsection (a) shall not include funding for the following:

(1) Civilian personnel expenses for personnel as follows:

(A) Personnel in Mission Critical Occupations, as defined by the Civilian Human Capital Strategic Plan of the Department of Defense and the Acquisition Workforce Plan of the Department of Defense.

(B) Personnel employed at facilities providing core logistics capabilities pursuant to section 2464 of title 10, United States Code.

(C) Personnel in the Offices of the Inspectors General of the Department of Defense.

(2) Service contractor expenses for personnel as follows:

(A) Personnel performing maintenance and repair of military equipment.

(B) Personnel providing medical services.

(C) Personnel performing financial audit services.

(3) Personnel expenses for personnel in the civilian personnel or service contractor workforce performing such other critical functions as may be identified by the Secretary as requiring exemption in the interest of the national defense.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report including a comprehensive description of the plan required by subsection (a).

(2) STATUS REPORTS.—Not later than 60 days after the end of each fiscal year from fiscal year 2013 through fiscal year 2017, the Secretary shall submit to the congressional defense committees a report describing the implementation of the plan during the prior fiscal year. Each such report shall include a direct comparison of the savings achieved under the plan to the savings achieved in the same fiscal year through reductions in military end strengths. In any case in which savings fall short of the annual target, the report shall include an explanation of the reasons for such shortfall.

(3) EXEMPTIONS.—Each report under paragraphs (1) and (2) shall specifically identify any exemption granted by the Secretary under subsection (b)(3) in the period of time covered by the report.

(d) LIMITATION ON TRANSFERS OF FUNCTIONS.—The Secretary shall ensure that the savings required by this section are not achieved through unjustified transfers of functions between or among the military, civilian, and service contractor workforces of the Department of Defense.

(e) SENSE OF CONGRESS.—It is the sense of Congress that an amount equal to 30 percent of the amount of the reductions in appropriated funds attributable to reduced budgets for the civilian and service contractor workforces of the Department by reason of the plan required by subsection (a) should be made available for costs of assisting military personnel separated from the Armed Forces in the transition from military service.

(f) SERVICE CONTRACTOR WORKFORCE DEFINED.—In this section, the term “service contractor workforce” means contractor employees performing contract services, as defined in section 2330(c)(2) of title 10, United States Code, other than contract services that are funded out of amounts available for overseas contingency operations.

**SEC. 342. NATO SPECIAL OPERATIONS HEADQUARTERS.**

(a) IN GENERAL.—Chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

**“§2350n. NATO Special Operations Headquarters**

“(a) AUTHORIZATION.—Of the amounts authorized to be appropriated for fiscal year 2013 and for subsequent fiscal years for the Department of Defense for operation and maintenance, up to \$50,000,000 may be used for a fiscal year for the purposes set forth in subsection (b) for support of operations of the North Atlantic Treaty Organization (NATO) Special Operations Headquarters.

“(b) PURPOSES.—The Secretary of Defense may provide funds for the NATO Special Operations Headquarters—

“(1) to improve coordination and cooperation between the special operations forces of NATO member countries;

“(2) to facilitate joint operations by special operations forces of NATO member countries;

“(3) to support command, control, and communications capabilities peculiar to special operations forces of NATO member countries;

“(4) to promote special operations forces intelligence and informational requirements within the NATO structure; and

“(5) to promote interoperability through the development of common equipment standards, tactics, techniques, and procedures, and through execution of multinational education and training programs.

“(c) ANNUAL REPORT.—Not later than April 1 of each year, the Secretary of Defense shall submit to the congressional defense committees a report regarding Department of Defense support for the NATO Special Operations Headquarters. Each report shall include the following:

“(1) The total amount of funding provided to the NATO Special Operations Headquarters.

“(2) A summary of the activities funded with such support.

“(3) Other contributions, financial or in kind, provided in support of the NATO Special Operations Headquarters by other NATO member countries.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2350m the following new item:

“2350n. NATO Special Operations Headquarters.”

**SEC. 343. REPEAL OF REDUNDANT AUTHORITY TO ENSURE INTEROPERABILITY OF LAW ENFORCEMENT AND EMERGENCY RESPONDER TRAINING.**

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

- (1) by striking “(a) IN GENERAL.—”; and
- (2) by striking subsection (b).

**TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS****Subtitle A—Active Forces****SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

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

- (1) The Army, 552,100.
- (2) The Navy, 322,700.
- (3) The Marine Corps, 197,300.
- (4) The Air Force, 329,597.

**Subtitle B—Reserve Forces****SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

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

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

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

- (3) The Navy Reserve, 62,500.

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

- (5) The Air National Guard of the United States, 106,435.

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

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

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

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

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

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

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

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

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

- (2) The Army Reserve, 16,277.

- (3) The Navy Reserve, 10,114.

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

- (5) The Air National Guard of the United States, 14,871.

- (6) The Air Force Reserve, 2,888.

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

The minimum number of military technicians (dual status) as of the last day of fiscal year 2013 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

- (1) For the Army Reserve, 8,445.

- (2) For the Army National Guard of the United States, 28,380.

- (3) For the Air Force Reserve, 10,716.

- (4) For the Air National Guard of the United States, 22,313.

**SEC. 414. FISCAL YEAR 2013 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.**

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2013, may not exceed the following:

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

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

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2013, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2013, may not exceed 90.

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

**SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.**

During fiscal year 2013, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

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

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

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

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

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

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

**Subtitle C—Authorization of Appropriations****SEC. 421. MILITARY PERSONNEL.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2013.

**TITLE V—MILITARY PERSONNEL POLICY****Subtitle A—Officer Policy****SEC. 501. EXTENSION OF RELAXATION OF LIMITATION ON SELECTIVE EARLY DISCHARGES.**

Section 638a(d)(2) of title 10 United States Code, is amended in subparagraphs (A) and (B) by striking “except that during the period beginning on October 1, 2006, and ending on December 31, 2012,” and inserting “except that through December 31, 2018.”

**SEC. 502. EXCEPTION TO 30-YEAR RETIREMENT FOR REGULAR NAVY WARRANT OFFICERS IN THE GRADE OF CHIEF WARRANT OFFICER, W-5.**

(a) EXCEPTION TO STATUTORY 30-YEAR RETIREMENT.—Paragraph (1) of section 1305(a) of title 10, United States Code, is amended—

(1) by inserting “or a regular Navy warrant officer in the grade of chief warrant officer, W-5, exempted under paragraph (3)” after “Army warrant officer”; and

(2) by striking “he” and inserting “the officer”.

(b) MODIFICATION OF STATUTORY RETIREMENT FROM 30 TO 33 YEARS.—Such section is further amended by adding at the end the following new paragraph:

“(3) In the case of a regular Navy warrant officer in the grade of chief warrant officer, W-5, the officer shall be retired 60 days after the date on which the officer completes 33 years of total active service.”

**SEC. 503. MODIFICATION OF DEFINITION OF JOINT DUTY ASSIGNMENT TO INCLUDE ALL INSTRUCTOR ASSIGNMENTS FOR JOINT TRAINING AND EDUCATION.**

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

**SEC. 504. SENSE OF SENATE ON INCLUSION OF ASSIGNMENTS AS ACADEMIC INSTRUCTOR AT THE MILITARY SERVICE ACADEMIES AS JOINT DUTY ASSIGNMENTS.**

It is the sense of the Senate that the Secretary of Defense should include assignments

in which military officers are assigned as instructors responsible for preparing and presenting academic courses on the faculty of the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy as joint duty assignments.

**Subtitle B—Reserve Component Management**

**SEC. 511. AUTHORITY FOR APPOINTMENT OF PERSONS WHO ARE LAWFUL PERMANENT RESIDENTS AS OFFICERS OF THE NATIONAL GUARD.**

Section 313(b)(1) of title 32, United States Code, is amended by inserting “or an alien lawfully admitted for permanent residence (as that term is defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C.1101(a)(20))” before the semicolon.

**SEC. 512. RESERVE COMPONENT SUICIDE PREVENTION AND RESILIENCE PROGRAM.**

(a) CODIFICATION, TRANSFER OF RESPONSIBILITY, AND EXTENSION.—

(1) IN GENERAL.—Chapter 1007 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 10219. Suicide prevention and resilience program**

“(a) PROGRAM REQUIREMENT.—The Secretary of Defense shall carry out a program to provide members of the National Guard and Reserves and their families with training in suicide prevention, resilience, and community healing and response to suicide.

“(b) SUICIDE PREVENTION TRAINING.—Under the program, the Secretary shall provide members of the National Guard and Reserves with training in suicide prevention. Such training may include—

“(1) describing the warning signs for suicide and teaching effective strategies for prevention and intervention;

“(2) examining the influence of military culture on risk and protective factors for suicide; and

“(3) engaging in interactive case scenarios and role plays to practice effective intervention strategies.

“(c) COMMUNITY RESPONSE TRAINING.—Under the program, the Secretary shall provide the families and communities of members of the National Guard and Reserves with training in responses to suicide that promote individual and community healing. Such training may include—

“(1) enhancing collaboration among community members and local service providers to create an integrated, coordinated community response to suicide;

“(2) communicating best practices for preventing suicide, including safe messaging, appropriate memorial services, and media guidelines;

“(3) addressing the impact of suicide on the military and the larger community, and the increased risk that can result; and

“(4) managing resources to assist key community and military service providers in helping the families, friends, and fellow servicemembers of a suicide victim through the processes of grieving and healing.

“(d) COMMUNITY TRAINING ASSISTANCE.—The program shall include the provision of assistance with such training to the local communities of those servicemembers and families, to be provided in coordination with local community programs.

“(e) COLLABORATION.—In carrying out the program, the Secretary shall collect and analyze ‘lessons learned’ and suggestions from State National Guard and Reserve organizations with existing or developing suicide prevention and community response programs.

“(f) TERMINATION.—The program under this section shall terminate on October 1, 2015.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1007 of

such title is amended by adding at the end the following new item:

“10219. Suicide prevention and resilience program.”

(b) REPEAL OF SUPERSEDED PROVISION.—Subsection (i) of section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is repealed.

**Subtitle C—General Service Authorities**  
**SEC. 521. DIVERSITY IN THE ARMED FORCES AND RELATED REPORTING REQUIREMENTS.**

(a) PLAN TO ACHIEVE DIVERSITY IN THE ARMED FORCES.—The Secretary of Defense shall develop and implement a plan to accurately measure the efforts of the Department of Defense to achieve the goal of having a dynamic and sustainable 20–30 year pipeline that yields a diverse officer and enlisted corps for the Armed Forces that reflects the population of the United States eligible to serve in the Armed Forces across all the Armed Forces, and all grades of each Armed Force, that is able to prevail in its wars, prevent and deter conflicts, defeat adversaries and succeed in a wide-range of contingencies, and preserve and enhance the all volunteer force. Any metric established pursuant to this subsection may not be used in a manner that undermines the merit-based processes of the Department of Defense, including such processes for accession, retention, and promotion. Such metrics may not be combined with the identification of specific quotas based upon diversity characteristics. The Secretary shall continue to account for diversified language and cultural skills among the total force of the military.

(b) METRICS TO MEASURE PROGRESS IN DEVELOPING AND IMPLEMENTING PLAN.—In developing and implementing the plan under subsection (a), the Secretary of Defense shall develop a standard set of metrics and collection procedures that are uniform across the armed forces. The metrics required by this subsection shall be designed—

(1) to accurately capture the inclusion and capability aspects of the armed forces broader diversity plans, including race, ethnic, and gender specific groups, functional expertise, and diversified cultural and language skills so as to leverage and improve readiness; and

(2) to be verifiable and systematically linked to strategic plans that will drive improvements.

(c) DEFINITION OF DIVERSITY.—In developing and implementing the plan under subsection (a), each Secretary of a military department shall, in consultation with the Secretary of Defense, develop a definition of diversity that is reflective of the culture, mission, and core values of each Armed Force under the jurisdiction of such Secretary.

(d) CONSULTATION.—Not less than annually, the Secretary of Defense shall meet with the Secretaries of the military departments, the Joint Chiefs of Staff, and senior enlisted members of the Armed Forces to discuss the progress being made toward developing and implementing the plan established under subsection (a).

(e) REPORTS ON IMPLEMENTATION OF PLAN.—Not later than July 1, 2013, and biennially thereafter through July 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the following:

(1) The progress made in implementing the plan required by subsection (a) to accurately measure the efforts of the Department of Defense to achieve its diversity goals.

(2) The number of members of the Armed Forces, including reserve components, listed by sex and race or ethnicity for each grade under each military department.

(3) The number of members of the Armed Forces, including reserve components, who

were promoted during the years covered by the report, listed by sex and race or ethnicity for each grade under each military department.

(4) The number of members of the Armed Forces, including reserve components, who reenlisted or otherwise extended the commitment to military service during the years covered by the report, listed by sex and race or ethnicity for each grade under each military department.

(5) The available pool of qualified candidates for the general officer grades of general and lieutenant general and the flag officer grades of admiral and vice admiral.

**SEC. 522. MODIFICATION OF AUTHORITY TO CONDUCT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.**

(a) EXTENSION OF PROGRAMS TO CERTAIN ACTIVE GUARD AND RESERVE PERSONNEL.—Section 533 of Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is amended—

(1) in subsection (a)(1), by inserting “and members on active Guard and Reserve duty” after “officers and enlisted members of the regular components”;

(2) by redesignating subsection (l) as subsection (m); and

(3) by inserting after subsection (k) the following new subsection (l)

“(l) DEFINITION.—In this section, the term ‘active Guard and Reserve duty’ has the meaning given that term in section 101(d)(6) of title 10, United States Code.”

(b) AUTHORITY TO CARRY FORWARD UNUSED ACCRUED LEAVE.—Subsection (h) of such section is amended by adding at the end the following new paragraph:

“(5) LEAVE.—A member who participates in a pilot program is entitled to carry forward the existing leave balance accumulated in accordance with section 701 of title 10, United States Code, but not to exceed 60 days.”

(c) AUTHORITY FOR DISABILITY PROCESSING.—Subsection (j) of such section is amended—

(1) by striking “for purposes of the entitlement” and inserting “for purposes of—

“(1) the entitlement”;

(2) by striking the period at the end and inserting “; and”;

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

“(2) retirement or separation for physical disability under the provisions of chapters 55 and 61 of title 10, United States Code.”

**SEC. 523. AUTHORITY FOR ADDITIONAL BEHAVIORAL HEALTH PROFESSIONALS TO CONDUCT PRE-SEPARATION MEDICAL EXAMINATIONS FOR POST-TRAUMATIC STRESS DISORDER.**

Section 1177(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “or psychiatrist” and inserting “psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner”;

(2) in paragraph (3), by striking “or psychiatrist” and inserting “, psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner”.

**SEC. 524. QUARTERLY REPORTS ON INVOLUNTARY SEPARATION OF MEMBERS OF THE ARMED FORCES.**

(a) QUARTERLY REPORTS REQUIRED.—Not later than 30 days after the end of each calendar year quarter in 2013 and 2014, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the number of members of the regular components of the Armed Forces under the jurisdiction of such Secretary who were involuntarily separated from active duty in the Armed Forces during such calendar year quarter.

(b) ELEMENTS.—Each report on an Armed Force for a calendar year quarter under subsection (a) shall set forth the following:

(1) The total number members involuntarily separated.

(2) The number of members separated set forth by grade.

(3) The number of members separated set forth by total years of service in the Armed Forces at the time of separation.

(4) The number of members separated set forth by military occupational specialty or rating, or competitive category for officers.

(5) The number of members separated who received involuntary separation pay, or who are authorized to receive temporary retired pay, in connection with separation.

(6) The number of members who completed transition assistance programs relating to future employment.

(7) The average number of months deployed to overseas contingency operations set forth by grade.

**SEC. 525. REVIEW OF ELIGIBILITY OF VICTIMS OF DOMESTIC TERRORISM FOR AWARD OF THE PURPLE HEART AND THE DEFENSE MEDAL OF FREEDOM.**

(a) REPORT.—Not later than March 1, 2013, the Secretary of Defense shall, in coordination with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on—

(1) the advisability of modifying the criteria for the award of the Purple Heart to provide for the award of the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist attack within the United States that is determined to be inspired by ideological, political, or religious beliefs that give rise to terrorism; and

(2) the advisability of modifying the criteria for the award of the Defense Medal of Freedom to provide for the award of the Defense Medal of Freedom to civilian employees of the United States who are killed or wounded in a terrorist attack within the United States that is determined to be inspired by ideological, political, or religious beliefs that give rise to terrorism.

(b) DETERMINATION.—As part of the review undertaken to prepare the report required by subsection (a), the Secretary of Defense shall conduct a review of each death or wounding of a member of the Armed Forces or civilian employee of the United States Government that occurred within the United States since September 11, 2001, that could meet the criteria as being the result of a terrorist attack within the United States in order to determine whether such death or wounding qualifies or potentially would qualify for the award of the Purple Heart or the Defense Medal of Freedom.

(c) CONSIDERATIONS.—In conducting the review to prepare the report required by subsection (a), the Secretary of Defense shall take into consideration the following:

(1) The views of veterans service organizations, including the Military Order of the Purple Heart.

(2) The importance that has been assigned to determining all available facts before a decision is made to award the Purple Heart.

(3) Potential effects of an award on the ability to prosecute perpetrators of terrorist acts in military or civilian courts.

(4) The views of the Chairman of the Joint Chiefs of Staff.

**Subtitle D—Military Justice and Legal Matters Generally**

**SEC. 531. CLARIFICATION AND ENHANCEMENT OF THE ROLE OF THE STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS.**

(a) APPOINTMENT BY THE PRESIDENT AND PERMANENT APPOINTMENT TO GRADE OF MAJOR GENERAL.—Subsection (a) of section

5046 of title 10, United States Code, is amended—

(1) in the first sentence, by striking “detailed” and inserting “appointed by the President, by and with the advice and consent of the Senate.”; and

(2) in the second sentence—

(A) by striking “The” and inserting “If an officer appointed as the”; and

(B) by striking “, while so serving, has the grade” and inserting “holds a lower grade, the officer shall be appointed in the grade”.

(b) DUTIES, AUTHORITY, AND ACCOUNTABILITY.—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

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

“(c) The Staff Judge Advocate to the Commandant of the Marine Corps, under the direction of the Commandant of the Marine Corps and the Secretary of the Navy, shall—

“(1) perform duties relating to legal matters arising in the Marine Corps as may be assigned to the Staff Judge Advocate;

“(2) perform the functions and duties and exercise the powers prescribed for the Staff Judge Advocate to the Commandant of the Marine Corps in chapter 47 of this title (the Uniform Code of Military Justice) and chapter 53 of this title; and

“(3) perform such other duties as may be assigned to the Staff Judge Advocate.”.

(c) COMPOSITION OF HEADQUARTERS, MARINE CORPS.—Section 5041(b) of such title is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4) The Staff Judge Advocate to the Commandant of the Marine Corps.”.

(d) SUPERVISION OF CERTAIN LEGAL SERVICES.—

(1) ADMINISTRATION OF MILITARY JUSTICE.—Section 806(a) of such title (article 6(a) of the Uniform Code of Military Justice) is amended in the third sentence by striking “The Judge Advocate General” and all that follows through “shall” and inserting “The Judge Advocates General, and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps, or senior members of their staffs, shall”.

(2) DELIVERY OF LEGAL ASSISTANCE.—Section 1044(b) of such title is amended by inserting “and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps” after “title”.

**SEC. 532. ADDITIONAL INFORMATION IN REPORTS ON ANNUAL SURVEYS OF THE COMMITTEE ON THE UNIFORM CODE OF MILITARY JUSTICE.**

Subsection (c)(2) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) Information from the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps on the following:

“(i) The appellate review process, including—

“(I) information on compliance with processing time goals;

“(II) discussions of the circumstances surrounding cases in which general court-martial or special court-martial convictions are reversed as a result of command influence or denial of the right to a speedy review or otherwise remitted due to loss of records of trial or other administrative deficiencies; and

“(III) discussions of cases in which a provision of this chapter is held unconstitutional.

“(ii) Developments in appellate case law relating to courts-martial involving allega-

tions of sexual misconduct under this chapter.

“(iii) Issues associated with implementing recent, legislatively directed changes to this chapter or the Manual for Courts-Martial.

“(iv) Measures implemented by each armed force to ensure the ability of judge advocates to competently participate as trial and defense counsel in, and preside as military judges over, capital cases, national security cases, sexual assault cases, and proceedings of military commissions.

“(v) The independent views of the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps on the sufficiency of resources available within their respective armed forces, including manpower, funding, training, and officer and enlisted grade structure, to capably perform military justice functions.”.

**Subtitle E—Sexual Assault, Hazing, and Related Matters**

**SEC. 541. AUTHORITY TO RETAIN OR RECALL TO ACTIVE DUTY RESERVE COMPONENT MEMBERS WHO ARE VICTIMS OF SEXUAL ASSAULT WHILE ON ACTIVE DUTY.**

(a) IN GENERAL.—Chapter 1209 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 12323. Active duty for response to sexual assault**

“(a) CONTINUATION ON ACTIVE DUTY.—In the case of a member of a reserve component who is the alleged victim of sexual assault committed while on active duty and who is expected to be released from active duty before the determination of whether the member was assaulted while in the line of duty, the Secretary concerned may, upon the request of the member, order the member to be retained on active duty until the line of duty determination. A member eligible for continuation on active duty under this subsection shall be informed as soon as practicable after the alleged assault of the option to request continuation on active duty under this subsection.

“(b) RETURN TO ACTIVE DUTY.—In the case of a member of a reserve component not on active duty who is the alleged victim of a sexual assault that occurred while the member was on active duty and when the determination whether the member was in the line of duty is not completed, the Secretary concerned may, upon the request of the member, order the member to active duty for such time as necessary to complete the line of duty determination.

“(c) REGULATIONS.—The Secretaries of the military departments shall prescribe regulations to carry out this section, subject to guidelines prescribed by the Secretary of Defense. The guidelines of the Secretary of Defense shall provide that—

“(1) a request submitted by a member described in subsection (a) or (b) to continue on active duty, or to be ordered to active duty, respectively, must be decided within 30 days from the date of the request; and

“(2) if the request is denied, the member may appeal to the first general officer or flag officer in the chain of command of the member, and in the case of such an appeal a decision on the appeal must be made within 15 days from the date of the appeal.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1209 of such title is amended adding at the end the following new item:

“12323. Active duty for response to sexual assault.”.

**SEC. 542. ADDITIONAL ELEMENTS IN COMPREHENSIVE DEPARTMENT OF DEFENSE POLICY ON SEXUAL ASSAULT PREVENTION AND RESPONSE.**

(a) ADDITIONAL ELEMENTS.—Not later than 180 days after the date of the enactment of

this Act, the Secretary of Defense shall modify the revised comprehensive policy for the Department of Defense sexual assault prevention and response program required by section 1602 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4430; 10 U.S.C. 1561 note) to include in the policy the following:

(1) A requirement to establish within each military department, under regulations prescribed by the Secretary of Defense, an enhanced capability for the investigation, prosecution, and defense of special victim offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(2) A requirement that each military department initiate and retain for a period prescribed by the Secretary of Defense a record on the disposition of allegations of sexual assault using forms and procedures prescribed by the Secretary.

(3) A requirement that all commanders and commanding officers receive training on sexual assault prevention, response, and policies before, or shortly after, assuming command.

(4) A requirement that all new members of the Armed Forces (whether in the regular or reserve components) receive training on the Department of Defense policy on sexual assault prevention and response program during initial entry training.

(5) A requirement for military commands and units specified by the Secretary of Defense for purposes of the policy to conduct periodic climate assessments of such commands and units for purposes of preventing and responding to sexual assaults.

(6) A requirement to post and widely disseminate information about resources available to report and respond to sexual assaults, including hotline phone numbers and Internet websites available to all members of the Armed Forces.

(7) A requirement to assign responsibility to receive and investigate complaints against members of the Armed Forces and civilian personnel of the Department of Defense for the violation or failure to provide the rights of a crime victim established by section 3771 of title 18, United States Code, as applicable to such members and personnel in accordance with Department of Defense Directive 1030.1, or a successor directive, and Department of Defense Instruction 1030.2, or a successor instruction.

(b) SPECIAL VICTIM OFFENSES DEFINED.—In this section, the term “special victim offenses” means offenses involving allegations of any of the following:

(1) Child abuse.

(2) Rape, sexual assault, or forcible sodomy.

(3) Domestic violence involving aggravated assault.

#### SEC. 543. HAZING IN THE ARMED FORCES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on hazing in such Armed Force.

(b) ELEMENTS.—Each report on an Armed Force required by subsection (a) shall include the following:

(1) A discussion of the policies of the Armed Force for preventing and responding to incidents of hazing.

(2) A description of the methods implemented to track and report, including report anonymously, incidents of hazing in the Armed Force.

(3) An assessment by the Secretary submitting such report of the following:

(A) The scope of the problem of hazing in the Armed Force.

(B) The training on recognizing and preventing hazing provided members of the Armed Force.

(C) The actions taken to prevent and respond to hazing incidents in the Armed Force.

(4) A description of the additional actions, if any, the Secretary submitting such report and the Chief of Staff of the Armed Force propose to take to further address the incidence of hazing in the Armed Force.

#### Subtitle F—Education and Training

#### SEC. 551. INCLUSION OF THE SCHOOL OF ADVANCED MILITARY STUDIES SENIOR LEVEL COURSE AS A SENIOR LEVEL SERVICE SCHOOL.

Section 2151(b)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) The Senior Level Course of the School of Advanced Military Studies of the United States Army Command and General Staff College.”.

#### SEC. 552. MODIFICATION OF ELIGIBILITY FOR ASSOCIATE DEGREE PROGRAMS UNDER THE COMMUNITY COLLEGE OF THE AIR FORCE.

Section 9315(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Enlisted members of the armed forces other than the Air Force who are participating in joint-service medical training and education or serving as instructors in joint-service medical training and education.”.

#### SEC. 553. SUPPORT OF NAVAL ACADEMY ATHLETIC PROGRAMS.

(a) IN GENERAL.—Chapter 603 of title 10, United States Code, is amended by adding at the end the following new section:

#### “§ 6981. Support of athletic and physical fitness programs

“(a) AUTHORITY.—

“(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Navy may enter into contracts and cooperative agreements with the Association for the purpose of supporting the athletic and physical fitness programs of the Naval Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Naval Academy.

“(2) LEASES.—The Secretary may enter into leases, in accordance with section 2667 of this title, or licenses with the Association for the purpose of supporting the athletic and physical fitness programs of the Naval Academy. Any such lease or license shall be deemed to satisfy the conditions of section 2667(h)(2) of this title.

“(b) USE OF NAVY PERSONAL PROPERTY BY THE ASSOCIATION.—The Secretary may allow the Association to use, at no cost, personal property of the Department of the Navy to assist the Association in supporting the athletic and physical fitness programs of the Naval Academy.

“(c) ACCEPTANCE OF SUPPORT.—

“(1) SUPPORT RECEIVED FROM THE ASSOCIATION.—Notwithstanding section 1342 of title 31, the Secretary may accept from the Association funds, supplies, and services for the support of the athletic and physical fitness programs of the Naval Academy. For purposes of this section, employees or personnel of the Association may not be considered to be employees of the United States.

“(2) FUNDS RECEIVED FROM NCAA.—The Secretary may accept funds from the National

Collegiate Athletic Association to support the athletic and physical fitness programs of the Naval Academy.

“(3) LIMITATION.—The Secretary shall ensure that contributions under this subsection do not reflect unfavorably on the ability of the Department of the Navy, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the integrity or appearance of integrity of any program of the Department of the Navy, or any individual involved in such a program.

“(d) RETENTION AND USE OF FUNDS.—Notwithstanding section 2260(d) of this title, funds received under this section may be retained for use in support of the Naval Academy athletic program and shall remain available until expended.

“(e) TRADEMARKS AND SERVICE MARKS.—

“(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a)(1) may, consistent with sections 2260 (other than subsection (d)) and 5022(b)(3) of this title, authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Naval Academy, subject to the approval of the Department of the Navy.

“(2) LIMITATIONS.—No such licensing, marketing, or sponsorship agreement may be entered into if it would reflect unfavorably on the ability of the Department of the Navy, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or if the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Navy, or any individual involved in such a program.

“(f) SERVICE ON ASSOCIATION BOARD OF CONTROL.—The Association is a designated entity for which authorization under sections 1033(a) and 1589(a) of this title may be provided.

“(g) CONDITIONS.—The authority provided in this section with respect to the Association is available only so long as the Association continues to—

“(1) qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the laws of the State of Maryland, and the constitution and bylaws of the Association; and

“(2) operate exclusively to support the athletic and physical fitness programs of the Naval Academy.

“(h) ASSOCIATION DEFINED.—In this section, the term ‘Association’ means the Naval Academy Athletic Association.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 603 of this title is amended by adding at the end the following new item:

“6981. Support of athletic and physical fitness programs.”.

#### SEC. 554. GRADE OF COMMISSIONED OFFICERS IN UNIFORMED MEDICAL ACCESSION PROGRAMS.

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

(1) in paragraph (1), by striking the second sentence and inserting the following new sentences: “Each medical student shall be appointed as a regular officer in the grade of second lieutenant or ensign. An officer so appointed may, upon meeting such criteria for promotion as may be prescribed by the Secretary concerned, be appointed in the regular grade of first lieutenant or lieutenant (junior grade). Medical students commissioned



under this section shall serve on active duty in their respective grades.”; and

(2) in paragraph (2), by striking “grade of second lieutenant or ensign” and inserting “grade in which the member is serving under paragraph (1)”.

(b) PARTICIPANTS IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.—Section 2121(c) of such title is amended—

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

(2) in paragraph (2), by striking “grade of second lieutenant or ensign” and inserting “grade in which the member is serving under paragraph (1)”.

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

(1) in the subsection heading, by striking “APPOINTMENT AND TREATMENT OF PRIOR ACTIVE SERVICE” and inserting “SERVICE ON ACTIVE DUTY”; and

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

“(1) A commissioned officer detailed under subsection (a) shall serve on active duty, subject to the limitations on grade specified in section 2114(b)(1) of this title and with the entitlement to basic pay as specified in section 2114(b)(2) of this title.”.

**SEC. 555. AUTHORITY FOR SERVICE COMMITMENT FOR RESERVISTS WHO ACCEPT FELLOWSHIPS, SCHOLARSHIPS, OR GRANTS TO BE PERFORMED IN THE SELECTED RESERVE.**

(a) IN GENERAL.—Subsection (b) of section 2603 of title 10, United States Code, is amended by striking “on active duty” and all that follows and inserting the following: “as follows:

“(1) On active duty for a period at least three times the length of the period of the education or training.

“(2) In the case of a member of the Selected Reserve—

“(A) on active duty in accordance with paragraph (1); or

“(B) in the Selected Reserve for a period at least five times the length of the period of the education or training.”.

(b) TECHNICAL AMENDMENTS.—Such section is further amended by striking “Armed Forces” each place it appears and inserting “armed forces”.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to agreements entered into under section 2603(b) of title 10, United States Code, after the date of the enactment of this Act.

**SEC. 556. REPEAL OF REQUIREMENT FOR ELIGIBILITY FOR IN-STATE TUITION OF AT LEAST 50 PERCENT OF PARTICIPANTS IN SENIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAM.**

Section 2107(c)(1) of title 10, United States Code, is amended by striking the third sentence.

**SEC. 557. MODIFICATION OF REQUIREMENTS ON PLAN TO INCREASE THE NUMBER OF UNITS OF THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS.**

(a) NUMBER OF UNITS COVERED BY PLAN.—Subsection (a) of section 548 of the Duncan Hunter National Defense Authorization Act

for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4466) is amended by striking “not less than 3,700 units” and inserting “not less than 3,000, and not more than 3,700, units”.

(b) ADDITIONAL EXCEPTION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking “or” at the end;

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

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

“(3) if the Secretaries of the military departments determine that the level of support of all kinds (including, but not limited to, appropriated funds) provided to youth development programs within the Armed Forces is consistent with funding limitations and the achievement of the objectives of such programs.”.

(c) SUBMITTAL OF REPORTS.—Subsection (e) of such section is amended by striking “not later than” and all that follows and inserting “annually through 2012, and thereafter not later than March 31 of each of 2015, 2018, and 2020.”.

**SEC. 558. CONSOLIDATION OF MILITARY DEPARTMENT AUTHORITY TO ISSUE ARMS, TENTAGE, AND EQUIPMENT TO EDUCATIONAL INSTITUTIONS NOT MAINTAINING UNITS OF THE JUNIOR ROTC.**

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

**“§ 2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior Reserve Officers’ Training Corps**

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

“(1) offers a course in military instruction prescribed by that Secretary; and

“(2) has a student body of at least 50 students who are in a grade above the eighth grade.”.

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

(c) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 152 of such title is amended by inserting after the item relating to section 2552 the following new item:

“2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior Reserve Officers’ Training Corps”.

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

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

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

**SEC. 559. MODIFICATION OF REQUIREMENT FOR REPORTS IN FEDERAL REGISTER ON INSTITUTIONS OF HIGHER EDUCATION INELIGIBLE FOR CONTRACTS AND GRANTS FOR DENIAL OF ROTC OR MILITARY RECRUITER ACCESS TO CAMPUS.**

Section 983 of title 10, United States Code, is amended by striking subsection (f).

**SEC. 560. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE RESERVE OFFICERS’ TRAINING CORPS.**

(a) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the assessment of the Comptroller General regarding the following:

(1) Whether the Reserve Officers’ Training Corps (ROTC) programs of the Departments of the Army, the Navy, and the Air Force are effectively meeting, and structured to meet, current and projected requirements for newly commissioned officers in the Armed Forces.

(2) The cost-effectiveness and unit productivity of the current Reserve Officers’ Training Corps programs.

(3) The adequacy of current oversight and criteria for unit closure for the Reserve Officers’ Training Corps programs.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) A list of the units of the Reserve Officers’ Training Corps programs by Armed Force, and by college or university, and the number of cadets and midshipman currently enrolled by class or year group.

(2) The number of officers commissioned in 2012 from the Reserve Officers’ Training Corps programs, and the number projected to be commissioned over the period of the current future-years defense program under section 221 of title 10, United States Code, from each unit listed under paragraph (1)

(3) An assessment of the requirements of each Armed Force for newly commissioned officers in 2012 and the strategic planning regarding such requirements over the period of the current future-years defense program.

(4) The number of military and civilian personnel of the Department of Defense assigned to lead and manage Reserve Officers’ Training Corps program units, and the grades of the military personnel so assigned.

(5) An assessment of Department of Defense-wide and Armed-Force specific standards regarding the productivity of Reserve Officers’ Training Corps program units, and an assessment of compliance with such standards.

(6) An assessment of the projected use by the Armed Forces of the procedures available to the Armed Forces to respond to overages in the number of cadets and midshipmen in the Reserve Officers’ Training Corps programs.

(7) A description of the plans of the Armed Forces to retain or disestablish Reserve Officers’ Training Corps program units that do not meet productivity standards.

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

**SEC. 571. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.**

Of the amount authorized to be appropriated for fiscal year 2013 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-77; 20 U.S.C. 7703a).

**SEC. 572. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.**

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term “local educational

agency” has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

**SEC. 573. AMENDMENTS TO THE IMPACT AID PROGRAM.**

(a) **SHORT TITLE.**—This section may be cited as the “Impact Aid Improvement Act of 2012”.

(b) **AMENDMENTS TO THE IMPACT AID PROGRAM.**—Title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) is amended—

(1) in section 8002 (20 U.S.C. 7702)—

(A) in subsection (b)—

(i) in paragraph (2), by striking “aggregate assessed” and inserting “estimated taxable”; and

(ii) by striking paragraph (3) and inserting the following:

“(3) **DETERMINATION OF TAXABLE VALUE FOR ELIGIBLE FEDERAL PROPERTY.**—

“(A) **IN GENERAL.**—In determining the estimated taxable value of such acquired Federal property for fiscal year 2010 and each succeeding fiscal year, the Secretary shall—

“(i) first determine the total taxable value for the purpose of levying property tax for school purposes for current expenditures of real property located within the boundaries of such local educational agency;

“(ii) then determine the total taxable value of the eligible Federal property by dividing the total taxable value as determined in clause (i) by the difference between the total acres located within the boundaries of the local educational agency and the number of Federal acres eligible under this section; and

“(iii) multiply the per acre value as calculated under clause (ii) by the number of Federal acres eligible under this section.

“(B) **SPECIAL RULE.**—In the case of Federal property eligible under this section that is within the boundaries of 2 or more local educational agencies, such a local educational agency may ask the Secretary to calculate the per acre value of each such local educational agency as provided under subparagraph (A) and apply the average of these per acre values to the acres of the Federal property in such agency.”;

(B) in subsection (h)—

(i) in paragraph (1)—

(I) in the paragraph heading, by striking “FOR PRE-1995 RECIPIENTS”;

(II) in subparagraph (A), by striking “is eligible” and all that follows through the period at the end and inserting “was eligible to receive a payment under this section for fiscal year 2010.”; and

(III) in subparagraph (B), by striking “38 percent” and all that follows through the period at the end and inserting “90 percent of the average payment the local educational agency received in 2006, 2007, 2008, and 2009.”; and

(ii) by striking paragraphs (2) through (4) and inserting the following:

“(2) **FOUNDATION PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES DETERMINED ELIGIBLE AFTER FISCAL YEAR 2010.**—

“(A) **FIRST YEAR.**—From any amounts remaining after making payments under paragraph (1) and subsection (i)(1) for the fiscal year involved, the Secretary shall make a payment, in an amount determined in accordance with subparagraph (C), to each local educational agency that the Secretary determines eligible for a payment under this section for a fiscal year after fiscal year 2010, for the fiscal year for which such agency was determined eligible for such payment.

“(B) **SECOND AND SUCCEEDING YEARS.**—For any succeeding fiscal year after the first fiscal year that a local educational agency receives a foundation payment under subparagraph (A), the amount of the local edu-

cational agency’s foundation payment under this paragraph for such succeeding fiscal year shall be equal to the local educational agency’s foundation payment under this paragraph for the first fiscal year.

“(C) **AMOUNTS.**—The amount of a payment under subparagraph (A) for a local educational agency shall be determined as follows:

“(i) Calculate the local educational agency’s maximum payment under subsection (b).

“(ii) Calculate the percentage that the amount appropriated under section 8014(a) for the most recent fiscal year for which the Secretary has completed making payments under this section is of the total maximum payments for such fiscal year for all local educational agencies eligible for a payment under subsection (b) and multiply the agency’s maximum payment by such percentage.

“(iii) Multiply the amount determined under clause (ii) by 90 percent.

“(3) **REMAINING FUNDS.**—From any funds remaining after making payments under paragraphs (1) and (2) for the fiscal year involved, the Secretary shall make a payment to each local educational agency that received a foundation payment under paragraph (1) or (2) or subsection (i)(1), for the fiscal year involved in an amount that bears the same relation to the remainder as a percentage share determined for the local educational agency (by dividing the maximum amount that the agency is eligible to receive under subsection (b) by the total of the maximum amounts for all such agencies) bears to the percentage share determined (in the same manner) for all local educational agencies eligible to receive a payment under this section for the fiscal year involved, except that, for the purpose of calculating a local educational agency’s maximum amount under subsection (b), data from the most current fiscal year shall be used.”; and

(C) in subsection (i)(1), by striking “the Secretary shall use the remainder described in subsection (h)(3) for the fiscal year involved” and inserting “the Secretary shall use amounts remaining after making payments under subsection (h)(1) for the fiscal year involved”;

(2) in section 8003(a)(4) (20 U.S.C. 7703(a)(4))—

(A) in the paragraph heading, by striking “RENOVATION OR REBUILDING” and inserting “RENOVATION, REBUILDING, OR AUTHORIZED FOR DEMOLITION”;

(B) in subparagraph (A), by striking “renovation or rebuilding” both places the term appears and inserting “renovation, rebuilding, or authorized for demolition”;

(C) in subparagraph (B)—

(i) by striking “renovation or rebuilding” each place the term appears and inserting “renovation, rebuilding, or authorized for demolition”;

(ii) in clause (i)(I), by striking “3 fiscal years” and inserting “4 fiscal years (which are not required to run consecutively)”;

(iii) in clause (ii)(I), by striking “3 fiscal years” and inserting “4 fiscal years (which are not required to run consecutively)”;

(D) by adding at the end the following:

“(C) **ELIGIBLE HOUSING.**—Renovation, rebuilding, or authorized for demolition shall be defined as projects considered as recapitalization, modernization, or restoration as defined by the Secretary of Defense or the Secretary of the Interior (as the case may be) and are projects that last more than 30 days, but do not include ‘sustainment projects’ such as painting, carpeting, or minor repairs.”; and

(3) in section 8010 (20 U.S.C. 7710)—

(A) in subsection (c)—

(i) in paragraph (1), by striking “paragraph (3) of this subsection” both places the term appears and inserting “paragraph (2)”;

(ii) in paragraph (2)(E), by striking “under section 8003(b)” and all that follows through the period at the end and inserting “under this title.”; and

(B) by adding at the end the following:

“(d) **TIMELY PAYMENTS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary shall pay a local educational agency the full amount that the agency is eligible to receive under this title for a fiscal year not later than September 30 of the second fiscal year following the fiscal year for which such amount has been appropriated if, not later than 1 calendar year following the fiscal year in which such amount has been appropriated, such local educational agency submits to the Secretary all the data and information necessary for the Secretary to pay the full amount that the agency is eligible to receive under this title for such fiscal year.

“(2) **PAYMENTS WITH RESPECT OF FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.**—For a fiscal year in which the amount appropriated under section 8014 is insufficient to pay the full amount a local educational agency is eligible to receive under this title, paragraph (1) shall be applied by substituting ‘is available to pay the agency’ for ‘the agency is eligible to receive’ both places the term appears.”.

(c) **EFFECTIVE DATE.**—Notwithstanding section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)), subsection (b)(1), and the amendments made by subsection (b)(1), shall take effect with respect to applications submitted under section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702) for fiscal year 2010.

**SEC. 574. MILITARY SPOUSES.**

(a) **IN GENERAL.**—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

“**§3330d. Appointment of certain military spouses**

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘active duty’—

“(A) has the meaning given that term in section 101(d)(1) of title 10;

“(B) includes full-time National Guard duty (as defined in section 101(d)(5) of title 10); and

“(C) for a member of a reserve component (as described in section 10101 of title 10), does not include training duties or attendance at a service school;

“(2) the term ‘agency’—

“(A) has the meaning given the term ‘Executive agency’ in section 105; and

“(B) does not include the Government Accountability Office;

“(3) the term ‘geographic area of the permanent duty station’ means the area from which individuals reasonably can be expected to travel daily to and from work at the location of a member’s permanent duty station;

“(4) the term ‘permanent change of station’ means the assignment, detail, or transfer of a member of the Armed Forces who is on active duty and serving at a permanent duty station under a competent authorization or order that does not—

“(A) specify the duty as temporary;

“(B) provide for assignment, detail, or transfer, after that different permanent duty station, to a further different permanent duty station; or

“(C) direct return to the initial permanent duty station;

“(5) the term ‘relocating spouse of a member of the Armed Forces’ means an individual who—

“(A) is married to a member of the Armed Forces (without regard to whether the individual married the member before a permanent change of station of the member) who is

ordered to active duty for a period of more than 180 consecutive days;

“(B) relocates to the member’s permanent duty station; and

“(C) before relocating as described in subparagraph (B), resided outside the geographic area of the permanent duty station; and

“(6) the term ‘spouse of a disabled or deceased member of the Armed Forces’ means an individual—

“(A) who is married to a member of the Armed Forces who—

“(i) is retired, released, or discharged from the Armed Forces; and

“(ii) on the date on which the member retires, is released, or is discharged, has a disability rating of 100 percent under the standard schedule of rating disabilities in use by the Department of Veterans Affairs; or

“(B) who—

“(i) was married to a member of the Armed Forces on the date on which the member dies while on active duty in the Armed Forces; and

“(ii) has not remarried.

“(b) AUTHORITY.—The head of an agency may appoint noncompetitively a relocating spouse of a member of the Armed Forces or a spouse of a disabled or deceased member of the Armed Forces.

“(c) RELOCATING SPOUSES.—

“(1) IN GENERAL.—An appointment of a relocating spouse of a member of the Armed Forces under this section may only be to a position the duty station for which is within the geographic area of the permanent duty station of the member of the Armed Forces, unless there is no agency with a position with a duty station within the geographic area of the permanent duty station of the member of the Armed Forces.

“(2) SINGLE APPOINTMENT PER DUTY STATION.—A relocating spouse of a member of the Armed Forces may not receive more than 1 appointment under this section for each time the spouse relocates as described in subparagraphs (B) and (C) of subsection (a)(5).”

(b) REGULATIONS.—Not later than 180 after the date of enactment of this Act, the Director of the Office of Personnel Management shall amend section 315.612 of title 5, Code of Federal Regulations (relating to noncompetitive appointment of certain military spouses) in accordance with the amendment made by subsection (a) and promulgate or amend any other regulations necessary to carry out the amendment made by subsection (a).

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by inserting after the item relating to section 3330c the following:

“3330d. Appointment of certain military spouses.”

**SEC. 575. MODIFICATION OF AUTHORITY TO ALLOW DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS TO ENROLL CERTAIN STUDENTS.**

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(k) TUITION-FREE ENROLLMENT IN DOMESTIC DEPENDENT SCHOOLS FOR CERTAIN OVERSEAS DEPENDENTS.—Tuition-free enrollment in the domestic dependent elementary and secondary schools is authorized for dependents who are currently enrolled in the defense dependents’ education school system pursuant to the Defense Dependents’ Education Act of 1978 (20 U.S.C. 921 et seq.) if—

“(1) such dependents departed their overseas location due to an authorized departure or evacuation order;

“(2) the designated safe haven of such dependents is located within commuting dis-

tance of a school operated by the domestic dependent elementary and secondary schools; and

“(3) the school concerned already possesses the capacity and resources for such dependents to attend the school.

“(1) TUITION-PAYING ENROLLMENT IN VIRTUAL ELEMENTARY AND SECONDARY EDUCATION PROGRAM FOR CERTAIN DEPENDENTS TRANSITIONING FROM OVERSEAS.—Under regulations prescribed by the Secretary, tuition-paying enrollment in the virtual elementary and secondary education program of the Department for dependents of members of the armed forces on active duty is authorized when such dependents—

“(1) transition from an overseas defense dependents’ education system school into a school operated by a local educational agency or another accredited educational program in the United States, and

“(2) are not otherwise eligible to enroll in a domestic dependent elementary or secondary school pursuant to subsection (a).”

**SEC. 576. SENSE OF CONGRESS REGARDING SUPPORT FOR YELLOW RIBBON DAY.**

(a) FINDINGS.—Congress makes the following findings:

(1) The hopes and prayers of the people of the United States for the safe return of members of the Armed Forces of the United States serving overseas are often demonstrated through the proud display of yellow ribbons.

(2) The designation of a “Yellow Ribbon Day” would serve as an additional reminder for all people of the United States of the continued sacrifice of members of the Armed Forces.

(3) Yellow Ribbon Day would also recognize the history and meaning of the yellow ribbon as the symbol of support for members of the Armed Forces and other individuals of the United States who are serving in combat or crisis situations overseas.

(b) SENSE OF CONGRESS.—Congress supports the goals and ideals of Yellow Ribbon Day in honor of members of the Armed Forces of the United States who are serving overseas apart from their families and loved ones.

**Subtitle H—Other Matters**

**SEC. 581. FAMILY BRIEFINGS CONCERNING ACCOUNTINGS FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.**

Section 1501(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) coordination of periodic briefing of families of missing persons about the efforts of the Department of Defense to account for those persons.”

**SEC. 582. ENHANCEMENT OF AUTHORITY TO ACCEPT GIFTS AND SERVICES.**

(a) ACTIVITIES BENEFITTING EDUCATION AS SERVICES SUBJECT TO ACCEPTANCE.—Section 2601(i)(2) of title 10, United States Code, is amended by inserting “education,” before “morale.”

(b) ACCEPTANCE OF VOLUNTARY SERVICES IN CONNECTION WITH ACCOUNTING FOR MISSING PERSONS.—Section 1588(a) of such title is amended by adding at the end the following new paragraph:

“(9) Voluntary services to facilitate accounting for missing persons.”

(c) AUTHORITY FOR COOPERATIVE AGREEMENTS FOR ACCEPTANCE BY MILITARY MUSEUMS AND EDUCATION PROGRAMS OF NONPROFIT SUPPORT.—

(1) IN GENERAL.—Chapter 155 of such title is amended by adding at the end the following new section:

**“§ 2615. Military museums and military education programs: cooperative agreements for receipt of support from nonprofit entities**

“The Secretary concerned may enter into a cooperative agreement (as described in section 6305 of title 31) with a nonprofit entity for purposes related to support of a military educational institution program or military museum program if a cooperative agreement is the appropriate mechanism to obtain such support under the provisions of section 6305 of title 31.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 155 of such title is amended by adding at the end the following new item:

“2615. Military museums and military education programs: cooperative agreements for receipt of support from nonprofit entities.”

**SEC. 583. CLARIFICATION OF AUTHORIZED FISHER HOUSE RESIDENTS AT THE FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE, DELAWARE.**

(a) TREATMENT OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION.—Subsection (a) of section 2493 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “by patients” and all that follows through “such patients;” and inserting “by authorized Fisher House residents;”;

(B) by adding after subparagraph (C) the following new flush sentence:

“The term includes the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, so long as such facility is available for residential use on a temporary basis by authorized Fisher House residents.”;

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

“(3) The term ‘authorized Fisher House residents’ means the following:

“(A) With respect to a facility described in the first sentence of paragraph (1) that is located in proximity to a health care facility of the Army, the Air Force, or the Navy, the following persons:

“(i) Patients of that health care facility.

“(ii) Members of the families of such patients.

“(iii) Others providing the equivalent of familial support for such patients.

“(B) With respect to the Fisher House for Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, the following persons:

“(i) The primary next of kin of a member of the armed forces who dies while located or serving overseas.

“(ii) Other family members of the deceased member who are eligible for transportation under section 411f(e) of title 37.

“(iii) An escort of a family member described in clause (i) or (ii).”

(b) CONFORMING AMENDMENTS.—Subsections (b), (e), (f), and (g) of such section are amended by striking “health care” each place it appears.

(c) REPEAL OF SUPERSEDED AUTHORITY.—Section 643 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1466) is repealed.

**SEC. 584. REPORT ON ACCURACY OF DATA IN THE DEFENSE ENROLLMENT ELIGIBILITY REPORTING SYSTEM.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to improve the completeness and accuracy of the data contained in the Defense Enrollment Eligibility

Reporting System (DEERS) in order to ensure that those issued military identification cards and receiving benefits based on such data are actually eligible for such cards and benefits.

**TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

**Subtitle A—Pay and Allowances**

**SEC. 601. RATES OF BASIC ALLOWANCE FOR HOUSING FOR ARMY NATIONAL GUARD AND AIR NATIONAL GUARD MEMBERS ON FULL-TIME NATIONAL GUARD DUTY.**

Section 403(g) of title 37, United States Code, is amended by adding at the end the following new paragraph:

“(6)(A) The rate of basic allowance for housing to be paid to a member of the Army National Guard of the United States or the Air National Guard of the United States on full-time National Guard duty shall be based on the member’s duty location.

“(B)(i) The rate of basic allowance for housing to be paid a member described in subparagraph (A) may not be modified upon the transition of the member from active duty to full-time National Guard duty, or from full-time National Guard duty to active duty, when the transition occurs without a break in active service.

“(ii) For purposes of this subparagraph, a break in active service occurs when one or more calendar days between active service periods do not qualify as active service.”.

**Subtitle B—Bonuses and Special and Incentive Pays**

**SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

**SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.**

(a) **TITLE 10 AUTHORITIES.**—The following sections of title 10, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) **TITLE 37 AUTHORITIES.**—The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

**SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

**SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

**SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.**

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

**SEC. 616. INCREASE IN AMOUNT OF OFFICER AFFILIATION BONUS FOR OFFICERS IN THE SELECTED RESERVE.**

Section 308j(d) of title 37, United States Code, is amended by striking “\$10,000” and inserting “\$20,000”.

**SEC. 617. INCREASE IN MAXIMUM AMOUNT OF INCENTIVE BONUS FOR MEMBERS OF COMPONENT MEMBERS WHO CONVERT MILITARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL SHORTAGES.**

Section 326(c)(1) of title 37, United States Code, is amended by striking “, in the case of” the first place it appears and all that follows through “reserve component of the armed forces”.

**Subtitle C—Travel and Transportation Allowances**

**SEC. 631. PERMANENT CHANGE OF STATION ALLOWANCES FOR MEMBERS OF SELECTED RESERVE UNITS FILLING A VACANCY IN ANOTHER UNIT AFTER BEING INVOLUNTARILY SEPARATED.**

(a) **TRAVEL AND TRANSPORTATION ALLOWANCES GENERALLY.**—Section 474 of title 37, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; and”; and

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

“(6) upon filling a vacancy in a Selected Reserve unit at a duty station that is more than 150 miles from the member’s residence if—

“(A) during the preceding three years the member was involuntarily separated under other than adverse conditions (as characterized by the Secretary concerned) while assigned to a unit of the Selected Reserve certified by the Secretary concerned as having been adversely affected by force structure reductions during the period beginning on October 1, 2012, and ending on December 31, 2018;

“(B) the involuntary separation occurred during the period beginning on October 1, 2012, and ending on December 31, 2018; and

“(C) the member is—

“(i) qualified in a skill designated as critically short by the Secretary concerned; or

“(ii) filling a vacancy in a Selected Reserve unit with a critical manpower shortage, or in a pay grade with a critical manpower shortage in such unit.”;

(2) in subsection (f), by adding at the end the following new paragraph:

“(4)(A) A member may be provided travel and transportation allowances under subsection (a)(6) only with respect to the filling of a vacancy in a Selected Reserve unit one time.

“(B) Regulations under this section shall provide that whenever travel and transportation allowances are paid under subsection (a)(6), the cost shall be borne by the unit filling the vacancy.”; and

(3) in subsection (j), by striking “In this” and inserting “Other than in subsection (a)(6), in this”.

(b) **TRAVEL AND TRANSPORTATION ALLOWANCES FOR DEPENDENTS AND HOUSEHOLD EFFECTS.**—Section 476 of such title is amended—

(1) by redesignating subsections (l), (m), and (n) as subsections (m), (n), and (o); and

(2) by inserting after subsection (k) the following new subsection (l)

“(l)(1) A member described in paragraph (2) is entitled to the travel and transportation allowances, including allowances with respect to dependents, authorized by this section upon filling a vacancy as described in that paragraph as if the member were undergoing a permanent change of station under orders in filling such vacancy.

“(2) A member who is filling a vacancy in a Selected Reserve unit at a duty station that is more than 150 miles from the member’s residence if—

“(A) during the three years preceding filling the vacancy, the member was involuntarily separated under other than adverse conditions (as characterized by the Secretary concerned) while assigned to a unit of the Selected Reserve certified by the Secretary concerned as having been adversely affected by force structure reductions during the period beginning on October 1, 2012, and ending on December 31, 2018;

“(B) the involuntary separation occurred during the period beginning on October 1, 2012, and ending on December 31, 2018; and

“(C) the member is—

“(i) qualified in a skill designated as critically short by the Secretary concerned; or

“(ii) filling a vacancy in a Selected Reserve unit with a critical manpower shortage, or in a pay grade with a critical manpower shortage in such unit.

“(3) Any allowances authorized by this section that are payable under this subsection may be payable in advance if payable in advance to a member undergoing a permanent change of station under orders under the applicable provision of this section.”

**SEC. 632. AUTHORITY FOR COMPREHENSIVE PROGRAM FOR SPACE-AVAILABLE TRAVEL ON DEPARTMENT OF DEFENSE AIRCRAFT.**

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

**“§2641c. Space-available travel on Department of Defense aircraft**

“(a) AUTHORITY TO ESTABLISH PROGRAM.—

(1) The Secretary of Defense may establish a program to provide transportation on Department of Defense aircraft on a space-available basis.

“(2) The program shall be conducted pursuant to regulations prescribed by the Secretary for purposes of this section. Such regulations shall be prescribed by not later than January 1, 2014, and shall take effect on that date or such earlier date as the Secretary shall specify in such regulations.

“(3) The program shall be conducted in a budget neutral manner. No additional funds may be used, or flight hours performed, for the provision of transportation under the program.

“(b) BENEFIT.—If the Secretary establishes a program authorized by subsection (a), the Secretary shall, subject to section (c), provide the benefit under the program to the following categories of individuals:

“(1) Members of the armed forces on active duty.

“(2) Members of the Selected Reserve who hold a valid Uniformed Services Identification and Privilege Card.

“(3) Retired members of a regular or reserve component of the armed forces, including retired members of reserve components, who, but for being under the eligibility age applicable under section 12731 of this title, would be eligible for retired pay under chapter 1223 of this title.

“(4) Such categories of dependents of individuals described in paragraphs (1) through (3) as the Secretary shall specify in the regulations under subsection (a), under such conditions and circumstances as the Secretary shall specify in such regulations.

“(5) Such other categories of individuals as the Secretary, in the discretion of the Secretary, considers appropriate.

“(c) ADMINISTRATION.—In carrying out a program under this section, the Secretary shall—

“(1) in the sole discretion of the Secretary, establish an order of priority for transportation under the program for categories of individuals under subsection (b) that is based on considerations of military necessity, humanitarian concerns, and enhancement of morale;

“(2) give priority in consideration of transportation under the program to the demands of members of the armed forces in the regular components and in the reserve components on active duty and to the need to provide such members, and their dependents, a means of respite from such demands; and

“(3) implement policies aimed at ensuring cost control and the safety, security, and efficient processing of travelers, including limiting the benefit under the program to one or more categories of individuals set forth in subsection (b) if considered necessary by the Secretary.

“(d) CONSTRUCTION.—The authority to provide transportation under this section is in addition to any other authority under law to provide transportation on Department of Defense aircraft on a space-available basis.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 157 of such title is amended by inserting after the item relating to section 2641b the following new item:

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

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

**SEC. 641. REPEAL OF REQUIREMENT FOR PAYMENT OF SURVIVOR BENEFIT PLAN PREMIUMS WHEN PARTICIPANT WAIVES RETIRED PAY TO PROVIDE A SURVIVOR ANNUITY UNDER FEDERAL EMPLOYEES RETIREMENT SYSTEM AND TERMINATION OF PAYMENT OF SURVIVOR BENEFIT PLAN ANNUITY.**

(a) DEPOSITS NOT REQUIRED.—Section 1452(e) of title 10, United States Code, is amended—

(1) in the subsection heading, by inserting “AND FERS” after “CSRS”;

(2) by inserting “or for the purposes of chapter 84 of title 5,” after “chapter 83 of title 5.”;

(3) by inserting “or 8416(a)” after “8339(j)”; and

(4) by inserting “or 8442(a)” after “8341(b)”.

(b) CONFORMING AMENDMENTS.—Section 1450(d) of such title is amended—

(1) by inserting “or for the purposes of chapter 84 of title 5,” after “chapter 83 of title 5.”;

(2) by inserting “or 8146(a)” after “8339(j)”; and

(3) by inserting “or 8442(a)” after “8341(b).”

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to any participant electing a annuity for survivors under chapter 84 of title 5, United States Code, on or after the date of the enactment of this Act.

**SEC. 642. REPEAL OF AUTOMATIC ENROLLMENT IN FAMILY SERVICEMEMBERS' GROUP LIFE INSURANCE FOR MEMBERS OF THE ARMED FORCES MARRIED TO OTHER MEMBERS.**

Section 1967(a)(1) of title 38, United States Code, is amended—

(1) in subparagraph (A)(ii), by inserting after “insurable dependent of the member” the following: “(other than a dependent who is also a member of a uniformed service and, because of such membership, automatically insured under this paragraph)”; and

(2) in subparagraph (C)(ii), by inserting after “insurable dependent of the member” the following: “(other than a dependent who is also a member of a uniformed service and, because of such membership, automatically insured under this paragraph)”.

**Subtitle E—Military Lending Matters**

**SEC. 651. ENHANCEMENT OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.**

(a) CONSUMER CREDIT.—Paragraph (6) of section 987(i) of title 10, United States Code, is amended to read as follows:

“(6) CONSUMER CREDIT.—

“(A) IN GENERAL.—The term ‘consumer credit’ shall be defined by the Secretary of Defense in regulations prescribed under this section, and shall include, in addition to any other meaning provided for in such regulations, the following:

“(i) A vehicle title loan for any duration, whether open end or closed end.

“(ii) A payday loan for any duration, whether open end or closed end.

“(iii) A tax refund anticipation loan.

“(B) EXCLUSIONS.—The term ‘consumer credit’ does not include the following:

“(i) A residential mortgage.

“(ii) A loan procured in the course of purchasing a car or other personal property, when that loan is offered for the express purpose of financing the purchase and is secured by the car or personal property procured.”

(b) POLICY ON PREDATORY EXTENSION OF CREDIT THROUGH INSTALLMENT LOANS TARGETING MEMBERS OF THE ARMED FORCES AND DEPENDENTS.—

(1) POLICY REQUIRED.—The Secretary of Defense shall, in consultation with the officials and entities specified in section 987(h)(3) of title 10, United States Code, prescribe a policy on the predatory extension of credit through installment loans targeting members of the Armed Forces and their dependents.

(2) OBJECTIVES.—The objectives of the policy required by paragraph (1) shall be as follows:

(A) To enhance protections afforded members of the Armed Forces and their dependents under section 987 of title 10, United States Code, by curbing continuing predatory lending practices targeting members of the Armed Forces and their dependents that are not currently regulated under that section.

(B) To improve the financial literacy of members of the Armed Forces and their dependents with respect to installment loans and other forms of credit not currently regulated under section 987 of title 10, United States Code.

(C) To make members of the Armed Forces and their dependents aware of other, more beneficial sources of financial aid and credit services (such as those available through military relief societies) than installment loans.

(D) If considered appropriate by the Secretary of Defense, to provide, by regulation, for the coverage under section 987 of title 10, United States Code, of installment loans extended to members of the Armed Forces and dependents protected by that section.

(c) EFFECTIVE DATE.—

(1) MODIFICATION OF REGULATIONS.—The Secretary of Defense shall modify the regulations prescribed under section 987 of title 10, United States Code, to take into account the amendment made by subsection (a).

(2) EFFECTIVE DATE OF MODIFICATION AND POLICY.—The amendment made by subsection (a), and the policy required by subsection (b), shall take effect on—

(A) the date that is one year after the date of the enactment of this Act; or

(B) such earlier date as the Secretary shall specify.

(3) PUBLICATION OF EARLIER DATE.—If pursuant to paragraph (2)(B) the Secretary specifies an earlier effective date for the amendment made by subsection (a) and the policy required by subsection (b), the Secretary shall publish notice of such earlier effective date in the Federal Register not later than 90 days before such earlier effective date.

**SEC. 652. ADDITIONAL ENHANCEMENTS OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.**

(a) PROTECTIONS AGAINST DIFFERENTIAL TREATMENT ON CONSUMER CREDIT UNDER STATE LAW.—Subsection (d)(2) of section 987 of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting “any consumer credit or” before “loans”; and

(2) in subparagraph (B), by inserting “covering consumer credit” after “State consumer lending protections”.

(b) REGULAR CONSULTATIONS ON PROTECTIONS.—Subsection (h)(3) of such section is amended—

(1) in the matter preceding subparagraph (A)—

(A) by inserting “and not less often than once every two years thereafter,” after “under this subsection,”; and

(B) by inserting “appropriate Federal agencies, including” before “the following”;

(2) by striking subparagraph (E); and

(3) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively.

(c) EFFECTIVE DATE.—

(1) MODIFICATION OF REGULATIONS.—The Secretary of Defense shall modify the regulations prescribed under section 987 of title 10, United States Code, to take into account the amendments made by subsection (a).

(2) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on—

(A) the date that is one year after the date of the enactment of this Act; or

(B) such earlier date as the Secretary shall specify in the modification of regulations required by paragraph (1).

(3) PUBLICATION OF EARLIER DATE.—If the Secretary specifies an earlier effective date for the amendments made by subsection (a) pursuant to paragraph (2)(B), the Secretary shall publish notice of such earlier effective date in the Federal Register not later than 90 days before such earlier effective date.

**SEC. 653. RELIEF IN CIVIL ACTIONS FOR VIOLATIONS OF PROTECTIONS ON CONSUMER CREDIT EXTENDED TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.**

(a) IN GENERAL.—Section 987(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) CIVIL LIABILITY.—

“(A) IN GENERAL.—A person who violates this section with respect to any person is civilly liable to such person for—

“(i) any actual damage sustained as a result, but not less than \$500 for each violation;

“(ii) appropriate punitive damages;

“(iii) appropriate equitable or declaratory relief;

“(iv) any other relief provided by law;

“(v) in any successful action to enforce the foregoing liability, the costs of the action, together with reasonable attorney fees as determined by the court; and

“(vi) in any successful action by a defendant under this section, if the court finds the action was brought in bad faith and for the purpose of harassment, attorney fees of the defendant as determined by the court to be reasonable in relation to the work expended and costs incurred.

“(B) DEFENSES.—A person may not be held liable for civil liability under this paragraph if the person shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error. Examples of a bona fide error include clerical, calculation, computer malfunction and programming, and printing errors, except that an error of legal judgment with re-

spect to a person's obligations under this section is not a bona fide error.

“(C) JURISDICTION AND VENUE; LIMITATION.—An action for civil liability under this paragraph may be brought in any appropriate United States district court, without regard to the amount in controversy, or in any other court of competent jurisdiction, not later than the earlier or—

“(i) two years after the date of discovery by the plaintiff of the violation that is the basis for such liability; or

“(ii) five years after the date on which the violation that is the basis for such liability occurs.”.

(b) EFFECTIVE DATE.—The amendment made by this section and shall take effect on the date of the enactment of this Act, and shall apply with respect to consumer credit extended on or after that date.

**SEC. 654. MODIFICATION OF DEFINITION OF DEPENDENT FOR PURPOSES OF LIMITATIONS ON TERMS OF CONSUMER CREDIT EXTENDED TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.**

Paragraph (2) of section 987(i) of title 10, United States Code, is amended to read as follows:

“(2) DEPENDENT.—The term ‘dependent’, with respect to a covered member, has the meaning given that term in section 401(a) of title 37.”.

**Subtitle F—Other Matters**

**SEC. 661. TRANSITIONAL COMPENSATION FOR DEPENDENT CHILDREN WHO ARE CARRIED DURING PREGNANCY AT TIME OF DEPENDENT-ABUSE OFFENSE.**

(a) IN GENERAL.—Section 1059 of title 10, United States Code, is amended—

(1) in subsection (f), by adding at the end the following new paragraph:

“(4) Payment to a child under this section shall not be paid for any period before the birth of the child.”; and

(2) in subsection (l), by striking “at the time of the dependent-abuse offense resulting in the separation of the former member” and inserting “or eligible spouse at the time of the dependent-abuse offense resulting in the separation of the former member or who was carried during pregnancy at the time of the dependent-abuse offense resulting in the separation of the former member and was subsequently born alive to the eligible spouse or former spouse”.

(b) PROSPECTIVE APPLICABILITY.—No benefits shall accrue by reason of the amendments made by this section for any month that begins before the date of the enactment of this Act.

**TITLE VII—HEALTH CARE PROVISIONS**

**Subtitle A—TRICARE Program**

**SEC. 701. EXTENSION OF TRICARE STANDARD COVERAGE AND TRICARE DENTAL PROGRAM FOR MEMBERS OF THE SELECTED RESERVE WHO ARE INVOLUNTARILY SEPARATED.**

(a) EXTENSION OF TRICARE STANDARD COVERAGE.—Section 1076d(b) of title 10, United States Code, is amended—

(1) by striking “Eligibility” and inserting “(1) Except as provided in paragraph (2), eligibility”; and

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

“(2) Eligibility for a member under this section who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall terminate 180 days after the date on which the member is separated.”.

(b) EXTENSION OF TRICARE DENTAL PROGRAM COVERAGE.—Section 1076a(a)(1) of such title is amended by adding at the end the following new sentence: “Such plan shall pro-

vide that coverage for a member of the Selected Reserve who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall terminate not earlier than 180 days after the date on which the member is separated.”.

**SEC. 702. INCLUSION OF CERTAIN OVER-THE-COUNTER DRUGS IN TRICARE UNIFORM FORMULARY.**

(a) INCLUSION.—Subsection (a)(2) of section 1074g of title 10, United States Code, is amended—

(1) in subparagraph (D), by striking “No pharmaceutical agent may be excluded” and inserting “Except as provided in subparagraph (F), no pharmaceutical agent may be excluded”; and

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

“(F)(i) The Secretary may implement procedures to place selected over-the-counter drugs on the uniform formulary and to make such drugs available to eligible covered beneficiaries. An over-the-counter drug may be included on the uniform formulary only if the Pharmacy and Therapeutics Committee established under subsection (b) finds that the over-the-counter drug is cost-effective and clinically effective. If the Pharmacy and Therapeutics Committee recommends an over-the-counter drug for inclusion on the uniform formulary, the drug shall be considered to be in the same therapeutic class of pharmaceutical agents, as determined by the Committee, as similar prescription drugs.

“(ii) Regulations prescribed by the Secretary to carry out clause (i) shall include the following with respect to over-the-counter drugs included on the uniform formulary:

“(I) A determination of the means and conditions under paragraphs (5) and (6) of this subsection through which over-the-counter drugs will be available to eligible covered beneficiaries and the amount of cost sharing that such beneficiaries will be required to pay for over-the-counter drugs, except that no such cost sharing may be required for a member of a uniformed service on active duty.

“(II) Any terms and conditions for the dispensing of over-the-counter drugs to eligible covered beneficiaries.”.

(b) DEFINITIONS.—Subsection (g) of such section is amended by adding at the end the following new paragraphs:

“(3) The term ‘over-the-counter drug’ means a drug that is not subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)).

“(4) The term ‘prescription drug’ means a drug that is subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)).”.

(c) TECHNICAL AMENDMENTS.—

(1) CROSS-REFERENCE AMENDMENTS.—Subsections (a)(6)(A) and (b)(1) of such section are amended by striking “subsection (g)” and inserting “subsection (h)”.

(2) REPEAL OF OBSOLETE PROVISIONS.—

(A) Subsection (a)(2)(D) of such section is amended by striking the last sentence.

(B) Subsection (b)(2) of such section is amended by striking “Not later than” and all the follows through “such 90-day period, the committee” and inserting “The committee”.

(C) Subsection (d)(2) of such section is amended—

(i) by striking “Effective not later than April 5, 2000, the Secretary” and inserting “The Secretary”; and

(ii) by striking “the current managed care support contracts” and inserting “the managed care support contracts current as of October 5, 1999.”.



**SEC. 703. EXPANSION OF EVALUATION OF THE EFFECTIVENESS OF THE TRICARE PROGRAM.**

Section 717(a)(1) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 106-104; 110 Stat. 376; 10 U.S.C. 1073 note) is amended by striking “military retirees” and inserting “members of the Armed Forces (whether in the regular or reserve components) and their dependents, military retirees and their dependents, dependent children under the age of 21, and dependents of members on active duty with severe disabilities and chronic health care needs”.

**Subtitle B—Other Health Care Benefits**

**SEC. 711. USE OF DEPARTMENT OF DEFENSE FUNDS FOR ABORTIONS IN CASES OF RAPE AND INCEST.**

Section 1093(a) of title 10, United States Code, is amended by inserting before the period at the end the following: “or in a case in which the pregnancy is the result of an act of rape or incest”.

**SEC. 712. AVAILABILITY OF CERTAIN FERTILITY PRESERVATION TREATMENTS FOR MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.**

(a) IN GENERAL.—Subsection (a) of section 1074d of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) Members of the armed forces entitled to medical care under section 1074(a) of this title who have been diagnosed with a condition for which the recommended course of treatment is recognized by a licensed physician and surgeon or other appropriate medical practitioner as a cause of iatrogenic infertility shall also be entitled to fertility preservation treatment as a part of such medical care.

“(B) If the fertility preservation treatment to which a member is entitled under this paragraph is not available through a facility of the uniformed services accessible to the member, such treatment shall be provided to the member through another appropriate mechanism under this chapter, including through the TRICARE program.”.

(b) DEFINITIONS RELATING TO FERTILITY PRESERVATION TREATMENT.—Such section is further amended—

(1) in subsection (b), by striking the subsection heading and inserting “DEFINITION RELATING TO PRIMARY AND PREVENTIVE HEALTH CARE SERVICES FOR WOMEN”; and

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

“(C) DEFINITIONS RELATING TO FERTILITY PRESERVATION TREATMENT.—In this section:

“(1) The term ‘fertility preservation treatment’ includes—

“(A) procedures consistent with established medical practices in the prevention or treatment of iatrogenic infertility by licensed physicians and surgeons or other appropriate medical practitioners, including diagnosis, diagnostic tests, medication, or surgery; and

“(B) any other procedure identified by the Secretary of Defense that is intended to promote the future fertility of an individual who has been diagnosed with a condition for which the recommended course of treatment is recognized by a licensed physician and surgeon or other appropriate medical practitioner as a cause of iatrogenic infertility.

“(2) The term ‘iatrogenic infertility’ means the current or future diminished ability, or the inability of an individual to conceive or contribute to conception as a consequence of medical treatment.”.

**SEC. 713. MODIFICATION OF REQUIREMENTS ON MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN CONNECTION WITH A CONTINGENCY OPERATION.**

(a) TIMING OF MENTAL HEALTH ASSESSMENTS.—Paragraph (1)(C)(i) of section

1074m(a) of title 10, United States Code, is amended by striking “one year” and inserting “18 months”.

(b) EXCLUSION OF CERTAIN MEMBERS.—Paragraph (2) of such section is amended—

(1) by striking “subparagraph (B) and (C) of”; and

(2) by striking “determines that—” and all that follows and inserting “determines—

“(A) in the case of an assessment otherwise required under subparagraph (A) of that paragraph, that the member will not be subjected or exposed to operational risk factors during deployment in the contingency operation concerned;

“(B) in the case of an assessment otherwise required under subparagraph (B) or (C) of that paragraph, that the member was not subjected or exposed to operational risk factors during deployment in the contingency operation concerned; or

“(C) in the case of any assessment otherwise required under that paragraph, that providing such assessment to the member during the otherwise applicable time period under such paragraph would remove the member from forward deployment or would put members or operational objectives at risk.”.

**Subtitle C—Health Care Administration**

**SEC. 721. CLARIFICATION OF APPLICABILITY OF CERTAIN AUTHORITY AND REQUIREMENTS TO SUBCONTRACTORS EMPLOYED TO PROVIDE HEALTH CARE SERVICES TO THE DEPARTMENT OF DEFENSE.**

(a) APPLICABILITY OF FEDERAL TORT CLAIMS ACT TO SUBCONTRACTORS.—Section 1089(a) of title 10, United States Code, is amended in the last sentence—

(1) by striking “if the physician, dentist, nurse, pharmacist, or paramedical” and inserting “to such a physician, dentist, nurse, pharmacist, or paramedical”; and

(2) by striking “involved is”; and

(3) by inserting before the period at the end the following: “or a subcontract at any tier under such a contract that is authorized in accordance with the requirements of such section 1091”.

(b) APPLICABILITY OF PERSONAL SERVICES CONTRACTING AUTHORITY TO SUBCONTRACTORS.—Section 1091(c) of such title is amended by adding at the end the following new paragraph:

“(3) The procedures established under paragraph (1) may provide for a contracting officer to authorize a contractor to enter into a subcontract for personal services on behalf of the agency upon a determination that the subcontract is—

“(A) consistent with the requirements of this section and the procedures established under paragraph (1); and

“(B) in the best interests of the agency.”.

**SEC. 722. RESEARCH PROGRAM TO ENHANCE DEPARTMENT OF DEFENSE EFFORTS ON MENTAL HEALTH IN THE NATIONAL GUARD AND RESERVES THROUGH COMMUNITY PARTNERSHIPS.**

(a) RESEARCH PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a research program to assess the feasibility and advisability of enhancing the efforts of the Department of Defense in research, treatment, education, and outreach on mental health and substance use disorders and Traumatic Brain Injury (TBI) in members of the National Guard and Reserves, their family members, and their caregivers.

(b) AGREEMENTS WITH COMMUNITY PARTNERS.—In carrying out the research program authorized by subsection (a), the Secretary may enter into partnership agreements with community partners described in subsection (c) using a competitive and merit-based award process.

(c) COMMUNITY PARTNERS DESCRIBED.—A community partner described in this subsection is a private nonprofit organization or institution (or multiple organizations and institutions) that—

(1) engages in the research activities described in subsection (d); and

(2) meets such qualifications for treatment as a community partner as the Secretary shall establish for purposes of the research program.

(d) ACTIVITIES.—Partnerships entered into under the research program shall be used to engage in research on the causes, development, and innovative treatment of mental health and substance use disorders and Traumatic Brain Injury in members of the National Guard and Reserves, their family members, and their caregivers.

(e) REPORT.—Not later than five years after the commencement of the research program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the research program, including a description of the research program, the community partners participating in the research program, the activities carried out, the number of members of the National Guard and Reserves, family members, and caregivers supported by community partners, and a description and assessment of the effectiveness and achievements of the research program.

**Subtitle D—Reports and Other Matters**

**SEC. 731. REPORTS ON PERFORMANCE DATA ON WARRIORS IN TRANSITION PROGRAMS.**

(a) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, each Secretary of a military department shall submit to Congress a report on data on the performance of the military department in addressing the care, management and transition needs of members of the Armed Forces under the jurisdiction of such Secretary who participate in a Warriors in Transition program under the jurisdiction of such Secretary with respect to the following:

- (1) Physical health.
- (2) Mental and behavioral health.
- (3) Educational and vocational aptitude and capabilities.
- (4) Such other matters as such Secretary considers appropriate.

(b) COMMON METHODOLOGY.—The Secretaries shall report not fewer than five outcome measures for each of the areas set forth in subsection (a) using a common methodology developed by the Secretaries and approved by the Secretary of Defense for purposes of this section.

(c) LONGITUDINAL DATA.—The occasions for collecting data on a member participating in a Warriors in Transition program for purposes of reports under subsection (a) shall be as follows:

- (1) When the member commences participation in the program.
- (2) At least once each year the member participates in the program.
- (3) When the member ceases participation in the program (whether for return to military duty or to civilian life).
- (4) With the consent of the member, one year after the member ceases participation in the program as described in paragraph (3).

(d) ELEMENTS.—Each report under subsection (a) shall include an assessment by the Secretary of the military department concerned of the following with respect to the Warriors in Transition programs covered by such report:

- (1) The progress of members participating in the Warriors in Transition programs in the areas specified in subsection (a).
- (2) The efficacy of the Warriors in Transition programs in facilitating the transition

of members to military duty or civilian life, as applicable.

(3) The differences in outcomes in the Warriors in Transition programs, by location, type, Armed Force, component, and types of wounds, injuries, or conditions of program participants.

(4) The percentage of members participating in the Warriors in Transition programs who receive care under such programs from assigned providers, including medical care case managers, non-medical service providers (including non-medical case managers, legal support personnel, and, as applicable, Physical Evaluation Board Liaison Officers), mental health care providers, and medical evaluation (MEB) physicians whose caseload exceeds the caseload ratio that has been designated as adequate by the Secretary of Defense.

(5) The percentage of members participating in the Warriors in Transition programs for whom the intervals between various phases in the transition process exceeds the average length of such intervals, including intervals relating to appointment times for specialists and for treatment for Post-Traumatic Stress Disorder (PTSD).

(6) Such other measurements of outcomes or progress of members through the Warriors in Transition programs as such Secretary considers appropriate.

(e) **PERSONALLY IDENTIFIABLE INFORMATION.**—Data collected under this section shall be treated in compliance with the provisions of section 552a of title 5, United States Code (commonly referred to as the “Privacy Act”).

(f) **SUNSET.**—No report is required under this section after September 30, 2017.

(g) **WARRIORS IN TRANSITION PROGRAM DEFINED.**—In this section, the term “Warriors in Transition program” means any major support program of the Armed Forces for members of the Armed Forces with severe wounds, illnesses, or injuries that is intended to provide such members with non-medical case management service and care coordination services, and includes the programs as follows:

(1) Warrior Transition Units and the Wounded Warrior Program of the Army.

(2) The Safe Harbor program of the Navy.

(3) The Wounded Warrior Regiment of the Marine Corps.

(4) The Recovery Care Program and the Wounded Warrior programs of the Air Force.

(5) The Care Coalition of the United States Special Operations Command.

**SEC. 732. REPORT ON DEPARTMENT OF DEFENSE SUPPORT OF MEMBERS OF THE ARMED FORCES WHO EXPERIENCE TRAUMATIC INJURY AS A RESULT OF VACCINATIONS REQUIRED BY THE DEPARTMENT.**

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a comprehensive review (conducted for purposes of the report) of the adequacy and effectiveness of the policies, procedures, and systems of the Department of Defense in providing support to members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) The number and nature of traumatic injuries incurred by members of the Armed Forces as a result of a vaccination required by the Department of Defense each year since January 1, 2001, set forth by aggregate in each year and by military department in each year.

(2) Such recommendations as the Secretary of Defense considers appropriate for improvements to the policies, procedures, and systems (including tracking systems) of the Department to identify members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

(3) Such recommendations as the Secretary of Defense considers appropriate for improvements to the policies, procedures, and systems of the Department to support members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

**SEC. 733. PLAN TO ELIMINATE GAPS AND REDUNDANCIES IN PROGRAMS OF THE DEPARTMENT OF DEFENSE ON PSYCHOLOGICAL HEALTH AND TRAUMATIC BRAIN INJURY AMONG MEMBERS OF THE ARMED FORCES.**

(a) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to streamline the programs of the Department of Defense that address psychological health and traumatic brain injury among members of the Armed Forces.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A complete list of the programs described in paragraph (1), including a detailed description of the intended function of each such program.

(B) An identification of any gaps in services and treatments in the programs listed under subparagraph (A)

(C) An identification of any redundancies in the programs listed under subparagraph (A).

(D) A plan for mitigating the gaps identified under subparagraph (B) and for eliminating the redundancies identified under subparagraph (C).

(E) An identification of the individual in the Department who will be responsible for leading implementation of the plan required by paragraph (1).

(F) A schedule for the implementation of the plan.

(b) **STATUS REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the implementation of the plan required by subsection (a).

**SEC. 734. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE COMPTROLLER GENERAL OF THE UNITED STATES ON PREVENTION OF HEARING LOSS AMONG MEMBERS OF THE ARMED FORCES.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the recommendations of the Comptroller General of the United States in the January 2011 report of the Comptroller General entitled “Hearing Loss Prevention: Improvements to DOD Hearing Conservation Programs Could Lead to Better Outcomes” that address prevention of hearing loss, abatement of hearing loss, data collection regarding hearing loss, and the need for a new interagency data sharing system so that sufficient information is available to address and track hearing injuries and loss.

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

**Subtitle A—Provisions Relating to Major Defense Acquisition Programs**

**SEC. 801. LIMITATION ON USE OF COST-TYPE CONTRACTS.**

(a) **PROHIBITION WITH RESPECT TO PRODUCTION OF MAJOR DEFENSE ACQUISITION PROGRAMS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall modify the acquisition regulations of the Department of Defense to prohibit the Department from entering into cost-type contracts for the production of major defense acquisition programs (MDAPs).

(b) **EXCEPTION.**—

(1) **IN GENERAL.**—The prohibition under subsection (a) shall not apply in the case of a particular cost-type contract if the Under Secretary of Defense for Acquisition, Technology, and Logistics, after consultation with the Director of Cost Assessment and Program Evaluation—

(A) certifies, in writing, with reasons, that a cost-type contract is needed to provide a required capability in a timely and cost-effective manner; and

(B) provides the certification to the congressional defense committees not later than 30 business days before issuing a solicitation for the contract.

(2) **SCOPE OF EXCEPTION.**—In any case when the Under Secretary grants an exception under paragraph (1), the Under Secretary shall take affirmative steps to make sure that the use of cost-type pricing is limited to only those line items or portions of the contract where such pricing is needed to achieve the purposes of the exception. A written certification under paragraph (1) shall be accompanied by an explanation of the steps taken under this paragraph.

(c) **DEFINITIONS.**—In this section:

(1) **MAJOR DEFENSE ACQUISITION PROGRAM.**—The term “major defense acquisition program” has the meaning given the term in section 2430(a) of title 10, United States Code.

(2) **PRODUCTION OF A MAJOR DEFENSE ACQUISITION PROGRAM.**—The term “production of a major defense acquisition program” means the production, either on a low-rate initial production or full-rate production basis, and deployment of a major system that is intended to achieve an operational capability that satisfies mission needs, or any activity otherwise defined as Milestone C under Department of Defense Instruction 5000.02 or related authorities.

(3) **CONTRACT FOR THE PRODUCTION OF A MAJOR DEFENSE ACQUISITION PROGRAM.**—The term “contract for the production of a major defense acquisition program”—

(A) means a prime contract for the production of a major defense acquisition program; and

(B) does not include individual line items for segregable efforts or contracts for the incremental improvement of systems that are already in production (other than contracts for major upgrades that are themselves major defense acquisition programs).

(d) **APPLICABILITY.**—The requirements of this section shall apply to contracts for the production of major defense acquisition programs entered into on or after October 1, 2014.

**SEC. 802. ACQUISITION STRATEGIES FOR MAJOR SUBSYSTEMS AND SUBASSEMBLIES ON MAJOR DEFENSE ACQUISITION PROGRAMS.**

(a) **IN GENERAL.**—The Secretary of Defense shall ensure that the acquisition strategy for each major defense acquisition program—

(1) provides, where appropriate, for breaking out a major subsystem or subassembly,

conducting a separate competition or negotiating a separate price for the subsystem or subassembly, and providing the subsystem or subassembly to the prime contractor as government-furnished equipment; and

(2) in any case where it is not practical or appropriate to break out a major subsystem or subassembly and provide it to the prime contractor as government-furnished equipment, includes measures to prevent excessive pass-through charges by the prime contractor.

(b) DEFINITIONS.—In this section:

(1) The term “excessive pass-through charges” means pass-through charges that are not reasonable in relation to the cost of direct labor provided by employees of the contractor, any other costs directly attributable to the management of the subcontract by employees of the contractor, and the level of risk and responsibility, if any, assumed by the prime contractor for the performance of the subcontract.

(2) The term “major defense acquisition program” has the meaning given the term in section 2430(a) of title 10, United States Code.

(3) The term “pass-through charges” means prime contractor charges for overhead (including general and administrative costs) or profit on a subsystem or subassembly that is produced by an entity or entities other than the prime contractor.

(c) CONFORMING AMENDMENTS.—Section 202(c) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1720; 10 U.S.C. 2430 note) is amended—

(1) in the matter preceding paragraph (1), by striking “fair and objective ‘make-buy’ decisions by prime contractors” and inserting “competition or the option of competition at the subcontract level”;

(2) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively; and

(3) by inserting before paragraph (2), as redesignated by paragraph (2) of this subsection, the following new paragraph (1):

“(1) where appropriate, breaking out a major subsystem, conducting a separate competition for the subsystem, and providing the subsystem to the prime contractor as government-furnished equipment;”.

**SEC. 803. MANAGEMENT STRUCTURE FOR DEVELOPMENTAL TEST AND EVALUATION.**

(a) DUTIES OF DASD FOR DEVELOPMENTAL TEST AND EVALUATION.—Subsection (a)(5) of section 139b of title 10, United States Code is amended—

(1) in subparagraph (A)(i), by striking “in the Department of Defense” and inserting “of the military departments and other elements of the Department of Defense”; and

(2) in subparagraph (C), by striking “programs” and inserting “programs (including the activities of chief developmental testers and lead developmental test evaluation organizations designated in accordance with subsection (c))”.

(b) DUTIES OF CHIEF DEVELOPMENTAL TESTER AND LEAD DEVELOPMENTAL TEST AND EVALUATION ORGANIZATION.—Subsection (c) of such section is amended—

(1) in paragraph (2), by striking “shall be responsible for” and inserting “, consistent with policies and guidance issued pursuant to subsection (a)(5)(A), shall be responsible for”;

(2) in paragraph (3), by striking “shall be responsible for” and inserting “, consistent with policies and guidance issued pursuant to subsection (a)(5)(A), shall be responsible for”;

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

“(4) TRANSMITTAL OF RECORDS AND DATA.—The chief developmental tester and the lead

developmental test and evaluation organization for a major defense acquisition program shall promptly transmit to the Deputy Assistant Secretary for Developmental Test and Evaluation any records or data relating to the program that are requested by the Deputy Assistant Secretary, as provided in subsection (a)(6).”.

**SEC. 804. ASSESSMENTS OF POTENTIAL TERMINATION LIABILITY OF CONTRACTS FOR THE DEVELOPMENT OR PRODUCTION OF MAJOR DEFENSE ACQUISITION PROGRAMS.**

(a) REPORT ON ASSESSMENT REQUIRED.—Not later than 30 days before entering into a covered contract, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the potential termination liability of the Department of Defense under the contract, including—

(1) an estimate of the maximum potential termination liability certification for the contract; and

(2) an assessment how such termination liability is likely to increase or decrease over the period of performance of the contract.

(b) COVERED CONTRACTS.—For purposes of this section, a covered contract is a contract for the development or production of a major defense acquisition program for which the Under Secretary of Defense for Acquisition, Technology, and Logistics is the Milestone Decision Authority if the contract has a potential termination liability of the Department of Defense that could reasonably be expected to exceed \$100,000,000.

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term “major defense acquisition program” has the meaning given that term in section 2430 of title 10, United States Code.

**SEC. 805. TECHNICAL CHANGE REGARDING PROGRAMS EXPERIENCING CRITICAL COST GROWTH DUE TO CHANGE IN QUANTITY PURCHASED.**

Section 2433a(c)(3)(A) of title 10, United States Code, is amended by striking “subparagraphs (B) and (C)” and inserting “subparagraphs (B), (C), and (E)”.

**SEC. 806. REPEAL OF REQUIREMENT TO REVIEW ONGOING PROGRAMS INITIATED BEFORE ENACTMENT OF MILESTONE B CERTIFICATION AND APPROVAL PROCESS.**

Subsection (b) of section 205 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1725; 10 U.S.C. 2366b note) is repealed.

**Subtitle B—Acquisition Policy and Management**

**SEC. 821. ONE-YEAR EXTENSION OF TEMPORARY LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.**

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489) is amended—

(1) by striking “fiscal year 2012 or 2103” each place it appears and inserting “fiscal year 2012, 2013, or 2014”; and

(2) by striking “fiscal years 2012 and 2013” each place it appears and inserting “fiscal years 2012, 2103, and 2014”.

**SEC. 822. PROHIBITION OF EXCESSIVE PASS-THROUGH CONTRACTS AND CHARGES IN THE ACQUISITION OF SERVICES.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to—

(1) prohibit the award of a covered contract or task order unless the contractor agrees that at least 50 percent of the direct labor cost of services to be performed under the contract or task order will be expended for

employees of the contractor or of a subcontractor that is specifically identified and authorized to perform such work in the contract or task order;

(2) provide that the contracting officer for a covered contract or task order may authorize reliance upon a subcontractor or subcontractors to meet the requirement in paragraph (1) only upon a written determination that such reliance is in the best interest of the Department of Defense, after taking into account the added cost for overhead (including general and administrative costs) and profit that may be incurred as a result of the pass-through;

(3) require the contracting officer for a covered contract or task order for which more than 70 percent of the direct labor cost of services to be performed will be expended for persons other than employees of the contractor to ensure that amounts paid to the contractor for overhead (including general and administrative costs) and profit are reasonable in relation to the cost of direct labor provided by employees of the contractor and any other costs directly attributable to the management of the subcontract by employees of the contractor; and

(4) include such exceptions to the requirements in paragraphs (1) through (3) as the Secretary considers appropriate in the interest of the national defense.

(b) COVERED CONTRACT OR TASK ORDER DEFINED.—In this section, the term “covered contract or task order” means a contract or task order for the performance of services (other than construction) with a value in excess of the simplified acquisition threshold that is entered into for or on behalf of the Department of Defense, except that such term does not include any contract or task order that provides a firm, fixed price for each task to be performed and is—

(1) awarded on the basis of adequate price competition; or

(2) for the acquisition of commercial services as defined in paragraphs (5) and (6) of section 103 of title 41, United States Code.

(c) EFFECTIVE DATE.—The requirements of this section shall apply to—

(1) covered contracts that are awarded on or after the date that is 90 days after the date of the enactment of this Act; and

(2) covered task orders that are awarded on or after the date that is 90 days after the date of the enactment of this Act under contracts that are awarded before, on, or after such date.

(d) CONFORMING REPEAL.—Section 852 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2340) is repealed.

**SEC. 823. AVAILABILITY OF AMOUNTS IN DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND FOR TEMPORARY MEMBERS OF WORKFORCE.**

(a) IN GENERAL.—Section 1705 of title 10, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (1), by adding at the end the following new sentence: “In the case of temporary members of the acquisition workforce designated pursuant to subsection (h)(2), such funds shall be available only for the limited purpose of providing training in the performance of acquisition-related functions and duties.”; and

(B) in paragraph (5), by inserting before the period at the end the following: “, and who has continued in the employment of the Department since such time without a break in such employment of more than a year”;

(2) by striking subsection (g);

(3) by redesignating subsection (h) as subsection (g); and

(4) by adding at the end the following new subsection (h):

“(h) ACQUISITION WORKFORCE DEFINED.—In this section, the term ‘acquisition workforce’ means the following:

“(1) Personnel in positions designated under section 1721 of this title as acquisition positions for purposes of this chapter.

“(2) Other military personnel or civilian employees of the Department of Defense who—

“(A) contribute significantly to the acquisition process by virtue of their assigned duties; and

“(B) are designated as temporary members of the acquisition workforce by the Under Secretary of Defense for Acquisition, Technology, and Logistics, or by the senior acquisition executive of a military department, for the limited purpose of receiving training for the performance of acquisition-related functions and duties.”.

(b) EXTENSION OF EXPEDITED HIRING AUTHORITY.—Subsection (g) of such section, as redesignated by subsection (a)(3) of this section, is further amended in paragraph (2) by striking “September 30, 2015” and inserting “September 30, 2017”.

(c) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall develop a plan for the implementation of the authority provided by the amendments made by subsection (a) with regard to temporary members of the defense acquisition workforce. The plan shall include policy, criteria, and processes for designating temporary members and appropriate safeguards to prevent the abuse of such authority.

**SEC. 824. DEPARTMENT OF DEFENSE POLICY ON CONTRACTOR PROFITS.**

(a) REVIEW OF GUIDELINES ON PROFITS.—The Secretary of Defense shall review the profit guidelines in the Department of Defense Supplement to the Federal Acquisition Regulation in order to identify any modifications to such guidelines that are necessary to ensure an appropriate link between contractor profit and contractor performance.

(b) MATTERS TO BE CONSIDERED.—In conducting the review required by subsection (a), the Secretary shall consider, at a minimum, the following:

(1) Appropriate levels of profit needed to sustain competition in the defense industry, taking into account contractor investment and cash flow.

(2) Appropriate adjustments to address contract and performance risk assumed by the contractor, taking into account the extent to which such risk is passed on to subcontractors.

(3) Appropriate incentives for superior performance in delivering quality products and services in a timely and cost-effective manner, taking into account such factors as prime contractor cost reduction, control of overhead costs, subcontractor cost reduction, subcontractor management, and effective competition (including the utilization of small business) at the subcontract level.

(c) MODIFICATION OF GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall modify the profit guidelines described in subsection (a) so as to achieve the link described that subsection.

(d) REPORT.—Upon the completion of the modification of the profit guidelines required by subsection (c), the Secretary shall submit to the congressional defense committees a report on the actions of the Secretary under this section. The report shall set forth the following:

(1) The results of the review conducted under subsection (a).

(2) A description of the modification carried out under subsection (c).

**SEC. 825. MODIFICATION OF AUTHORITIES ON INTERNAL CONTROLS FOR PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE BY CERTAIN NON-DEFENSE AGENCIES.**

(a) DISCRETIONARY AUTHORITY.—Subsection (a) of section 801 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2304 note) is amended—

(1) in paragraph (1), by striking “shall, not later than the date specified in paragraph (2),” and inserting “may”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively;

(4) in paragraph (3), as redesignated by paragraph (3) of this section—

(A) by striking “required under this subsection” and inserting “to be performed under this subsection”; and

(B) by striking “shall” and inserting “may”; and

(5) in paragraph (4), as so redesignated, by striking “shall” and inserting “may”.

(b) CONFORMING AMENDMENTS.—Subsection (b)(1)(B) of such section is amended—

(1) in clause (i), by striking “required by subsection (a)(4)” and inserting “to be entered into under subsection (a)(3)”; and

(2) in clause (ii)—

(A) by striking “required by subsection (a)” and inserting “provided for under subsection (a)”; and

(B) by striking “subsection (a)(5)” and inserting “subsection (a)(4)”.

**SEC. 826. EXTENSION OF PILOT PROGRAM ON MANAGEMENT OF SUPPLY-CHAIN RISK.**

Section 806(g) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4262; 10 U.S.C. 2304 note) is amended by striking “the date that is three years after the date of the enactment of this Act” and inserting “January 1, 2016”.

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

**SEC. 841. APPLICABILITY OF TRUTH IN NEGOTIATIONS ACT TO MAJOR SYSTEMS AND RELATED SUBSYSTEMS, COMPONENTS, AND SUPPORT SERVICES.**

(a) AUTHORITY TO REQUIRE SUBMISSION OF COST OR PRICING DATA.—Subsection (c) of section 2306a of title 10, United States Code, is amended—

(1) in the subsection caption, by striking “BELOW-THRESHOLD” and inserting “CERTAIN”; and

(2) in paragraph (2), by inserting before the period at the end the following: “, except in the case of either of the following:

“(A) A major system or a subsystem or component thereof that is not a commercially available off-the-shelf item (as defined in section 104 of title 41) and was not developed exclusively at private expense as demonstrated in accordance with the requirements of section 2321(f)(2) of this title.

“(B) Services that are procured for support of a system, subsystem, or component described in subparagraph (A).”.

(b) AUTHORITY TO REQUIRE SUBMISSION OF OTHER INFORMATION.—Subsection (d)(1) of such section is amended by striking “at a minimum” and all that follows and inserting “at a minimum—

“(A) appropriate information on the prices at which the same item or similar items have previously been sold that is adequate for evaluating the reasonableness of the price for the procurement; and

“(B) in the case of a system, subsystem, component, or services described in subparagraph (A) or (B) of subsection (c)(2) for which price information described in subparagraph (A) of this paragraph is not adequate to

evaluate price reasonableness, uncertified cost data that is adequate for evaluating the reasonableness of the price for the procurement.”.

(c) TECHNICAL AMENDMENT.—Subsection (c)(3) of such section is amended by striking “paragraph” and inserting “subsection”.

**SEC. 842. MAXIMUM AMOUNT OF ALLOWABLE COSTS OF COMPENSATION OF CONTRACTOR EMPLOYEES.**

(a) MODIFICATION OF MAXIMUM AMOUNT.—Section 2324(e)(1)(P) of title 10, United States Code, is amended by striking “the benchmark” and all that follows through “section 1127 of title 41” and inserting “the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently \$230,700)”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2013, and shall apply with respect to costs of compensation incurred on or after that date under contracts entered into before, on, or after that date.

**SEC. 843. DEPARTMENT OF DEFENSE ACCESS TO AND USE OF CONTRACTOR INTERNAL AUDIT REPORTS.**

(a) CLARIFICATION OF AUDIT ACCESS AUTHORITY.—Section 2313(a)(2) of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking “or” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(E) the efficacy of contractor or subcontractor internal controls and the reliability of contractor or subcontractor business systems.”.

(b) GUIDANCE ON ACCESS.—

(1) GUIDANCE REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Contract Audit Agency shall issue revised guidance on Defense Contract Audit Agency auditor access to defense contractor internal audit reports and supporting materials.

(2) PURPOSE.—The purpose of the guidance issued pursuant to paragraph (1) shall be to ensure that the Defense Contract Audit Agency has sufficient access to contractor internal audit reports and supporting materials in order to—

(A) evaluate and test the efficacy of contractor internal controls and the reliability of associated contractor business systems; and

(B) assess the amount of risk and level of testing required in connection with specific audits to be conducted by the Agency.

(3) MATTERS TO BE ADDRESSED.—The guidance issued pursuant to paragraph (1) shall address, at a minimum, the following:

(A) The extent to which Defense Contract Audit Agency auditors should request access to defense contractor internal audit reports and supporting materials.

(B) The circumstances in which follow-up actions, including subpoenas, may be required to ensure Agency access to audit reports and supporting materials.

(C) The designation of Agency audit officials responsible for coordinating issues pertaining to Agency requests for audit reports and supporting materials.

(D) The purposes for which Agency auditors may use audit reports and supporting materials.

(E) Any protections that may be required to ensure that audit reports and supporting materials are not misused.

(F) Requirements for tracking Agency requests for audit reports and supporting materials.

(c) FAILURE TO PROVIDE ACCESS.—Not later than 180 days after the date of the enactment

of this Act, the Secretary of Defense shall revise the program required by section 893 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4311; 10 U.S.C. 2302 note) in order to—

(1) ensure that any assessment of the adequacy of contractor business systems takes into account the efficacy of contractor internal controls, including contractor internal audit reports and supporting materials, that are relevant to such assessment; and

(2) provide that the refusal of a contractor to permit access to contractor internal audit reports and supporting materials that are relevant to such an assessment is a basis for disapproving the contractor business system or systems to which such materials are relevant and taking the remedial actions authorized under section 893.

**SEC. 844. ENHANCEMENT OF WHISTLEBLOWER PROTECTIONS FOR CONTRACTOR EMPLOYEES.**

(a) IN GENERAL.—Subsection (a) of section 2409 of title 10, United States Code, is amended—

(1) by inserting “(1)” before “An employee”;

(2) in paragraph (1), as so designated—

(A) by inserting “or subcontractor” after “employee of a contractor”;

(B) by striking “a Member of Congress” and all that follows through “the Department of Justice” and inserting “a person or body described in paragraph (2)”;

(C) by inserting “an abuse of authority relating to a Department of Defense contract or grant,” after “Department of Defense funds,”; and

(D) by inserting “, rule, or regulation” after “a violation of law”; and

(3) by adding at the end the following new paragraphs:

“(2) The persons and bodies described in this paragraph are the persons and bodies as follows:

“(A) A Member of Congress or a representative of a committee of Congress.

“(B) An Inspector General.

“(C) The Government Accountability Office.

“(D) A Department of Defense employee responsible for contract oversight or management.

“(E) An authorized official of the Department of Justice or other law enforcement agency.

“(F) A court or grand jury.

“(G) A management official or other employee of the contractor or subcontractor who has the responsibility to investigate, discover, or address misconduct.

“(3) For the purposes of paragraph (1)—

“(A) an employee who initiates or provides evidence of contractor or subcontractor misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Department of Defense contract shall be deemed to have made a disclosure covered by such paragraph; and

“(B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of a Department of Defense official, unless the request takes the form of a non-discretionary directive and is within the authority of the Department of Defense official making the request.”.

(b) INVESTIGATION OF COMPLAINTS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting “fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant,” after “is frivolous,”;

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting “, fails to allege a violation of the prohibition

in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant” after “is frivolous”; and

(B) in subparagraph (B), by inserting “, up to 180 days,” after “such additional period of time”;

(3) by adding at the end the following new paragraphs:

“(3) The Inspector General may not respond to any inquiry or disclose any information from or about any person alleging the reprisal, except to the extent that such response or disclosure is—

“(A) made with the consent of the person alleging the reprisal;

“(B) made in accordance with the provisions of section 552a of title 5 or as required by any other applicable Federal law; or

“(C) necessary to conduct an investigation of the alleged reprisal.

“(4) A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.”.

(c) REMEDY AND ENFORCEMENT AUTHORITY.—Subsection (c) of such section is amended—

(1) in paragraph (1)(B), by striking “the compensation (including back pay)” and inserting “compensatory damages (including back pay)”;

(2) in paragraph (2), by adding at the end the following new sentence: “An action under this paragraph may not be brought more than two years after the date on which remedies are deemed to have been exhausted.”;

(3) in paragraph (4), by striking “and compensatory and exemplary damages.” and inserting “, compensatory and exemplary damages, and attorney fees and costs. The person upon whose behalf an order was issued may also file such an action or join in an action filed by the head of the agency.”;

(4) in paragraph (5), by adding at the end the following new sentence: “Filing such an appeal shall not act to stay the enforcement of the order of the head of an agency, unless a stay is specifically entered by the court.”;

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

“(6) The legal burdens of proof specified in section 1221(e) of title 5 shall be controlling for the purposes of any investigation conducted by an Inspector General, decision by the head of an agency, or judicial or administrative proceeding to determine whether discrimination prohibited under this section has occurred.

“(7) The rights and remedies provided for in this section may not be waived by any agreement, policy, form, or condition of employment, including by any predispute arbitration agreement, other than an arbitration provision in a collective bargaining agreement.”.

(d) NOTIFICATION OF EMPLOYEES.—Such section is further amended—

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

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

“(d) NOTIFICATION OF EMPLOYEES.—The Secretary of Defense shall ensure that contractors and subcontractors of the Department of Defense inform their employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.”.

(e) ABUSE OF AUTHORITY DEFINED.—Subsection (f) of such section, as redesignated by subsection (d)(1) of this section, is further amended by adding at the end the following new paragraph:

“(6) The term ‘abuse of authority’ means an arbitrary and capricious exercise of authority that is inconsistent with the mission

of the Department of Defense or the successful performance of a Department of Defense contract or grant.”.

(f) ALLOWABILITY OF LEGAL FEES.—Section 2324(k) of such title is amended—

(1) in paragraph (1), by striking “commenced by the United States or a State” and inserting “commenced by the United States, by a State, or by a contractor employee submitting a complaint under section 2409 of this title”; and

(2) in paragraph (2)(C), by striking “the imposition of a monetary penalty” and inserting “the imposition of a monetary penalty or an order to take corrective action under section 2409 of this title”.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply to—

(A) all contracts awarded on or after such date;

(B) all task orders entered on or after such date pursuant to contracts awarded before, on, or after such date; and

(C) all contracts awarded before such date that are modified to include a contract clause providing for the applicability of such amendments.

(2) REVISION OF DOD SUPPLEMENT TO THE FAR.—Not later than 180 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to implement the requirements arising under the amendments made by this section.

(3) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS AWARDED BEFORE EFFECTIVE DATE.—At the time of any major modification to a contract that was awarded before the date that is 180 days after the date of the enactment of this Act, the head of the contracting agency shall make best efforts to include in the contract a contract clause providing for the applicability of the amendments made by this section to the contract.

**SEC. 845. EXTENSION OF CONTRACTOR CONFLICT OF INTEREST LIMITATIONS.**

(a) ASSESSMENT OF EXTENSION OF LIMITATIONS TO CERTAIN ADDITIONAL FUNCTIONS AND CONTRACTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall review the guidance on personal conflicts of interest for contractor employees issued pursuant to section 841(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4537) in order to determine whether it would be in the best interest of the Department of Defense and the taxpayers to extend such guidance to personal conflicts of interest by contractor personnel performing any of the following:

(1) Functions other than acquisition functions that are closely associated with inherently governmental functions (as that term is defined in section 2383(b)(3) of title 10, United States Code).

(2) Personal services contracts (as that term is defined in section 2330a(g)(5) of title 10, United States Code).

(3) Contracts for staff augmentation services (as that term is defined in section 808(d)(3) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1490)).

(b) EXTENSION OF LIMITATIONS.—If the Secretary determines pursuant to the review under subsection (a) that the guidance on personal conflicts of interest should be extended, the Secretary shall revise the Defense Supplement to the Federal Acquisition Regulation to the extent necessary to achieve such extension.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on

Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth the following:

(1) A summary of the review conducted under subsection (a).

(2) A summary description of any revisions of regulations carried out under subsection (b).

**SEC. 846. REPEAL OF SUNSET FOR CERTAIN PROTESTS OF TASK AND DELIVERY ORDER CONTRACTS.**

Section 2304c(e) of title 10, United States Code, is amended by striking paragraph (3).

**Subtitle D—Provisions Relating to Wartime Contracting**

**SEC. 861. RESPONSIBILITY WITHIN DEPARTMENT OF DEFENSE FOR CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS.**

(a) RESPONSIBILITY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall prescribe in regulations the chain of authority and responsibility within the Department of Defense for policy, planning, and execution of contract support for overseas contingency operations.

(2) ELEMENTS.—The regulations under paragraph (1) shall, at a minimum—

(A) specify the officials, offices, and components of the Department within the chain of authority and responsibility described in paragraph (1);

(B) identify for each official, office, and component specified under subparagraph (A)—

(i) requirements for policy, planning, and execution of contract support for overseas contingency operations, including, at a minimum, requirements in connection with—

(I) coordination of functions, authorities, and responsibilities related to operational contract support for overseas contingency operations;

(II) assessments of total force data in support of Department force planning scenarios, including the appropriateness of and necessity for the use of contractors for identified functions;

(III) determinations of capability requirements for non-acquisition community operational contract support, and identification of resources required for planning, training, and execution to meet such requirements;

(IV) determinations of policy regarding the use of contractors by function, and identification of the training exercises that will be required for contract support (including an assessment whether or not such exercises will include contractors); and

(V) establishment of an inventory, and identification of areas of high risk and trade offs, for use of contract support in overseas contingency operations and for areas in which members of the Armed Forces will be used in such operations instead of contract support; and

(ii) roles, authorities, responsibilities, and lines of supervision for the achievement of the requirements identified under clause (i), including the position within the chain of authority and responsibility described in paragraph (1) with responsibility for reporting directly to the Secretary regarding policy, planning, and execution of contract support for overseas contingency operations; and

(C) ensure that the chain of authority and responsibility described in paragraph (1) is appropriately integrated into, the structure of the Department for the conduct of overseas contingency operations, including the military departments, the Joint Staff, and the commanders of the unified combatant commands.

(b) SECRETARY OF DEFENSE REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the regulations prescribed under subsection (a). The report shall set forth the following:

(1) The regulations.

(2) A comprehensive description of the requirements identified under clause (i) of subsection (a)(2)(B), and a comprehensive description of the manner in which the roles, authorities, responsibilities, and lines of supervision under clause (ii) of that subsection will further the achievement of such requirements.

(3) A comprehensive description of the manner in which the regulations will meet the requirements in subsection (a)(2)(C).

(c) COMPTROLLER GENERAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the regulations prescribed under subsection (a). The report shall set forth an assessment by the Comptroller General of the extent to which the regulations will further the achievement by the Department of Defense of efficient and effective policy, planning, and execution of contract support for overseas contingency operations.

**SEC. 862. ANNUAL REPORTS ON CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS INVOLVING COMBAT OPERATIONS.**

(a) IN GENERAL.—Not later than one year after the commencement or designation of a contingency operation outside the United States that includes combat operations, and annually thereafter until the termination of the operation, the Secretary of Defense shall, except as provided in subsection (b), submit to the congressional defense committees a report on contract support for the operation.

(b) EXCEPTION.—If the total annual amount of obligations for contracts for support of a contingency operation otherwise described by subsection (a) do not exceed \$250,000,000 in an annual reporting period otherwise covered by that subsection, no report shall be required on the operation under that subsection for that annual reporting period.

(c) ELEMENTS.—

(1) IN GENERAL.—Each report under subsection (a) regarding an operation shall set forth the following:

(A) A description and assessment of the policy, planning, management, and oversight of the Department of Defense with respect to contract support for the operation.

(B) With respect to contracts entered into in connection with the operation:

(i) The total number of contracts entered into as of the date of such report.

(ii) The total number of such contracts that are active as of such date.

(iii) The total value of contracts entered into as of such date.

(iv) The total value of such contracts that are active as of such date.

(v) An identification of the extent to which the contracts entered into as of such date were entered into using competitive procedures.

(vi) The total number of contractor personnel working under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date.

(vii) The total number of contractor personnel performing security functions under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date.

(viii) The total number of contractor personnel killed or wounded under any contracts entered into.

(C) The sources of information and data used to prepare the portion of such report required by subparagraph (B).

(D) A description of any known limitations of the information or data reported under subparagraph (B), including known limitations in methodology or data sources.

(E) Any plans for strengthening collection, coordination, and sharing of information on contracts entered into in connection with the operation.

(2) ESTIMATES.—In determining the total number of contractor personnel working under contracts for purposes of paragraph (1)(B)(vi), the Secretary may use estimates for any category of contractor personnel for which the Secretary determines it is not feasible to provide an actual count. Each report under subsection (a) shall fully disclose the extent to which such an estimate is used in lieu of an actual count.

(d) PROHIBITION ON PREPARATION BY CONTRACTOR PERSONNEL.—A report under subsection (a) may not be prepared by contractor personnel.

(e) USE OF EXISTING REPORTS FOR CERTAIN CONTINGENCY OPERATIONS.—The requirement to submit reports under subsection (a) on a contingency operation in Iraq or Afghanistan may be met by the submittal of the reports required by section 863 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note).

**SEC. 863. INCLUSION OF CONTRACT SUPPORT IN CERTAIN REQUIREMENTS FOR DEPARTMENT OF DEFENSE PLANNING, JOINT PROFESSIONAL MILITARY EDUCATION, AND MANAGEMENT STRUCTURE.**

(a) READINESS REPORTING SYSTEM.—Section 117(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(8) Measure, on an annual basis, the capability of operational contract support to support current and anticipated wartime missions of the armed forces.”.

(b) CONTINGENCY PLANNING AND PREPAREDNESS FUNCTIONS OF CJCS.—Section 153(a)(3) of such title is amended by adding at the end the following new subparagraph:

“(E) In coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Secretaries of the military departments, the heads of the Defense Agencies, and the commanders of the combatant commands, determining the operational contract support requirements of the armed forces and recommending the resources required to improve and enhance operational contract support for the armed forces and planning for such operational contract support.”.

(c) JOINT PROFESSIONAL MILITARY EDUCATION.—

(1) CONTINGENCY OPERATIONS AS MATTER WITHIN COURSE OF JPME.—Section 2151(a) of such title is amended by adding at the end the following new paragraph:

“(6) Contingency operations.”.

(2) CURRICULUM FOR THREE-PHASE APPROACH.—Section 2154 of such title is amended by adding at the end the following new subsection:

“(c) CURRICULUM RELATING TO CONTINGENCY OPERATIONS.—(1) The curriculum for each phase of joint professional military education implemented under this section shall include content appropriate for such phase on the following:

“(A) Requirements definition.

“(B) Contingency program management.

“(C) Contingency contracting.

“(D) The strategic impact of contracting on military missions.

“(2) In this subsection, the terms ‘requirements definition’, ‘contingency program management’, and ‘contingency contracting’



have the meaning given those terms in section 2333(f) of this title.”

(d) **MANAGEMENT STRUCTURE.**—Section 2330(c)(2) of such title is amended by striking “other than services” and all that follows and inserting “including services in support of contingency operations. The term does not include services relating to research and development or military construction.”

**SEC. 864. RISK ASSESSMENT AND MITIGATION FOR CONTRACTOR PERFORMANCE OF CRITICAL FUNCTIONS IN SUPPORT OF OVERSEAS CONTINGENCY OPERATIONS.**

(a) **COMPREHENSIVE RISK ASSESSMENT AND MITIGATION PLAN REQUIRED.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), not later than six months after the commencement or designation of an overseas contingency operation that includes or is expected to include combat operations, the Secretary of Defense shall perform a comprehensive risk assessment and develop a risk mitigation plan for operational and political risks associated with contractor performance of critical functions in support of the operation.

(2) **EXCEPTIONS.**—Except as provided in paragraph (3), a risk assessment and risk mitigation plan shall not be required under paragraph (1) for an overseas contingency operation if both—

(A) the operation is not expected to continue for more than one year; and

(B) the total annual amount of obligations for contracts for support of the operation is not expected to exceed, \$250,000,000 in any fiscal year.

(3) **TERMINATION OF EXCEPTIONS.**—Notwithstanding paragraph (2), the Secretary shall perform a risk assessment and develop a risk mitigation plan under paragraph (1) for an overseas contingency operation with regard to which a risk assessment and risk mitigation plan has not previously been performed under paragraph (1) not later than 60 days after the first date on which either of the following occurs:

(A) The operation has continued for more than one year.

(B) The total amount of obligations for contracts for support of the operation has exceeded \$250,000,000 in a fiscal year.

(b) **COMPREHENSIVE RISK ASSESSMENTS.**—A comprehensive risk assessment for an overseas contingency operation under subsection (a) shall consider, at a minimum, risks relating to the following:

(1) The goals and objectives of the operation (such as risks from behavior that injures innocent members of the local population or outrages their sensibilities).

(2) The continuity of the operation (such as risks from contractors walking off the job or being unable to perform when there is no timely back-up available).

(3) The safety of military and civilian personnel of the United States if the presence or performance of contractor personnel creates unsafe conditions or invites attack.

(4) The managerial control of the Government over the operation (such as risks from over-reliance on contractors to monitor other contractors with inadequate means for Government personnel to monitor their work).

(5) The critical organic or core capabilities of the Government, including critical knowledge or institutional memory of key operations areas and subject-matter expertise.

(6) The ability of the Government to control costs, avoid organizational or personal conflicts of interest, and minimize waste, fraud, and abuse.

(c) **RISK MITIGATION PLANS.**—A risk mitigation plan for an overseas contingency operation under subsection (a) shall include, at a minimum, the following:

(1) For each high risk area identified in the comprehensive risk assessment for the operation performed under subsection (a)—

(A) specific actions to mitigate or reduce such risk, including, but not limited to, the development of alternative capabilities to reduce reliance on contractor performance of critical functions;

(B) measurable milestones for the implementation of planned risk mitigation or risk reduction measures; and

(C) a process for monitoring, measuring, and documenting progress in mitigating or reducing risk.

(2) A continuing process for identifying and addressing new and changed risks arising in the course of the operation, including the periodic reassessment of risks and the development of appropriate risk mitigation or reduction plans for any new or changed high risk area identified.

(d) **REPORTS TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 30 days after the completion of a comprehensive risk assessment and risk mitigation plan under subsection (a), the Secretary shall submit to the congressional defense committees a report setting forth a summary description of the assessment and plan, including a description of the risks identified through the assessment and the actions to be taken to address such risks.

(2) **FORM.**—Each report shall be submitted in unclassified form, but may include a classified annex.

(e) **CRITICAL FUNCTIONS.**—For purposes of this section, critical functions include, at a minimum, the following:

(1) Private security functions, as that term is defined in section 864(a)(5) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note).

(2) Training and advising government personnel, including military and security personnel, of a host nation.

(3) Conducting intelligence or information operations.

(4) Any other functions that are closely associated with inherently governmental functions, including the functions set forth in section 7.503(d) of the Federal Acquisition Regulation.

**SEC. 865. EXTENSION AND MODIFICATION OF REPORTS ON CONTRACTING IN IRAQ AND AFGHANISTAN.**

(a) **TWO-YEAR EXTENSION OF REQUIREMENT FOR JOINT REPORT.**—Subsection (a)(5) of section 863 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) is amended by striking “February 1, 2013” and inserting “February 1, 2015”.

(b) **REPEAL OF COMPTROLLER GENERAL REVIEW.**—Such section is further amended by striking subsection (b).

(c) **CONFORMING AMENDMENTS.**—

(1) **IN GENERAL.**—Such section is further amended—

(A) by striking “JOINT REPORT REQUIRED.—” and all that follows through “paragraph (6)” and inserting “IN GENERAL.—Except as provided in subsection (f)”;

(B) by striking “this subsection” each place it appears and inserting “this section”;

(C) by redesignating paragraphs (2) through (7) as subsections (b) through (g), respectively, and indenting the left margins of such subsections, as so redesignated, two ems from the left margin;

(D) in subsection (b), as redesignated by subparagraph (C) of this paragraph, by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and indenting the left margin of such paragraphs, as so redesignated, four ems from the left margin;

(E) in subsection (c), as redesignated by subparagraph (C) of this paragraph—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and indenting the left margin of such paragraphs, as so redesignated, four ems from the left margin; and

(ii) by striking “paragraph (2)” each place it appears and inserting “subsection (b)”;

(F) in subsection (f), as redesignated by subparagraph (C) of this paragraph, by striking “this paragraph” and inserting “this subsection”; and

(G) in subsection (g), as so redesignated, by striking “paragraph (2)(F)” and inserting “subsection (b)(6)”.

(2) **HEADING AMENDMENT.**—The heading of such section is amended by striking “AND COMPTROLLER GENERAL REVIEW”.

**SEC. 866. EXTENSION OF TEMPORARY AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.**

(a) **EXTENSION.**—Subsection (f) of section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2399) is amended by striking “on or after the date occurring three years after the date of the enactment of this Act” and inserting “after December 31, 2014”.

(b) **REPEAL OF EXPIRED REPORTING REQUIREMENT.**—Subsection (g) of such section is repealed.

(c) **CLERICAL AMENDMENT.**—The heading of such section is amended by striking “; REPORT”.

**SEC. 867. COMPLIANCE WITH BERRY AMENDMENT REQUIRED FOR UNIFORM COMPONENTS SUPPLIED TO AFGHANISTAN MILITARY OR AFGHANISTAN NATIONAL POLICE.**

(a) **REQUIREMENT.**—In the case of any textile components supplied by the Department of Defense to the Afghanistan National Army or the Afghanistan National Police for purposes of production of uniforms, section 2533a of title 10, United States Code, shall apply, and no exceptions or exemptions under that section shall apply.

(b) **EFFECTIVE DATE.**—This section shall apply to solicitations issued and contracts awarded for the procurement of textile components described in subsection (a) after the date of the enactment of this Act.

**SEC. 868. SENSE OF SENATE ON THE CONTRIBUTIONS OF LATVIA AND OTHER NORTH ATLANTIC TREATY ORGANIZATION MEMBER NATIONS TO THE SUCCESS OF THE NORTHERN DISTRIBUTION NETWORK.**

(a) **FINDINGS.**—The Senate makes the following findings:

(1) The remote and austere environments in which United States troops are required to operate as part of the International Security Assistance Force (ISAF) mission in Afghanistan have increased the need for reliable lines of supply in southwest Asia.

(2) The country of Afghanistan presents unique logistics challenges, which have precipitated the development of several redundant lines of supply.

(3) United States Transportation Command and the Defense Logistics Agency (DLA), in consultation with United States Embassy officials and other parties, have successfully established memoranda of understanding and other agreements with nations in and around southwest Asia to ensure the reliability of lines of supply to Afghanistan.

(4) The lines of supply through Pakistan have been repeatedly threatened by instability in that country. Airlifting goods to Afghanistan, while safer, is expensive.

(5) The Northern Distribution Network (NDN) was established in late 2008 to ensure that a safe and cost-effective line of supply is available for United States troops in Afghanistan.

(6) The two prongs of supply provided by the Northern Distribution Network ship non-lethal goods from the Baltic ports in the north and the Caucasus in the west to southwest Asia and Afghanistan.

(7) The Northern Distribution Network has been successful and now handles more than 50 percent of cargo shipped to Afghanistan.

(8) North Atlantic Treaty Organization (NATO) member nations along the Northern Distribution Network routes have contributed significantly to the success of the Northern Distribution Network.

(9) The United States has strong economic ties to Northern Distribution Network nations that are members of the North Atlantic Treaty Organization, and these nations may be able to provide quality goods and services for near and long-term use by the Department of Defense.

(10) Since 2009 the port of Riga, on the Baltic Sea, has been a critical overland entry point for goods being shipped using the Northern Distribution Network. Latvia is a member of the North Atlantic Treaty Organization and has been an ally of the United States in the region for many years.

(11) In September 2010, the Defense Logistics Agency, the General Services Administration, and other parties hosted a local procurement conference in Riga, Latvia.

(12) One hundred nine Latvian vendors attended the September 2010 conference in Riga, and contracts with Latvian vendors have been entered into as a result.

(13) In May 2012, Latvia hosted an international workshop in Riga to examine ways of transforming the Northern Distribution Network from a route for the delivery of United States and other Allies' non-lethal goods to Afghanistan into a commercial route that would support the economic growth of Afghanistan and the southwest Asia region.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes are key economic and security partners of the United States and are to be commended for their contribution to ensuring United States and International Security Assistance Force troops have reliable lines of supply to achieve the mission in Afghanistan;

(2) when quality products at competitive prices are available, significant effort should be made to procure goods locally from Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes; and

(3) Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes remain allies of the United States in the region, and a mutually beneficial relationship should continue to be cultivated between the United States and Latvia and such other nations in the future.

#### Subtitle E—Other Matters

### SEC. 881. REQUIREMENTS AND LIMITATIONS FOR SUSPENSION AND DEBARMENT OFFICIALS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure the following:

(1) There shall be not less than one suspension and debarment official each for the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Defense Logistics Agency.

(2) A suspension and debarment official under paragraph (1) may not report to or be subject to the supervision of the acquisition office or the Inspector General of either the

Department of Defense or the military department or Defense Agency concerned.

(3) The duties of a suspension and debarment official under paragraph (1) may include only the following:

(A) The direction, management, and oversight of suspension and debarment activities.

(B) The direction, management, and oversight of fraud remedies activities.

(C) Membership and participation in the Interagency Committee on Debarment and Suspension in accordance with Executive Order No. 12549 and section 873 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (as amended by this section).

(4) Each suspension and debarment official under paragraph (1) shall have a staff and resources adequate for the discharge of the suspension and debarment responsibilities of such official.

(5) Each suspension and debarment official under paragraph (1) shall document the basis for any final decision taken pursuant to a formal referral in accordance with the policies established under paragraph (6), including, but not limited to, the following:

(A) Any final decision to suspend or debar any person or entity.

(B) Any final decision not to suspend or debar any person or entity.

(C) Any final decision declining to pursue suspension or debarment of any person or entity.

(D) Any administrative agreement entered with any person or persons in lieu of suspension or debarment of such person or entity.

(6) Each suspension and debarment official under paragraph (1) shall, in consultation with the General Counsel of the Department of Defense, establish in writing policies for the consideration of the following:

(A) Formal referrals of suspension and debarment matters.

(B) Suspension and debarment matters that are not formally referred.

(b) DUTIES OF INTERAGENCY COMMITTEE ON DEBARMENT AND SUSPENSION.—Section 873 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (31 U.S.C. 6101 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, including with respect to contracts in connection with contingency operations” before the semicolon; and

(B) in paragraph (7)—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new subparagraph:

“(D) a summary of suspensions, debarments, and administrative agreements during the previous year.”; and

(2) by striking subsection (b) and inserting the following new subsections:

“(b) DATE OF SUBMITTAL OF ANNUAL REPORTS.—The annual report required by subsection (a)(7) shall be submitted not later than 120 days after the end of the first fiscal year ending after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, and annually thereafter.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘contingency operation’ has the meaning given that term in section 101(a)(13) of title 10, United States Code.

“(2) The term ‘Interagency Committee on Debarment and Suspension’ means the committee constituted under sections 4 and 5 of Executive Order No. 12549.”.

(c) ADDITIONAL BASES FOR SUSPENSION OR DEBARMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise the De-

partment of Defense supplement to the Federal Acquisition Regulation to provide for the automatic referral of a person described in paragraph (2) to the appropriate suspension and debarment official for a determination whether or not the person should be suspended or debarred.

(2) COVERED PERSONS.—A person described in this paragraph is any person as follows:

(A) A person who has been charged with a Federal criminal offense relating to the award or performance of a Department of Defense contract.

(B) A person who has been alleged, in a civil or criminal proceeding brought by the United States, to have engaged in fraudulent actions in connection with the award or performance of a Department of Defense contract.

(C) A person who has been determined by the head of a contracting agency of the Department of Defense to have failed to pay or refund amounts due or owed to the Federal Government in connection with the performance of a Department of Defense contract.

### SEC. 882. UNIFORM CONTRACT WRITING SYSTEM REQUIREMENTS FOR THE DEPARTMENT OF DEFENSE.

(a) UNIFORM STANDARDS AND CONTROLS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) establish uniform data standards, internal control requirements, independent verification and validation requirements, and business process rules for processing Department of Defense procurement requests, contracts, receipts, and invoices;

(2) establish and maintain one or more approved electronic contract writing systems that conform with the standards, requirements, and rules established pursuant to paragraph (1); and

(3) require the use of electronic contract writing systems approved in accordance with paragraph (2) for all contracts entered into by the Department.

(b) PHASE-IN OF IMPLEMENTATION OF REQUIREMENT FOR APPROVED SYSTEMS.—The Secretary may phase in the implementation of the requirement to use approved electronic contract writing systems in accordance with subsection (a)(3) over a period of up to five years beginning with the date of the enactment of this Act.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the implementation of the requirements of this section. The report shall, at a minimum—

(1) describe the standards, requirements, and rules established pursuant to subsection (a)(1);

(2) identify the electronic contract writing systems approved pursuant to subsection (a)(2) and, if multiple systems are approved, explain why the use of such multiple systems is the most efficient and effective approach to meet the contract writing needs of the Department; and

(3) provide the schedule for phasing in the use of approved electronic contract writing systems in accordance with subsections (a)(3) and (b).

### SEC. 883. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF USE BY THE DEPARTMENT OF DEFENSE OF URGENT AND COMPELLING EXCEPTION TO COMPETITION.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall review the use by the Department of Defense of the unusual and compelling urgency exception to full and open competition provided in section 2304(c)(2) of title 10, United States Code.

(b) **MATTERS TO BE REVIEWED.**—The review of the use of the unusual and compelling urgency exception required by subsection (a) shall include a review of the following:

(1) The pattern of use of the exception by acquisition organizations within the Department in order to determine which organizations are commonly using the exception and the frequency of such use.

(2) The range of items or services being acquired through the use of the exception.

(3) The process for reviewing and approving justifications involving the exception.

(4) Whether the justifications for use of the exception typically meet the relevant requirements of the Federal Acquisition Regulation applicable to the use of the exception.

(5) The extent to which the exception is used to solicit bids or proposals from only one source and the extent to which such sole-source procurements are appropriately documented and justified.

(6) The compliance of the Department with the requirements of section 2304(d)(3) of title 10, United States Code, that limit the duration of contracts awarded pursuant to the exception and require approval for any such contract in excess of one year.

(c) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review required by subsection (a), including a discussion of each of the matters specified in subsection (b). The report shall include any recommendations relating to the matters reviewed that the Comptroller General considers appropriate.

**SEC. 884. AUTHORITY TO PROVIDE FEE-FOR-SERVICE INSPECTION AND TESTING BY DEFENSE CONTRACT MANAGEMENT AGENCY FOR CERTAIN CRITICAL EQUIPMENT IN THE ABSENCE OF A PROCUREMENT CONTRACT.**

(a) **AUTHORITY.**—Section 2539b of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period at the end and inserting “; and”; and

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

“(5) make available to any person or entity, in advance of the award of a procurement contract, through contracts or other appropriate arrangements and subject to subsection (c), the services of the Defense Contract Management Agency for testing and inspection of items when such testing and inspection is determined by such Secretary to be critical to a specific program of the Department of Defense.”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

“(c) **DCMA SERVICES.**—Services of the Defense Contract Management Agency may be made available under subsection (a)(5) only if the contract or other arrangement for those services—

“(1) holds the United States harmless if the items covered by the contract or other arrangement (whether or not tested and inspected under the contract or other arrangement) are not subsequently ordered by or delivered to the United States under a procurement contract entered into after the contract or other arrangement is entered into; and

“(2) holds the United States harmless against any claim arising out of the inspection and testing, or the use in any commercial application, of the equipment tested and inspected by the Defense Contract Management Agency under the contract or other arrangement.”.

(b) **FEEES.**—Subsection (d) of such section, as redesignated by subsection (a)(2) of this section, is amended—

(1) in the first sentence, by striking “and (a)(4)” and inserting “; (a)(4), and (a)(5)”; and

(2) in the second sentence—

(A) by inserting “, travel, and other incidental overhead expenses” after “salaries”; and

(B) by inserting “or inspection” before the period at the end.

(c) **USE OF FEES.**—Subsection (e) of such section, as so redesignated, is amended by striking “and (a)(4)” and inserting “, (a)(4), and (a)(5)”.

**SEC. 885. DISESTABLISHMENT OF DEFENSE MATERIEL READINESS BOARD.**

(a) **DISESTABLISHMENT OF BOARD.**—The Defense Materiel Readiness Board established pursuant to section 871 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 117 note) is hereby disestablished.

(b) **TERMINATION OF STRATEGIC READINESS FUND.**—The Department of Defense Strategic Readiness Fund established by section 872(d) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 117 note) is hereby closed.

(c) **REPEAL.**—Subtitle G of title VIII of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 117 note) is repealed.

**SEC. 886. MODIFICATION OF PERIOD OF WAIT FOLLOWING NOTICE TO CONGRESS OF INTENT TO CONTRACT FOR LEASES OF CERTAIN VESSELS AND VEHICLES.**

Section 2401(h)(2) of title 10, United States Code, is amended by striking “of continuous session of Congress”.

**SEC. 887. EXTENSION OF OTHER TRANSACTION AUTHORITY.**

Section 845(i) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amended by striking “September 30, 2013” and inserting “September 30, 2018”.

**TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT**

**Subtitle A—Department of Defense Management**

**SEC. 901. DEFINITION AND REPORT ON TERMS “PREPARATION OF THE ENVIRONMENT” AND “OPERATIONAL PREPARATION OF THE ENVIRONMENT” FOR JOINT DOCTRINE PURPOSES.**

(a) **DEFINITIONS REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall define for purposes of joint doctrine the following terms:

(1) The term “preparation of the environment”.

(2) The term “operational preparation of the environment”.

(b) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the terms defined under subsection (a). The report shall include the following:

(1) The definition of the term “preparation of the environment” pursuant to subsection (a).

(2) Examples of activities meeting the definition of the term “preparation of the environment” by special operations forces and general purpose forces.

(3) The definition of the term “operational preparation of the environment” pursuant to subsection (a).

(4) Examples of activities meeting the definition of the term “operational preparation of the environment” by special operations forces and general purpose forces.

(5) An assessment of the appropriate roles of special operations forces and general pur-

pose forces in conducting activities meeting the definition of the term “preparation of the environment” and the definition of the term “operational preparation of the environment”.

**SEC. 902. EXPANSION OF DUTIES AND RESPONSIBILITIES OF THE NUCLEAR WEAPONS COUNCIL.**

(a) **GUIDANCE ON NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS.**—Subsection (d) of section 179 of title 10, United States Code, is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph (10):

“(10) Providing programmatic guidance on nuclear command, control and communications systems.”.

(b) **BUDGET AND FUNDING MATTERS.**—Such section is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) **BUDGET AND FUNDING MATTERS.**—(1) The Council shall submit to Congress each year, at the same time the budget of the President for the fiscal year beginning in such year is submitted to Congress pursuant to section 1105(a) of title 31, a certification whether or not the amounts requested for the National Nuclear Security Administration in such budget, and anticipated over the four fiscal years following such budget, meets nuclear stockpile and stockpile stewardship program requirements for such fiscal year and over such four fiscal years. If a member of the Council does not concur in a certification, the certification shall include the reasons for the member’s non-concurrence.

“(2) If a House of Congress adopts a bill authorizing or appropriating funds for the National Nuclear Security Administration for nuclear stockpile and stockpile stewardship program activities or other activities that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.”.

**Subtitle B—Space Activities**

**SEC. 911. OPERATIONALLY RESPONSIVE SPACE PROGRAM OFFICE.**

(a) **IN GENERAL.**—Subsection (a) of section 2273a of title 10, United States Code, is amended to read as follows:

“(a) **IN GENERAL.**—There is within the Air Force Space and Missile Systems Center of the Department of Defense an office known as the Operationally Responsive Space Program Office (in this section referred to as the ‘Office’). The facilities of the Office may not be co-located with the headquarters facilities of the Air Force Space and Missile Systems Center.”.

(b) **HEAD OF OFFICE.**—Subsection (b) of such section is amended by striking “shall be—” and all that follows and inserting “the designee of the Department of Defense Executive Agent for Space. The head of the Office shall report to the Commander of the Air Force Space and Missile Systems Center.”.

(c) **MISSION.**—Subsection (c)(1) of such section is amended by striking “spacecraft” and inserting “launch”.

(d) **SENIOR ACQUISITION EXECUTIVE.**—Paragraph (1) of subsection (e) of such section is amended to read as follows:

“(1) The Program Executive Officer (PEO) for Space shall be the Acquisition Executive of the Office and shall provide streamlined acquisition authorities for projects of the Office.”.

(e) **EXECUTIVE COMMITTEE.**—Such section is further amended by adding at the end the following new subsection:

“(g) EXECUTIVE COMMITTEE.—(1) The Secretary of Defense shall establish for the Office an Executive Committee (to be known as the ‘Operationally Responsive Space Executive Committee’) to provide coordination, oversight, and approval of projects of the Office.

“(2) The Executive Committee shall consist of the officials (and their duties) as follows:

“(A) The Department of Defense Executive Agent for Space, who shall serve as Chair of the Executive Committee and provide oversight, prioritization, coordination, and resources for the Office.

“(B) The Under Secretary of Defense for Acquisition, Technology, and Logistics, who shall provide coordination and oversight of the Office and recommend funding sources for programs of the Office that exceed the approved program baseline.

“(C) The Commander of the United States Strategic Command, who shall validate requirements for systems to be acquired by the Office and participate in approval of any acquisition program initiated by the Office.

“(D) The Commander of the Air Force Space Command, who shall organize, train, and equip forces to support the acquisition programs of the Office.

“(E) Such other officials (and their duties) as the Secretary of Defense considers appropriate.”

(f) TRANSFER OF FISCAL YEAR 2012 FUNDS.—(1) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from the funds described in paragraph (2), \$60,000,000 to other, higher priority programs of the Air Force.

(2) COVERED FUNDS.—The funds described in this paragraph are amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Air Force, for the Weather Satellite Follow On Program as specified in the funding table in section 4201 of that Act.

(3) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this subsection shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(4) CONSTRUCTION OF AUTHORITY.—The transfer authority in this subsection is in addition to any other transfer authority provided in this Act.

(5) PROGRAM PLAN.—Not later than December 31, 2012, the Secretary shall submit to the congressional defense committees a report setting forth a program plan for higher priority programs described in paragraph (1).

#### SEC. 912. COMMERCIAL SPACE LAUNCH COOPERATION.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

##### “§2275. Commercial space launch cooperation

“(a) AUTHORITY.—The Secretary of Defense may, to assist the Secretary of Transportation in carrying out responsibilities set forth in title 51 with respect to private sector involvement in commercial space activities and public-private partnerships pertaining to space transportation infrastructure, take the following actions:

“(1) Maximize the use by the private sector in the United States of the capacity of the space transportation infrastructure of the Department of Defense.

“(2) Maximize the effectiveness and efficiency of the space transportation infrastructure of the Department.

“(3) Reduce the cost of services provided by the Department related to space transportation infrastructure at launch support facilities and space recovery support facilities.

“(4) Encourage commercial space activities by enabling investment by covered entities in the space transportation infrastructure of the Department.

“(5) Foster cooperation between the Department and covered entities.

“(b) AUTHORITY FOR CONTRACTS AND OTHER AGREEMENTS RELATING TO SPACE TRANSPORTATION INFRASTRUCTURE.—The Secretary of Defense—

“(1) may enter into a contract or other agreement with a covered entity to provide to the covered entity support and services related to the space transportation infrastructure of the Department of Defense; and

“(2) upon the request of that covered entity, may include such support and services in the space launch and reentry range support requirements of the Department if—

“(A) the Secretary determines that the inclusion of such support and services in such requirements—

“(i) is in the best interest of the Federal Government;

“(ii) does not interfere with the requirements of the Department; and

“(iii) does not compete with the commercial space activities of other covered entities, unless that competition is in the national security interests of the United States; and

“(B) any commercial requirement included in that contract or other agreement has full non-Federal funding before the execution of the contract or other agreement.

“(c) CONTRIBUTIONS.—(1) The Secretary of Defense may enter into contracts or other agreements with covered entities on a cooperative and voluntary basis to accept contributions of funds, services, and equipment to carry out this section.

“(2) Any funds, services, or equipment accepted by the Secretary under this subsection—

“(A) may be used only for the objectives specified in this section in accordance with terms of use set forth in the contract or other agreement entered into under this subsection; and

“(B) shall be managed by the Secretary in accordance with regulations of the Department of Defense.

“(3) A contract or other agreement entered into under this subsection with a covered entity—

“(A) shall address the terms of use, ownership, and disposition of the funds, services, or equipment contributed pursuant to the contract or other agreement; and

“(B) shall include a provision that the covered entity will not recover the costs of its contribution through any other contract or agreement with the United States.

“(d) DEFENSE COOPERATION SPACE LAUNCH ACCOUNT.—(1) There is established on the books of the Treasury a special account to be known as the ‘Defense Cooperation Space Launch Account’.

“(2) Funds received by the Secretary of Defense under subsection (c) shall be credited to the Defense Cooperation Space Launch Account.

“(3) Amounts in the Department Defense Cooperation Space Launch Account shall be available, to the extent provided in appropriations Acts, for costs incurred by the Department of Defense under subsection (c). Funds in the Account shall remain available until expended.

“(e) ANNUAL REPORT.—Not later than January 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on the funds, services, and equipment accepted and used by the Sec-

retary under this section during the previous fiscal year.

“(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.

“(g) DEFINITIONS.—In this section:

“(1) COVERED ENTITY.—The term ‘covered entity’ means a non-Federal entity that—

“(A) is organized under the laws of the United States or of any jurisdiction within the United States; and

“(B) is engaged in commercial space activities.

“(2) LAUNCH SUPPORT FACILITIES.—The term ‘launch support facilities’ has the meaning given that term in section 50501(7) of title 51.

“(3) SPACE RECOVERY SUPPORT FACILITIES.—The term ‘space recovery support facilities’ has the meaning given that term in section 50501(11) of title 51.

“(4) SPACE TRANSPORTATION INFRASTRUCTURE.—The term ‘space transportation infrastructure’ has the meaning given that term in section 50501(12) of title 51.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of such title is amended by adding at the end the following new item:

“2275. Commercial space launch cooperation.”

#### SEC. 913. REPORTS ON INTEGRATION OF ACQUISITION AND CAPABILITY DELIVERY SCHEDULES FOR COMPONENTS FOR MAJOR SATELLITE ACQUISITION PROGRAMS AND FUNDING FOR SUCH PROGRAMS.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 912 of this Act, is further amended by adding at the end the following new section:

##### “§2276. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs

“(a) REPORTS REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on each major satellite acquisition program in accordance with subsection (d) that assesses—

“(1) the integration of the schedules for the acquisition and the delivery of the capabilities of the components for the program; and

“(2) funding for the program.

“(b) ELEMENTS.—Each report required by subsection (a) with respect to a major satellite acquisition program shall include the following:

“(1) The amount of funding approved for the program and for each related program that is necessary for the operational capability of the program.

“(2) The dates by which the program is anticipated to reach initial and full operational capability.

“(3) An assessment of the extent to which the schedules for the acquisition and the delivery of the capabilities of the components for the program or any related program referred to in paragraph (1) are integrated.

“(4) If the Under Secretary determines pursuant to the assessment under paragraph (3) that the schedules for the acquisition and the delivery of the capabilities of the components for the program, or a related program referred to in paragraph (1), provide for the acquisition or the delivery of the capabilities of at least two of the three components for the program or related program more than one year apart, an identification of—

“(A) the measures the Under Secretary is taking or is planning to take to improve the integration of those schedules; and

“(B) the risks and challenges that impede the ability of the Department of Defense to fully integrate those schedules.

“(C) CONSIDERATION BY MILESTONE DECISION AUTHORITY.—The Milestone Decision Authority shall include the report required by subsection (a) with respect to a major satellite acquisition program as part of the documentation used to approve the acquisition of the program.

“(d) SUBMITTAL OF REPORTS.—(1) In the case of a major satellite acquisition program initiated before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Under Secretary shall submit the report required by subsection (a) with respect to the program not later than one year after such date of enactment.

“(2) In the case of a major satellite acquisition program initiated on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Under Secretary shall submit the report required by subsection (a) with respect to the program at the time of the Milestone B approval of the program.

“(e) NOTIFICATION TO CONGRESS OF NON-INTEGRATED ACQUISITION AND CAPABILITY DELIVERY SCHEDULES.—If, after submitting the report required by subsection (a) with respect to a major satellite acquisition program, the Under Secretary determines that the schedules for the acquisition and the delivery of the capabilities of the components for the program, or a related program referred to in subsection (b)(1), provide for the acquisition or the delivery of the capabilities of at least two of the three components for the program or related program more than one year apart, the Under Secretary shall, not later than 30 days after making that determination, submit to the congressional defense committees a report—

“(1) notifying the committees of that determination; and

“(2) identifying the measures the Under Secretary is taking or is planning to take to improve the integration of those schedules.

“(f) DEFINITIONS.—In this section:

“(1) COMPONENTS.—The term ‘components’, with respect to a major satellite acquisition program, refers to any satellites acquired under the program and the ground equipment and user terminals necessary for the operation of those satellites.

“(2) MAJOR SATELLITE ACQUISITION PROGRAM.—The term ‘major satellite acquisition program’ means a major defense acquisition program (as defined in section 2430 of this title) for the acquisition of a satellite.

“(3) MILESTONE B APPROVAL.—The term ‘Milestone B approval’ has the meaning given that term in section 2366(e)(7) of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of such title, as so amended, is further amended by adding at the end the following new item: “2276. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs.”

**SEC. 914. DEPARTMENT OF DEFENSE REPRESENTATION IN DISPUTE RESOLUTION REGARDING SURRENDER OF DEPARTMENT OF DEFENSE BANDS OF ELECTROMAGNETIC FREQUENCIES.**

Section 1062(b)(1) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 768; 47 U.S.C. 921 note) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(C) in the event of any dispute resolution process involving the surrender of use of such band, the Department of Defense has adequate representation to convey its views.”

**Subtitle C—Intelligence-Related and Cyber Matters**

**SEC. 921. AUTHORITY TO PROVIDE GEOSPATIAL INTELLIGENCE SUPPORT TO SECURITY ALLIANCES AND INTERNATIONAL AND REGIONAL ORGANIZATIONS.**

(a) EXTENSION OF AUTHORITY TO SECURITY ALLIANCES AND INTERNATIONAL AND REGIONAL ORGANIZATIONS.—Section 443(a) of title 10, United States Code, is amended by inserting “, regional organizations with defense or security components, and international organizations and security alliances of which the United States is a member” after “foreign countries”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 443 of such title is amended to read as follows:

**“§ 443. Imagery intelligence and geospatial information: support for foreign countries, security alliances, and international and regional organizations”.**

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 22 of such title is amended by striking the item relating to section 443 and inserting the following new item:

“443. Imagery intelligence and geospatial information: support for foreign countries, security alliances, and international and regional organizations.”

**SEC. 922. ARMY DISTRIBUTED COMMON GROUND SYSTEM.**

(a) ASSIGNMENT OF RESPONSIBILITY FOR OVERSIGHT.—The Secretary of the Army shall assign responsibility for oversight of the development, acquisition, testing, and fielding of the Distributed Common Ground System (DCGS) cloud computing program of the Army to the Chief Information Officer of the Army ((CIO)/G-6).

(b) REVIEW OF PROGRAM.—

(1) IN GENERAL.—Not later than December 1, 2012, the Chief Information Officer shall submit to the Secretary a report on a review of the Distributed Common Ground System cloud computing program of the Army conducted by the Chief Information Officer for purposes of this section.

(2) ELEMENTS.—The report shall include the following:

(A) An assessment of the program in comparison with commercial products, if applicable, with respect to each of the following:

(i) The effectiveness of analyst tools, user interfaces, and data visualization in supporting analyst missions and requirements.

(ii) Training requirements for analysts.

(iii) Ease of use for analysts.

(iv) Rates of progress in developing analyst tools and linking tools for standard workflows.

(B) An assessment of the soundness of the past decisions of the Army, and the future plans of the Army, for acquiring and integrating analyst tools, user interfaces, and data visualization capabilities through government-sponsored custom development, leasing of commercial solutions, and government open source development.

(C) Such recommendations regarding the program as the Chief Information Officer considers appropriate in light of the review under this subsection.

**SEC. 923. RATIONALIZATION OF CYBER NETWORKS AND CYBER PERSONNEL OF THE DEPARTMENT OF DEFENSE.**

(a) IN GENERAL.—The Secretary of Defense shall take appropriate actions to substan-

tially reduce the number of sub-networks and network enclaves across the Department of Defense, and the associated security and access management controls, in order to achieve the following objectives for the Department:

(1) Visibility for the United States Cyber Command in the operational and security status of all networks, network equipment, and computers.

(2) Elimination of redundant network security infrastructure and personnel.

(3) Rationalization and consolidation of cyber attack detection, diagnosis, and response resources, and elimination of gaps in security coverage.

(4) Reduction of barriers to information sharing and enhancement of the capacity to rapidly create collaborative communities of interest.

(5) Enhancement of access to information through authentication-based and identity-based access controls.

(6) Enhancement of the capacity to deploy, and achieve access to, enterprise-level services.

(7) Separation of server and end-user device computing to facilitate server and data center consolidation and a more secure tiered and zoned network architecture.

(b) PERSONNEL PLAN.—

(1) IN GENERAL.—As part of the actions taken under subsection (a), the Secretary shall establish and carry out a plan to reassign personnel billets currently allocated to network operations and security that will become available pursuant to the reduction in network enclaves required by that subsection to tasks related to potential offensive cyber operations in order to achieve an appropriate balance between the offensive and defensive missions of the United States Cyber Command and its components. The plan shall include targets for the number of personnel to be reassigned to tasks related to offensive operations, and the rate at which such personnel shall be added to the workforce for such tasks.

(2) DISPOSITION OF PERSONNEL.—In developing the plan required by paragraph (1), the Secretary shall—

(A) determine whether the number of personnel required to be reassigned to tasks related to offensive operations in order to achieve the balance described in paragraph (1) will be met, in pace and numbers, through the reassignment of personnel billets pursuant to the plan; and

(B) if the Secretary determines that the number of personnel so required will not be so met (whether because of insufficient numbers of personnel in billets to be reassigned or because personnel available for reassignment cannot be trained or directed to tasks related to offensive operations), take appropriate actions to ensure the availability to the United States Cyber Command of appropriate numbers of personnel qualified to undertake tasks related to offensive operations.

(3) SUBMITTAL TO CONGRESS.—The Secretary shall submit the plan required by paragraph (1) to the congressional defense committees at the time of the submittal to Congress of the budget of the President for fiscal year 2014 pursuant to section 1105(a) of title 31, United States Code.

**SEC. 924. NEXT-GENERATION HOST-BASED CYBER SECURITY SYSTEM FOR THE DEPARTMENT OF DEFENSE.**

(a) STRATEGY FOR ACQUISITION OF SYSTEM REQUIRED.—The Chief Information Officer of the Department of Defense shall, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, develop a strategy to acquire next-generation host-based cybersecurity tools and capabilities (in this section referred to as a

“next-generation system”) for the Department of Defense.

(b) ELEMENTS OF SYSTEM.—It is the sense of Congress that any next-generation system acquired under the strategy required by subsection (a) should meet the following requirements:

(1) To overcome problems and limitations in current capabilities, the system should not rely on anti-virus or signature-based threat detection techniques that—

(A) cannot address new or rapidly morphing threats;

(B) consume substantial amounts of communications capacity to remain current with known threats and to report current status; or

(C) consume substantial amounts of resources to store rapidly growing threat libraries.

(2) The system should provide an open architecture-based framework for so-called “plug-and-play” integration of a variety of types of deployable tools in addition to cyber intrusion detection tools, including tools for—

(A) insider threat detection;

(B) continuous monitoring and configuration management;

(C) remediation following infections; and

(D) protection techniques that do not rely on detection of the attack, such as virtualization, and diversification of attack surfaces.

(3) The system should be designed for ease of deployment to potentially millions of host devices of tailored security solutions depending on need and risk, and to be compatible with cloud-based, thin-client, and virtualized environments as well as battlefield devices and weapons systems.

(c) SUBMITTAL TO CONGRESS.—The Chief Information Officer shall submit to Congress a report setting forth the strategy required by subsection (a) together with the budget justification materials of the Department of Defense submitted to Congress with the budget of the President for fiscal year 2015 pursuant to section 1105(a) of title 31, United States Code.

**SEC. 925. IMPROVEMENTS OF SECURITY, QUALITY, AND COMPETITION IN COMPUTER SOFTWARE PROCURED BY THE DEPARTMENT OF DEFENSE.**

(a) COMPREHENSIVE PROGRAM ON IMPROVEMENT OF PROCUREMENT OF COMPUTER SOFTWARE.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in coordination with the Chief Information Officer of the Department of Defense, develop a comprehensive program for improvements of the security, quality, and competition in the computer software procured by the Department of Defense for covered systems

(b) UPDATE OF DEVELOPMENT AND ACQUISITION MODELS.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in coordination with the Chief Information Officer, provide for the development of updates and improvements to one or more existing best-practice development and acquisition models (such as the Capability Maturity Model Integration) in order to provide explicit guidance under such model or models for improved assurance, security, quality, and resiliency in the computer software developed and procured by the Department.

(2) ELEMENTS.—Any update or improvement to a development and acquisition model under this subsection shall—

(A) include diagnostic methods that enable evaluations of conformance to the processes and best practices of the model for achieving quality, assurance, and security throughout the life cycle of software products concerned; and

(B) be compatible with the variety of current agile and incremental software development methodologies.

(c) REQUIREMENTS FOR SECURE CODE DEVELOPMENT PRACTICES.—The Under Secretary shall, in coordination with the Chief Information Officer—

(1) direct the Director of the Defense Information Systems Agency to modify the Application Security and Development Security Technical Implementation Guide (STIG) to require (rather than highly recommend) the use of automated static vulnerability analysis tools in the computer software code development phase, and in development and operational testing, to identify and remediate security vulnerabilities for covered systems;

(2) develop a list of qualified government and private-sector static analysis tools and third-party testing organizations to support the requirement under paragraph (1);

(3) direct the Director—

(A) to designate secure software coding standards; and

(B) to modify the Security Technical Implementation Guide to reference the approved standards; and

(4) develop guidance and direction for Department program managers to require government software development and maintenance organizations and contractors to identify and implement, through contract statements of work, a secure software coding plan that includes verifiable processes and practices.

(d) VERIFICATION OF EFFECTIVE IMPLEMENTATION.—The Under Secretary shall, in coordination with the Chief Information Officer, develop guidance and direction for Department program managers for covered systems to do as follows:

(1) To require evidence that government software development and maintenance organizations and contractors are conforming in computer software coding to—

(A) approved secure coding standards of the Department during software development, upgrade and maintenance activities, including through the use of inspection and appraisals;

(B) an applicable best practice development and acquisition model; and

(C) the requirement established pursuant to subsection (b)(1).

(2) To make appropriate use of authorized software code assessment centers (whether a government center, Federally funded research and development center, or government contractor) to evaluate applications and software products for conformance to secure coding requirements.

(e) STUDY ON ADDITIONAL MEANS OF IMPROVING SOFTWARE SECURITY.—

(1) IN GENERAL.—The Under Secretary shall, in coordination with the Chief Information Officer, provide for a study of potential mechanisms for obtaining higher quality and secure development of computer software for the Department.

(2) MECHANISMS TO BE STUDIED.—The mechanisms studied under paragraph (1) may include the following:

(A) Liability for defects or vulnerabilities in software code.

(B) So-called “clawback” provisions on earned fees that enable the Department to recoup funds for security vulnerabilities discovered after software is delivered.

(C) Exemption from liability for rigorous conformance with secure development processes.

(D) Warranties against software defects and vulnerabilities.

(f) SOFTWARE REPOSITORIES AND COLLABORATIVE DEVELOPMENT ENVIRONMENTS.—The Under Secretary shall, in consultation with the Chief Information Officer—

(1) establish or require the use of one or more existing computer software repositories and collaborative computer software development environments (such as Forge.mil managed by the Defense Information Systems Agency) for covered systems for purposes of—

(A) storing software code owned by the government, or to which it has use rights, together with all associated documentation and quality and security test results;

(B) minimizing duplicative investment in software code development infrastructure while promoting common, high-quality development practices and facilitating sharing of best practices; and

(C) promoting software re-use and competition for software capability insertion, upgrades, and maintenance;

(2) establish rules and procedures for depositors in the repositories and environments provided for under paragraph (1) to keep the software code base current, if the depositors are not already using such a repository or environment for software development and life-cycle management; and

(3) ensure that the repositories and environments provided for under paragraph (1) provide automated tools for software reverse engineering, functionality analysis, and static and dynamic vulnerability analysis of source code and binary code in order to enable users to search for software relevant to their requirements, understand what the code does and how it functions, and assess its quality and security.

(g) COVERED SYSTEMS DEFINED.—In this section, the term “covered systems” means any Department of Defense critical information systems and weapons systems, including—

(1) major systems, as that term is defined in section 2302(5) of title 10, United States Code;

(2) national security systems, as that term is defined in section 3542(b)(2) of title 44, United States Code; and

(3) Department of Defense information systems categorized as Mission Assurance Category I in Department of Defense Directive 8500.01E that are funded by the Department of Defense.

**SEC. 926. COMPETITION IN CONNECTION WITH DEPARTMENT OF DEFENSE DATA LINK SYSTEMS.**

(a) COMPETITION IN CONNECTION WITH DATA LINK SYSTEMS.—

(1) IN GENERAL.—Not later than December 1, 2013, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(A) develop an inventory of all data link systems in use and in development in the Department of Defense;

(B) conduct a business case analysis of each data link system contained in the inventory under subparagraph (A) to determine whether—

(i) the maintenance, upgrade, new deployment, or replacement of such system should be open to competition; or

(ii) the data link should be converted to an open architecture, or a different data link standard should be adopted to enable such competition;

(C) for each data link system for which competition is determined advisable under clause (i) or (ii) of subparagraph (B), develop a plan (with specific objectives, actions, and schedules) to achieve such competition, including a plan to address any policy, legal, programmatic, or technical barriers to such competition; and

(D) for each data link system for which competition is determined not advisable under subparagraph (B), prepare a justification for the determination that it is not practical to conduct such competition or to



convert the data link standard to open architecture or adopt a different data link standard for which competition is feasible.

(2) **ELEMENT OF BUSINESS CASE ANALYSES.**—In conducting a business case analysis for purposes of paragraph (1)(B), the Under Secretary shall solicit the views of industry on the merits and feasibility of introducing competition for the maintenance, upgrade, new deployment, or replacement for the data link system in question.

(b) **EARLIER ACTIONS.**—If the Under Secretary completes any portion of the plan described in subsection (a)(1)(C) before December 1, 2013, the Secretary may commence action on such portion of the plan upon completion of such portion, including publication of such portion of the plan.

(c) **REPORTS.**—

(1) **SUBMITTAL OF PLAN TO CONGRESS.**—The Under Secretary shall submit to Congress the plan described in subsection (a)(1)(C) at the same time the budget of the President for fiscal year 2015 is submitted to Congress pursuant to section 1105(a) of title 31, United States Code. The Under Secretary shall include with the plan—

(A) a list of the data link systems covered by subsection (a)(1)(C);

(B) a list of the data link systems covered by subsection (a)(1)(D); and

(C) for each data link system covered by subsection (a)(1)(D), the justification prepared under that subsection with respect to the data link system.

(2) **COMPTROLLER OF THE UNITED STATES ASSESSMENT.**—Not later than 90 days after the submittal to Congress under paragraph (1) of the plan described in subsection (a)(1)(C), the Comptroller General of the United States shall submit to Congress a report setting forth the assessment of the Comptroller General of the plan, including an assessment of the adequacy and objectives of the plan.

**SEC. 927. INTEGRATION OF CRITICAL SIGNALS INTELLIGENCE CAPABILITIES.**

(a) **PLAN FOR INTEGRATION REQUIRED.**—

(1) **IN GENERAL.**—Not later than January 1, 2013, the Director of the Intelligence, Surveillance, and Reconnaissance (ISR) Task Force shall develop a plan to rapidly achieve an operationally integrated signals intelligence collection and dissemination capability to meet requirements for detecting, tracking, and precisely geolocating high-band communications devices in order to trigger the immediate observation and tracking of high-value targets by imagery sensor by combining or integrating capabilities that exist or are in development in ongoing programs, including the following:

(A) The Guardrail program and the ARGUS A160 program of the Army.

(B) The Blue Moon quick reaction capability program of the Air Force.

(C) The Wide Area Network Detection program of the Defense Advanced Research Projects Agency (DARPA).

(2) **CONSULTATION.**—The Director shall consult with the National Security Agency, the combatant commands (including the United States Special Operations Command), and the formal wireless working groups of the intelligence community in developing the plan.

(3) **SUPPORT.**—The Secretary of the Army, the Secretary of the Air Force, and the Director of the Defense Advanced Research Projects Agency shall each provide the Director such information and support as the Director shall require for the development of the plan.

(b) **DEVELOPMENT AND DEPLOYMENT.**—In addition to the responsibility under subsection (a), the Director of the Intelligence, Surveillance, and Reconnaissance Task Force shall also coordinate funding, provide acquisition oversight, coordinate system deployment,

and synchronize operational integration in support of combat operations for purposes of the development and deployment of the capability described in that subsection.

**SEC. 928. COLLECTION AND ANALYSIS OF NETWORK FLOW DATA.**

(a) **DEVELOPMENT OF TECHNOLOGIES.**—The Chief Information Officer of the Department of Defense may, in coordination with the Under Secretary of Defense for Policy and the Under Secretary of Defense for Intelligence and acting through the Director of the Defense Information Systems Agency (DISA), use the available funding and research activities and capabilities of the Community Data Center of the Defense Information Systems Agency to develop and demonstrate collection, processing, and storage technologies for network flow data that—

(1) are potentially scalable to the volume used by Tier 1 Internet Service Providers (ISPs) to collect and analyze the flow data across their networks;

(2) will substantially reduce the cost and complexity of capturing and analyzing high volumes of flow data; and

(3) support the capability—

(A) to detect and identify cybersecurity threats, networks of compromised computers, and command and control sites used for managing illicit cyber operations and receiving information from compromised computers;

(B) track illicit cyber operations for attribution of the source; and

(C) provide early warning and attack assessment of offensive cyber operations.

(b) **COORDINATION.**—Any research and development required in the development of the technologies described in subsection (a) shall be conducted in cooperation with the heads of other appropriate departments and agencies of the Federal Government and, whenever feasible, Tier 1 Internet Service Providers.

**SEC. 929. DEPARTMENT OF DEFENSE USE OF NATIONAL SECURITY AGENCY CLOUD COMPUTING DATABASE AND INTELLIGENCE COMMUNITY CLOUD COMPUTING INFRASTRUCTURE AND SERVICES.**

(a) **LIMITATION ON USE OF NSA DATABASE.**—

(1) **LIMITATION.**—No component of the Department of Defense may utilize the cloud computing database developed by the National Security Agency (NSA) called Accumulo after September 30, 2013, unless the Chief Information Officer of the Department of Defense certifies one of the following:

(A) That there are no viable commercial open source databases with extensive industry support (such as the Apache Foundation HBase and Cassandra databases) that have security features comparable to the Accumulo database that are considered essential by the Chief Information Officer for purposes of the certification under this paragraph.

(B) That the Accumulo database has become a successful Apache Foundation open source database with adequate industry support and diversification, based on criteria to be established by the Chief Information Officer for purposes of the certification under this paragraph and submitted to the appropriate committees of Congress not later than January 1, 2013.

(2) **CONSTRUCTION.**—The limitation in paragraph (1) shall not apply to the National Security Agency.

(b) **ADAPTATION OF ACCUMULO SECURITY FEATURES TO HBASE DATABASE.**—The Director of the National Security Agency shall take appropriate actions to ensure that companies and organizations developing and supporting open source and commercial open source versions of the Apache Foundation

HBase and Cassandra databases, or similar systems, receive technical assistance from government and contractor developers of software code for the Accumulo database to enable adaptation and integration of the security features of the Accumulo database.

(c) **COORDINATION REGARDING DOD USE OF INTELLIGENCE COMMUNITY CLOUD COMPUTING INFRASTRUCTURE AND SERVICES.**—

(1) **IN GENERAL.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer of the Department of Defense, and the Chief Information Officer of each of the military departments shall coordinate with the Director of National Intelligence and the Under Secretary of Defense for Intelligence regarding the use of cloud computing infrastructure and software services offered by the intelligence community by components of the Department of Defense for purposes other than intelligence analysis.

(2) **PURPOSE.**—The purpose of the coordination required by paragraph (1) is to ensure that Department use of cloud computing infrastructure and software services described in that paragraph is cost-effective and consistent with the Information Technology Efficiencies initiative, data center and server consolidation plans, and cybersecurity requirements and policies of the Department.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 930. ELECTRO-OPTICAL IMAGERY.**

(a) **SUSTAINMENT OF COLLECTION CAPACITY.**—The Secretary of Defense and the Director of National Intelligence shall jointly take appropriate actions to sustain through fiscal year 2013 the commercial electro-optical imaging collection capacity that was planned under the Enhanced View program approved in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) to be available to the Department of Defense through the Service Level Agreements with commercial data providers.

(b) **IDENTIFICATION OF DEPARTMENT OF DEFENSE ELECTRO-OPTICAL IMAGERY REQUIREMENTS.**—

(1) **REPORT.**—Not later than April 1, 2013, the Vice Chairman of the Joint Chiefs of Staff shall submit to the Director of the Congressional Budget Office a report setting forth a comprehensive description of Department of Defense peacetime and wartime requirements for electro-optical imagery under current circumstances and under anticipated revisions of strategy and budgetary constraints.

(2) **SCOPE OF REQUIREMENTS.**—The requirements under paragraph (1) shall—

(A) be expressed in such terms as daily regional and global area coverage and number of point targets, resolution, revisit rates, mean-time to access, latency, redundancy, survivability, and diversity; and

(B) take into consideration all types of imagery and collection means available.

(c) **ASSESSMENT OF IDENTIFIED REQUIREMENTS.**—

(1) **IN GENERAL.**—Not later than September 15, 2013, the Director of the Congressional Budget Office shall submit to the appropriate committees of Congress a report setting forth an assessment by the Director of the report required by subsection (b).

(2) **ELEMENTS.**—The assessment required by paragraph (1) shall include an assessment of the following:

(A) The extent to which the requirements of the Department for electro-optical imagery from space can be satisfied by commercial companies using either—

- (i) current designs; or
- (ii) enhanced designs that could be developed at low risk.

(B) Whether a reduction by half in the amounts requested for the Enhanced View program for fiscal year 2013 from amounts requested for that program for fiscal year 2012 is consistent with Presidential Space Policy of June 2010, Presidential Policy Directive 4, applicable provisions of the Federal Acquisition Regulation (10.001(a)(3)(ii) and 12.101(a)-(b)), and section 2377 of title 10, United States Code, regarding preferences for procuring commercial capabilities and modifying as necessary and feasible commercial capabilities to meet government requirements, and for modifying government requirements to a reasonable extent to enable commercial or non-developmental products to meet government needs.

(3) CONSULTATION AND OTHER RESOURCES.—In preparing the assessment required by paragraph (1), the Director shall—

(A) consult widely with appropriate individuals and entities, including Members and committees of Congress, the Office of Management and Budget and other agencies and officials of the Government, private industry, and academia; and

(B) make maximum use of existing studies and modeling and simulations conducted by or on behalf of Members and committees of Congress, the Joint Staff, the Director of National Intelligence, the National Reconnaissance Office, the National Geospatial-Intelligence Agency, private industry, and academia.

(4) ACCESS TO INFORMATION.—The Director of National Intelligence and the Secretary of Defense shall each provide the staff of the Director of the Congressional Budget Office with such access to information and programs applicable to the assessment required by paragraph (1) as the Director of the Congressional Budget Office shall require for the preparation of the assessment.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) FUNDING.—In addition to any other amounts authorized to be appropriated by this Act and available for Service Level Agreements described in subsection (a), of the amounts authorized to be appropriated for fiscal year 2013 by section 301 for operation and maintenance and available as specified in the funding table in section 4301, \$125,000,000 is available for such Service Level Agreements.

**SEC. 931. SOFTWARE LICENSES OF THE DEPARTMENT OF DEFENSE.**

(a) AUDITS.—Not later than 180 days after the date of the enactment of this Act, and every two years thereafter, the Chief Information Officer of the Department of the Defense shall, in consultation with chief information officers of the military departments and the Defense Agencies—

(1) conduct an inventory of all existing software licenses in favor of the Department of Defense, including licenses in use and licenses not in use, on an application-by-application basis;

(2) compare the number of software licenses in use, and the manner of their use by Department employees, with the number of software licenses available to the Depart-

ment and the product use rights contained in such licenses;

(3) assess the needs of the Department and the components of the Department for software licenses during the two fiscal years next following the date of the completion of the inventory; and

(4) determine means by which the Department can achieve the greatest possible economies of scale and cost-savings in the procurement, use, and optimization of software licenses.

(b) PERFORMANCE PLAN.—

(1) IN GENERAL.—If the Chief Information Officer determines through an inventory conducted under subsection (a) that the number of existing software licenses, on an application-by-application basis, of the Department and the components of the Department exceeds the needs of the Department for such software licenses, the Secretary of Defense shall, not later than 90 days after the date of the completion of such inventory, implement a plan to bring the number of software licenses, on an application-by-application basis, into balance with the needs of the Department.

(2) EXCEPTIONS.—The Chief Information Officer may exempt from coverage under a plan under paragraph (1) such applications or categories of applications as the Chief Information Officer considers appropriate. Immediately upon finalizing the applications or categories of applications to be exempt from coverage under a plan, the Chief Information Officer shall submit to the congressional defense committees a report (in classified form, if required) setting forth the applications or categories of applications to be exempt from coverage under the plan.

**SEC. 932. DEFENSE CLANDESTINE SERVICE.**

(a) PROHIBITION ON USE OF FUNDS FOR ADDITIONAL PERSONNEL.—Amounts authorized to be appropriated by this Act for the Military Intelligence Program (MIP) may not be obligated or expended to provide for a number of personnel conducting or supporting human intelligence within the Department of Defense in excess of the number of such personnel as of April 20, 2012.

(b) CAPE REPORT ON COSTS.—Not later than 120 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation of the Department of Defense shall submit to the appropriate committees of Congress an independent estimate of the costs of the Defense Clandestine Service, whether funded through the Military Intelligence Program or the National Intelligence Program, including an estimate of the costs over the period of the current future-years defense program and an estimate of the out year costs.

(c) USDI REPORT ON DCS.—

(1) REPORT REQUIRED.—Not later than February 1, 2013, the Under Secretary of Defense for Intelligence shall submit to the appropriate committees of Congress a report on the Defense Clandestine Service.

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

(A) A detailed description of the location and schedule for current and anticipated deployments of case officers trained under the Field Tradecraft Course, whether overseas or domestically, and a certification whether or not such deployments can be accommodated and supported.

(B) A statement of the objectives for the effective management of case officers trained under the Field Tradecraft Course for each of the Armed Forces, the Defense Intelligence Agency, and the United States Special Operations Command, including objectives on numbers of tours requiring training in the Field Tradecraft Course and objectives for management of career tracks and case officer covers.

(C) A statement of the manner in which each Armed Force, the Defense Intelligence Agency, and the United States Special Operations Command will each achieve the objectives applicable thereto under subparagraph (B).

(D) A copy of any memoranda of understanding or memoranda of agreement between the Department of Defense and other departments and agencies of the United States Government, or between components or elements of the Department of Defense, that are required to implement objectives for the Defense Clandestine Service.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(B) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “future-years defense program” means the future-years defense program under section 221 of title 10, United States Code.

**SEC. 933. AUTHORITY FOR SHORT-TERM EXTENSION OF LEASE FOR AIRCRAFT SUPPORTING THE BLUE DEVIL INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE PROGRAM.**

(a) IN GENERAL.—Notwithstanding section 2401 of title 10, United States Code, the Secretary of the Air Force may extend or renew the lease of aircraft supporting the Blue Devil intelligence, surveillance, and reconnaissance program after the date of the expiration of the current lease of such aircraft for a term that is the shorter of—

(1) the period beginning on the date of the expiration of the current lease and ending on the date on which the Commander of the United States Central Command notifies the Secretary that a substitute is available for the capabilities provided by the lease, or that the capabilities provided by such aircraft are no longer required; or

(2) six months.

(b) FUNDING.—Amounts authorized to be appropriated for fiscal year 2013 by title XV and available for Overseas Contingency Operations for operation and maintenance as specified in the funding tables in section 4302 may be available for the extension or renewal of the lease authorized by subsection (a).

**SEC. 934. SENSE OF SENATE ON POTENTIAL SECURITY RISKS TO DEPARTMENT OF DEFENSE NETWORKS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Cybersecurity threats are pervasive and serious, including through the supply chain of information technology equipment and software.

(2) Semiconductor manufacturing is already dominated by foreign producers, presenting supply chain risk management challenges.

(3) In a number of instances, foreign manufacturers of telecommunications equipment, including advanced wireless technology, are gaining global market share due to high quality and low prices. Competitive market forces ensure that commercial providers of consumer, business, and government systems and services will choose equipment and associated software from these manufacturers. In some cases, like Huawei Industries, this competitive position stems in part from inappropriate government subsidies and other forms of assistance.

(4) Some of these companies also present clear cybersecurity supply chain risks that the Government must address.

(5) The Committee on Foreign Investment in the United States has blocked the attempt

by Huawei to acquire United States technology firms on two occasions and the National Security Agency and the Secretary of Commerce have advised two major United States telecommunications carriers against selecting Huawei as a supplier.

(6) The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) provided authority and mechanisms for the Secretary of Defense to control these supply chain risks, but only for National Security Systems, leaving many information technology systems and missions exposed to supply chain risks.

(7) Blocking sales from providers of information technology systems and services due to concerns about cybersecurity risks, while maintaining our commitment to free trade and fair and transparent competition, poses difficult policy challenges.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Department of Defense—

(1) must ensure it maintains full visibility and adequate control of its supply chain, including subcontractors, in order to mitigate supply chain exploitation; and

(2) needs the authority and capability to mitigate supply chain risks to its information technology systems that fall outside the scope of National Security Systems.

#### Subtitle D—Other Matters

#### SEC. 941. NATIONAL LANGUAGE SERVICE CORPS.

(a) AUTHORITY TO ESTABLISH.—The David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) is amended by adding at the end the following new section:

#### “SEC. 813. NATIONAL LANGUAGE SERVICE CORPS.

“(a) ESTABLISHMENT.—(1) The Secretary of Defense may establish and maintain within the Department of Defense a National Language Service Corps (in this section referred to as the ‘Corps’).

“(2) The purpose of the Corps is to provide a pool of personnel with foreign language skills who, as provided in regulations prescribed under this section, agree to provide foreign language services to the Department of Defense or another department or agency of the United States.

“(b) NATIONAL SECURITY EDUCATION BOARD.—If the Corps is established, the Secretary shall provide for the National Security Education Board to oversee and coordinate the activities of the Corps to such extent and in such manner as determined by the Secretary under paragraph (9) of section 803(d).

“(c) MEMBERSHIP.—To be eligible for membership in the Corps, a person must be a citizen of the United States authorized by law to be employed in the United States, have attained the age of 18 years, and possess such foreign language skills as the Secretary considers appropriate for membership in the Corps. Members of the Corps may include employees of the Federal Government and of State and local governments.

“(d) TRAINING.—The Secretary may provide members of the Corps such training as the Secretary prescribes for purposes of this section.

“(e) SERVICE.—Upon a determination that it is in the national interests of the United States, the Secretary shall call upon members of the Corps to provide foreign language services to the Department of Defense or another department or agency of the United States.

“(f) FUNDING.—The Secretary may impose fees, in amounts up to full-cost recovery, for language services and technical assistance rendered by members of the Corps. Amounts of fees received under this section shall be credited to the account of the Department providing funds for any costs incurred by the Department in connection with the Corps. Amounts so credited to such account shall be

merged with amounts in such account, and shall be available to the same extent, and subject to the same conditions and limitations, as amounts in such account. Any amounts so credited shall remain available until expended.”.

#### (b) NATIONAL SECURITY EDUCATION BOARD MATTERS.—

(1) COMPOSITION.—Subsection (b) of section 803 of such Act (50 U.S.C. 1903) is amended—

(A) by striking paragraph (5);

(B) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(C) by inserting after paragraph (4) the following new paragraphs:

“(5) The Secretary of Homeland Security.

“(6) The Secretary of Energy.

“(7) The Director of National Intelligence.”.

(2) FUNCTIONS.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(9) To the extent provided by the Secretary of Defense, oversee and coordinate the activities of the National Language Service Corps under section 813, including—

“(A) identifying and assessing on a periodic basis the needs of the departments and agencies of the Federal Government for personnel with skills in various foreign languages;

“(B) establishing plans to address foreign language shortfalls and requirements of the departments and agencies of the Federal Government;

“(C) recommending effective ways to increase public awareness of the need for foreign languages skills and career paths in the Federal government that use those skills;

“(D) coordinating activities with Executive agencies and State and Local governments to develop interagency plans and agreements to address overall foreign language shortfalls and to utilize personnel to address the various types of crises that warrant foreign language skills; and

“(E) proposing to the Secretary regulations to carry out section 813.”.

#### SEC. 942. REPORT ON EDUCATION AND TRAINING AND PROMOTION RATES FOR PILOTS OF REMOTELY PILOATED AIRCRAFT.

(a) REPORT REQUIRED.—Not later than January 31, 2013, the Secretary of the Air Force and the Chief of Staff of the Air Force shall jointly submit to the congressional defense committees a report on education and training and promotion rates for Air Force pilots of remotely piloted aircraft (RPA).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A detailed analysis of the reasons for persistently lower average education and training and promotion rates for Air Force pilots of remotely piloted aircraft.

(2) An assessment of the long-term impact on the Air Force of the sustainment of such lower rates

(3) A plan to raise such rates, including—

(A) a description of the near-term and longer-term actions the Air Force intends to undertake to implement the plan; and

(B) an analysis of the potential direct and indirect impacts of the plan on the achievement and sustainment of the combat air patrol objectives of the Air Force for remotely piloted aircraft.

### TITLE X—GENERAL PROVISIONS

#### Subtitle A—Financial Matters

#### SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of

Defense in this division for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

#### SEC. 1002. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration for fiscal year 2013 in section 3101 is less than \$7,900,000,000 (the amount projected to be required for such activities in fiscal year 2013 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2013 pursuant to this Act, to the Secretary of Energy an amount, not to exceed \$150,000,000, to be available only for weapons activities of the National Nuclear Security Administration.

(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such notice the Department of Defense account or accounts from which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred under this section shall be transferred in accordance with established procedures for reprogramming under section 1001 or successor provisions of law.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority provided under subsection (a) is in addition to any other transfer authority provided under this Act.

#### SEC. 1003. AUDIT READINESS OF DEPARTMENT OF DEFENSE STATEMENTS OF BUDGETARY RESOURCES.

(a) OBJECTIVE.—Section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2439; 10 U.S.C. 2222 note) is amended by inserting “, and the statement of budgetary resources of the Department of Defense is validated as ready for audit by not later than September 30, 2014” after “September 30, 2017”.

(b) AFFORDABLE AND SUSTAINABLE APPROACH.—

(1) IN GENERAL.—The Chief Management Officer of the Department of Defense and the Chief Management Officers of each of the military departments shall ensure that plans to achieve an auditable statement of budgetary resources of the Department of Defense by September 30, 2014, include appropriate steps to minimize one-time fixes and manual work-arounds, are sustainable and affordable, and will not delay full auditability of financial statements.

(2) ADDITIONAL ELEMENTS IN FIAR PLAN REPORT.—Each semi-annual report on the Financial Improvement and Audit Readiness Plan of the Department of Defense submitted by the Under Secretary of Defense (Comptroller) under section 1003(b) of the National Defense Authorization Act for Fiscal Year 2010 during the period beginning on the date of the enactment of this Act and ending on September 30, 2014, shall include the following:

(A) A description of the actions taken by the military departments pursuant to paragraph (1).

(B) A determination by the Chief Management Officer of each military department whether or not such military department is able to achieve an auditable statement of budgetary resources by September 30, 2014, without an unaffordable or unsustainable level of one-time fixes and manual work-arounds and without delaying the full auditability of the financial statements of such military department.

(C) If the Chief Management Officer of a military department determines under subparagraph (B) that the military department is not able to achieve an auditable statement of budgetary resources by September 30, 2014, as described in that subparagraph—

(i) an explanation why the military department is unable to meet the deadline;

(ii) an alternative deadline by which the military department will achieve an auditable statement of budgetary resources;

(iii) a description of the plan of the military department for meeting the alternative deadline.

**SEC. 1004. REPORT ON EFFECTS OF BUDGET SEQUESTRATION ON THE DEPARTMENT OF DEFENSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) The inability of the Joint Select Committee on Deficit Reduction to find \$1,200,000,000,000 in savings will trigger automatic funding reductions known as “sequestration” to the Department of Defense of \$492,000,000,000 between 2013 and 2021 under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 USC 901a).

(2) These reductions are in addition to reductions of \$487,000,000,000 already being implemented by the Department of Defense, and would decrease the readiness and capabilities of the Armed Forces while increasing risks to the effective implementation of the National Security Strategy of the United States.

(3) The leaders of the Department of Defense have consistently testified that threats to the national security of the United States have increased, not decreased. Secretary of Defense Leon Panetta said that these reductions would “inflict severe damage to our national defense for generations”, comments that have been echoed by the Secretaries of the Army, Navy, and Air Force.

(4) While reductions in funds available for the Department of Defense will automatically commence January 2, 2013, uncertainty regarding the reductions has already exacerbated Department of Defense efforts to plan future defense budget.

(5) Sequestration will have a detrimental effect on the industrial base that supports the Department of Defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than August 15, 2012, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a detailed report on the impact on the Department of Defense of the sequestration of funds authorized and appropriated for fiscal year 2013 for the Department of Defense, if automatically triggered on January 2, 2013, under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

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

(A) An assessment of the potential impact of sequestration on the readiness of the Armed Forces, including impacts to steaming hours, flying hours, and full spectrum training miles, and an estimate of the increase or decrease in readiness (as defined in the C status C-1 through C-5).

(B) An assessment of the potential impact of sequestration on the ability of the Department of Defense to carry out the National Military Strategy of the United States, and any changes to the most recent Risk Assessment of the Chairman of the Joint Chiefs of Staff under section 153(b) of title 10, United States Code arising from sequestration.

(C) A list of the programs, projects, and activities across the Department of Defense, the military departments, and the elements and components of the Department of Defense that would be reduced or terminated as a result of sequestration.

(D) An estimate of the number and value of all contracts that will be terminated, restructured, or revised in scope as a result of sequestration, including an estimate of potential termination costs and of increased contract costs due to renegotiation and reinstatement of contracts.

(3) ASSUMPTIONS.—The report required by paragraph (1) shall assume the following:

(A) Except as provided in subparagraph (B), the funds subject to sequester are the funds in all 050 accounts, including all unobligated balances.

(B) The funds exempt from the sequester are the following:

(i) Funds in accounts for military personnel.

(ii) Funds in accounts for overseas contingency operations.

(4) PRESENTATION OF CERTAIN INFORMATION.—In listing programs, projects, and activities under paragraph (2)(C), the report required by paragraph (1) shall set forth for each the following:

(A) The most specific level of budget item identified in applicable appropriations Acts.

(B) Related classified annexes and explanatory statements.

(C) Department of Defense budget justification documents DOD P-1 and R-1 as subsequently modified by congressional action, and as submitted by the Department of Defense together with the budget materials for the budget of the President for fiscal year 2013 (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code).

(D) Department of Defense document O-1 for operation and maintenance accounts for fiscal year 2013, for which purpose the term “program, project, or activity” means the budget activity account and sub account for the program, project, or activity as submitted in such document O-1.

**Subtitle B—Counter-Drug Activities**

**SEC. 1011. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.**

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 371 note) is amended by striking “2012” and inserting “2013”.

**SEC. 1012. REQUIREMENT FOR BIENNIAL CERTIFICATION ON PROVISION OF SUPPORT FOR COUNTER-DRUG ACTIVITIES TO CERTAIN FOREIGN GOVERNMENTS.**

Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1881), as most recently amended by section 1006 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1557), is further amended—

(1) in subsection (f)—

(A) in paragraph (1), by striking “the written certification described in subsection (g) for that fiscal year.” and inserting “a written certification described in subsection (g) applicable to that fiscal year. The first such certification with respect to any such government may apply only to a period of one fiscal year. Subsequent certifications with respect to any such government may apply to a period of not to exceed two fiscal years.”; and

(B) in paragraph (4)(B), by striking “The Committee on National Security and the Committee on International Relations of the House of Representatives” and inserting “The Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives”; and

(2) in subsection (g), in the matter preceding paragraph (1)—

(A) by striking “The written” and inserting “A written”; and

(B) by striking “for a fiscal year” and all that follows through the colon and inserting “with respect to a government to receive support under this section for any period of time is a certification of each of the following with respect to that government:”.

**SEC. 1013. AUTHORITY TO SUPPORT THE UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.**

(a) AUTHORITY.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated by section 1404 for the Department of Defense for drug interdiction and counter-drug activities, Defense-wide for fiscal year 2013, not more than \$50,000,000 may be used by the Secretary of Defense to provide in support of a unified campaign by the Government of Colombia against narcotics trafficking and against terrorist organizations (as designated by the Secretary of State) in Colombia the following:

(A) Logistics support, services, and supplies.

(B) The types of support authorized under section 1004(b) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 374 note).

(C) The types of support authorized under section 1033(c) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85).

(2) SCOPE OF AUTHORITY.—The authority to provide assistance for a campaign under this subsection includes authority to take actions to protect human health and welfare in emergency circumstances, including the undertaking of rescue operations.

(b) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in this subsection that is otherwise prohibited by any provision of law.

(c) **LIMITATION ON PARTICIPATION OF UNITED STATES PERSONNEL.**—No United States Armed Forces personnel, United States civilian employees, or United States civilian contractor personnel employed by the United States may participate in any combat operation in connection with assistance using funds pursuant to the authority in subsection (a), except for the purpose of acting in self defense or of rescuing any United States citizen, including any United States Armed Forces personnel, United States civilian employee, or civilian contractor employed by the United States.

(d) **RELATION TO OTHER AUTHORITIES.**—The authority provided by subsection (a) is in addition to any other authority in law to provide assistance to the Government of Colombia.

(e) **REPORT.**—

(1) **IN GENERAL.**—Not later than November 1 following any fiscal year in which the Secretary of Defense provides support under subsection (a), the Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) A description of the support provided, including—

- (i) a description of the support;
- (ii) the cost of the support;
- (iii) a list of the Colombia units to which support was provided; and
- (iv) a list of the Colombia operations supported.

(B) Guidance for future Department of Defense support for a unified campaign by the Government of Colombia against narcotics trafficking and terrorism.

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

**SEC. 1014. QUARTERLY REPORTS ON USE OF FUNDS IN THE DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE ACCOUNT.**

(a) **QUARTERLY REPORTS ON EXPENDITURES OF FUNDS.**—Not later than 60 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of the expenditure of funds, by project code, from the Drug Interdiction and Counter-Drug Activities, Defense-wide account during such fiscal year quarter, including expenditures of funds in direct or indirect support of the counter-drug activities of foreign governments.

(b) **INFORMATION ON SUPPORT OF COUNTER-DRUG ACTIVITIES OF FOREIGN GOVERNMENTS.**—The information in a report under subsection (a) on direct or indirect support of the counter-drug activities of foreign governments shall include, for each foreign government so supported, the following:

(1) The total amount of assistance provided to, or expended on behalf of, the foreign government.

(2) A description of the types of counter-drug activities conducted using the assistance.

(3) An explanation of the legal authority under which the assistance was provided.

(c) **CESSATION OF REQUIREMENT.**—No report shall be required under subsection (a) for any fiscal year quarter beginning on or after October 1, 2017.

(d) **REPEAL OF OBSOLETE AUTHORITY.**—Section 1022 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398) is repealed.

**Subtitle C—Naval Vessels and Shipyards**

**SEC. 1021. RETIREMENT OF NAVAL VESSELS.**

(a) **REPORT REQUIRED.**—Not later than 30 days after the date of the enactment of this Act, the Chief of Naval Operations shall submit to the congressional defense committees

a report that sets forth a comprehensive description of the current requirements of the Navy for combatant vessels of the Navy, including submarines.

(b) **ADDITIONAL REPORT ELEMENT IF LESS THAN 313 VESSELS REQUIRED.**—If the number of combatant vessels for the Navy (including submarines) specified as being required in the report under subsection (a) is less than 313 combatant vessels, the report shall include a justification for the number of vessels specified as being so required and the rationale by which the number of vessels is considered consistent with applicable strategic guidance issued by the President and the Secretary of Defense in 2012.

**SEC. 1022. TERMINATION OF A MARITIME PREPOSITIONING SHIP SQUADRON.**

(a) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Chief of Naval Operations and the Commandant of the Marine Corps shall jointly submit to the congressional defense committees a report setting forth an assessment of the Marine Corps Prepositioning Program—Norway and the capability of that program to address any readiness gaps that will be created by the termination of Maritime Prepositioning Ship Squadron One in the Mediterranean.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A detailed description of the time required to transfer stockpiles onto Navy vessels for use in contingency operations.

(B) A comparison of the response time of the Marine Corps Prepositioning Program—Norway with the current response time of Maritime Prepositioning Ship Squadron One.

(C) A description of the equipment stored in the stockpiles of the Marine Corps Prepositioning Program—Norway, and an assessment of the differences, if any, between that equipment and the equipment of a Maritime Prepositioning Ship squadron.

(D) A description and assessment of the current age and state of maintenance of the equipment of the Marine Corps Maritime Prepositioning Program—Norway.

(E) A plan to address the equipment shortages and modernization needs of the Marine Corps Maritime Prepositioning Program—Norway.

(b) **LIMITATION ON AVAILABILITY OF FUNDS.**—Amounts authorized to be appropriated by this Act may not be obligated or expended to terminate a Maritime Prepositioning Ship squadron until the date of the submittal to the congressional defense committees of the report required by subsection (a).

**SEC. 1023. SENSE OF CONGRESS ON RECAPITALIZATION FOR THE NAVY AND COAST GUARD.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) More than 70 percent of the world's surface is comprised of navigable oceans.

(2) More than 80 percent of the population of the world lives within 100 miles of an ocean.

(3) More than 90 percent of the world's commerce traverses an oceans.

(4) The national security of the United States is inextricably linked to the maintenance of global freedom of access for both the strategic and commercial interests of the United States.

(5) To maintain that freedom of access the sea services of the United States, composed of the Navy, the Marine Corps, and the Coast Guard, must be sufficiently positioned as rotationally globally deployable forces with the capability to decisively defend United States citizens, homeland, and interests abroad from direct or asymmetric attack and must be comprised of sufficient vessels to maintain global freedom of action.

(6) To achieve appropriate capabilities to ensure national security the Government of the United States must continue to recapitalize the fleets of the Navy and Coast Guard and must continue to conduct vital maintenance and repair of existing vessels to ensure such vessels meet service life goals.

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

(1) the sea services of the United States should be funded and maintained to provide the broad spectrum of capabilities required to protect the national security of the United States;

(2) such capabilities should include—

(A) the ability to project United States power rapidly anywhere on the globe without the need for host nation basing permission or long and potentially vulnerable logistics supply lines;

(B) the ability to land and recover maritime forces from the sea for direct combat action, to evacuate United States citizens from hostile situations, and to provide humanitarian assistance where needed;

(C) the ability to operate from the subsurface with overpowering conventional combat power, as well as strategic deterrence; and

(D) the ability to operate in collaboration with United States maritime partners in the common interest of preventing piracy at sea and maintaining the commercial sea lanes available for global commerce;

(3) the Secretary of Defense, in coordination with the Secretary of the Navy, should maintain the recapitalization plans for the Navy as a priority in all future force structure decisions; and

(4) the Secretary of Homeland Security should maintain the recapitalization plans for the Coast Guard as a priority in all future force structure decisions.

**Subtitle D—Counterterrorism**

**SEC. 1031. EXTENSION OF CERTAIN PROHIBITIONS AND REQUIREMENTS RELATING TO DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) **PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN US FOR TRANSFER OF DETAINEES.**—Section 1026(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1566) is amended by inserting “or 2013” after “fiscal year 2012”.

(b) **REQUIREMENTS FOR CERTIFICATIONS ON TRANSFERS OF DETAINEES TO FOREIGN COUNTRIES OR ENTITIES.**—Section 1028(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1567; 10 U.S.C. 801 note) is amended by inserting “or 2013” after “fiscal year 2012”.

**Subtitle E—Miscellaneous Authorities and Limitations**

**SEC. 1041. ENHANCEMENT OF RESPONSIBILITIES OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF REGARDING THE NATIONAL MILITARY STRATEGY.**

(a) **IN GENERAL.**—Subsection (b) of section 153 of title 10, United States Code, is amended to read as follows:

“(b) **NATIONAL MILITARY STRATEGY.**—

“(1) **NATIONAL MILITARY STRATEGY.**—(A) The Chairman shall determine each even-numbered year whether to prepare a new National Military Strategy in accordance with this subparagraph or to update a strategy previously prepared in accordance with this subsection. The Chairman shall complete preparation of the National Military Strategy or update in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

“(B) Each National Military Strategy (or update) under this paragraph shall be based

on a comprehensive review conducted by the Chairman in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the unified and specified combatant commands.

“(C) Each National Military Strategy (or update) submitted under this paragraph shall refer to and support each of the following:

“(i) The most recent National Security Strategy prescribed by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 404a).

“(ii) The most recent annual report of the Secretary of Defense submitted to the President and Congress pursuant to section 113 of this title.

“(iii) The most recent Quadrennial Defense Review conducted by the Secretary of Defense pursuant to section 118 of this title.

“(iv) Any other national security or defense strategic guidance issued by the President or the Secretary of Defense.

“(D) Each National Military Strategy (or update) submitted under this paragraph shall do the following:

“(i) Describe the strategic environment and the opportunities and challenges that affect United States national interests and United States national security.

“(ii) Describe the threats, such as international, regional, transnational, hybrid, terrorism, cyber-attack, weapons of mass destruction, asymmetric challenges, and any other categories of threats identified by the Chairman, to the United States national security.

“(iii) Identify the United States national military objectives and the relationship of those objectives to the strategic environment and to the threats described under clause (ii).

“(iv) Identify the operational concepts, missions, tasks, or activities necessary to support the achievement of the objectives identified under clause (iii).

“(v) Identify the fiscal, budgetary, and resource environments and conditions that, in the assessment of the Chairman, impact the strategy.

“(vi) Identify the implications of current force planning and sizing constructs for the strategy.

“(vii) Identify and assess the capacity, capabilities, and availability of United States forces (including both the regular and reserve components) to support the execution of missions required by the strategy.

“(viii) Identify areas in which the armed forces intends to engage and synchronize with other departments and agencies of the United States Government contributing to the execution of missions required by the strategy.

“(ix) Identify and assess potential areas in which the armed forces could be augmented by contributions from alliances (such as the North Atlantic Treaty Organization (NATO)), international allies, or other friendly nations in the execution of missions required by the strategy.

“(x) Identify and assess the requirements for contractor support to the armed forces for conducting training, peacekeeping, overseas contingency operations, and other major combat operations under the strategy.

“(xi) Identify the assumptions made with respect to each of clauses (i) through (x).

“(E) Each update to a National Military Strategy under this paragraph shall address only those parts of the most recent National Military Strategy for which the Chairman determines, on the basis of a comprehensive review conducted in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the combatant commands, that a modification is needed.

“(2) RISK ASSESSMENT.—(A) The Chairman shall prepare each year an assessment of the

risks associated with the most current National Military Strategy (or update) under paragraph (1). The risk assessment shall be known as the ‘Risk Assessment of the Chairman of the Joint Chiefs of Staff’. The Chairman shall complete preparation of the Risk Assessment in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

“(B) The Risk Assessment shall do the following:

“(i) As the Chairman considers appropriate, update any changes to the strategic environment, threats, objectives, force planning and sizing constructs, assessments, and assumptions in the National Military Strategy.

“(ii) Identify and define the strategic risks to United States interests and the military risks in executing the missions of the National Military Strategy.

“(iii) Identify and define levels of risk distinguishing between the concepts of probability and consequences, including an identification of what constitutes ‘significant’ risk in the judgment of the Chairman.

“(iv) Identify and assess risk in the National Military Strategy by category and level and the ways in which risk might manifest itself, including how risk is projected to increase, decrease, or remain stable over time, and, for each category of risk, assess the extent to which current or future risk increases, decreases, or is stable as a result of budgetary priorities, tradeoffs, or fiscal constraints or limitations as currently estimated and applied in the most current future-years defense program under section 221 of this title.

“(v) Identify and assess risk associated with the assumptions or plans of the National Military Strategy about the contributions or support of—

“(I) other departments and agencies of the United States Government (including their capabilities and availability);

“(II) alliances, allies, and other friendly nations, (including their capabilities, availability, and interoperability); and

“(III) contractors.

“(vi) Identify and assess the critical deficiencies and strengths in force capabilities (including manpower, logistics, intelligence, and mobility support) identified during the preparation and review of the contingency plans of each unified combatant command, and identify and assess the effect of such deficiencies and strengths for the National Military Strategy.

“(3) SUBMITTAL OF NATIONAL MILITARY STRATEGY AND RISK ASSESSMENT TO CONGRESS.—(A) Not later than February 15 of each even-numbered year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Representatives the National Military Strategy or update, if any, prepared under paragraph (1) in such year.

“(B) Not later than February 15 each year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Representatives the Risk Assessment prepared under paragraph (2) in such year.

“(4) SECRETARY OF DEFENSE REPORTS TO CONGRESS.—(A) In transmitting a National Military Strategy (or update) or Risk Assessment to Congress pursuant to paragraph (3), the Secretary of Defense shall include in the transmittal such comments of the Secretary thereon, if any, as the Secretary considers appropriate.

“(B) If the Risk Assessment transmitted under paragraph (3) in a year includes an assessment that a risk or risks associated with

the National Military Strategy (or update) are significant, or that critical deficiencies in force capabilities exist for a contingency plan described in paragraph (2)(B)(vi), the Secretary shall include in the transmittal of the Risk Assessment the plan of the Secretary for mitigating such risk or deficiency. A plan for mitigating risk of deficiency under this subparagraph shall—

“(i) address the risk assumed in the National Military Strategy (or update) concerned, and the additional actions taken or planned to be taken to address such risk using only current technology and force structure capabilities; and

“(ii) specify, for each risk addressed, the extent of, and a schedule for expected mitigation of, such risk, and an assessment of the potential for residual risk, if any, after mitigation.”

(b) CONFORMING AMENDMENT.—Such section is further amended by striking subsection (d).

**SEC. 1042. MODIFICATION OF AUTHORITY ON TRAINING OF SPECIAL OPERATIONS FORCES WITH FRIENDLY FOREIGN FORCES.**

(a) AUTHORITY TO PAY FOR MINOR MILITARY CONSTRUCTION IN CONNECTION WITH TRAINING.—Subsection (a) of section 2011 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) Expenses of minor military construction directly related to that training with such expenses payable from amounts available to the commander for unspecified minor military construction, except that—

“(A) the amount of any project for which such expenses are so payable may not exceed \$250,000; and

“(B) the total amount of such expenses so paid in any fiscal year may not exceed \$2,000,000.”

(b) PURPOSES OF TRAINING.—Subsection (b) of such section is amended to read as follows:

“(b) PURPOSES OF TRAINING.—The purposes of the training for which payment may be made under subsection (a) shall be as follows:

“(1) To train the special operations forces of the combatant command.

“(2) In the case of a commander of a combatant command having a geographic area of responsibility, to train the military forces and other security forces of a friendly foreign country in a manner consistent with the Theater Campaign Plan of the commander for that geographic area.”

(c) PRIOR APPROVAL.—Subsection (c) of such section is amended by inserting before the period at the end of the second sentence the following: “, or, in the case of training activities carried out after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the approval of the Secretary of Defense, in coordination with the Secretary of State”.

(d) REPORTS.—Subsection (e) of such section is amended—

(1) in paragraph (3)—

(A) by inserting “or other security” after “foreign” the first place it appears; and

(B) by striking “foreign military personnel” and inserting “such foreign personnel”;

(2) in paragraph (4)—

(A) by striking “and military training activities” and inserting “military training activities”; and

(B) by inserting before the period at the end of the following: “, and training programs sponsored by the Department of State”;

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following new paragraph (6):

“(6) A description of any minor military construction projects for which expenses



were paid, including a justification of the benefits of each such project to training under this section.”

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act. The amendments made by subsection (d) shall apply with respect to any reports submitted under subsection (e) of section 2011 of title 10, United States Code (as so amended), after that date.

**SEC. 1043. EXTENSION OF AUTHORITY TO PROVIDE ASSURED BUSINESS GUARANTEES TO CARRIERS PARTICIPATING IN CIVIL RESERVE AIR FLEET.**

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

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

(1) in subsection (a)(3), by striking “passenger”; and

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

**SEC. 1044. PARTICIPATION OF VETERANS IN THE TRANSITION ASSISTANCE PROGRAM OF THE DEPARTMENT OF DEFENSE.**

(a) IN GENERAL.—Each veteran, during the one-year period beginning on the date on which the veteran is discharged or separated from service in the Armed Forces, shall be authorized to participate in the Transition Assistance Program (TAP) of the Department of Defense.

(b) SCOPE OF AUTHORIZED PARTICIPATION.—As part of their participation in the Transition Assistance Program pursuant to this section, veterans shall be authorized to receive the following:

(1) Transition assistance counseling under the program at any military installation at which transition assistance counseling is being provided to members of the Armed Forces under the program.

(2) Ongoing access to the electronic materials and information provided as part of the Transition Assistance Program, including access after the end of the one-year period of participation under subsection (a).

(c) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Veterans Affairs shall enter into a memorandum of understanding regarding the participation of veterans in the Transition Assistance Program pursuant to this section. The memorandum of understanding shall provide for the access of veterans to military installations for purposes of participation in the Transition Assistance Program and such other matters as such Secretaries jointly consider appropriate for purposes of this section.

(d) DEFINITIONS.—In this section:

(1) The term “Transition Assistance Program” means the program carried out by the Department of Defense under sections 1142 and 1144 of title 10, United States Code.

(2) The term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

**SEC. 1045. MODIFICATION OF THE MINISTRY OF DEFENSE ADVISOR PROGRAM.**

(a) IN GENERAL.—Subsection (a) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1599; 10 U.S.C. 168 note) is amended by inserting—

(1) in the matter preceding paragraph (1), by inserting “, regional organizations with defense or security components, and international organizations of which the United States is a member” after “foreign countries”; and

(2) by inserting “or organization” after “ministry” both places it appears.

(b) REPORTS.—Subsection (c) of such section is amended—

(1) by inserting “or organizations” after “defense ministries” both places it appears; and

(2) by striking paragraph (7).

(c) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

**“SEC. 1081. AUTHORITY FOR ASSIGNMENT OF CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE AS ADVISORS TO FOREIGN MINISTRIES OF DEFENSE AND CERTAIN REGIONAL AND INTERNATIONAL ORGANIZATIONS.”**

**SEC. 1046. INTERAGENCY COLLABORATION ON UNMANNED AIRCRAFT SYSTEMS.**

(a) FINDINGS ON JOINT DEPARTMENT OF DEFENSE FEDERAL AVIATION ADMINISTRATION EXECUTIVE COMMITTEE ON CONFLICT AND DISPUTE RESOLUTION.—Section 1036(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4596) is amended by adding at the end the following new paragraph:

“(9) Collaboration of scientific and technical personnel and sharing of technical information, test results, and resources where available from the Department of Defense, the Federal Aviation Administration, and the National Aeronautics and Space Administration can advance an enduring relationship of research capability to advance the access of unmanned aircraft systems of the Department of Defense, the National Aeronautics and Space Administration and other public agencies to the National Airspace System.”

(b) INTERAGENCY COLLABORATION.—

(1) IN GENERAL.—The Secretary of Defense shall collaborate with the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration to conduct research and seek solutions to challenges associated with the safe integration of unmanned aircraft systems into the National Airspace System in accordance with subtitle B of title III of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 126 Stat. 72).

(2) ACTIVITIES IN SUPPORT OF PLAN ON ACCESS TO NATIONAL AIRSPACE FOR UNMANNED AIRCRAFT SYSTEMS.—Collaboration under paragraph (1) may include research and development of scientific and technical issues, equipment, and technology in support of the plan to safely accelerate the integration of unmanned aircraft systems as required by subtitle B of title III of the FAA Modernization and Reform Act of 2012.

(3) NONDUPLICATIVE EFFORTS.—If the Secretary of Defense determines it is in the interest of the Department of Defense, the Secretary may use existing aerospace-related laboratories, personnel, equipment, research radars, and ground facilities of the Department of Defense to avoid duplication of efforts in carrying out collaboration under paragraph (1).

(4) REPORTS.—

(A) REQUIREMENT.—The Secretary of Defense, on behalf of the UAS Executive Committee, shall annually submit to the congressional defense committees, the Committee on Transportation and Infrastructure, and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the progress of research activity of the Department of Defense, including—

(i) progress in accomplishing the goals of the unmanned aircraft systems research, development, and demonstration as related to the Department of Defense Final Report to Congress on Access to National Airspace for Unmanned Aircraft Systems of October 2010, and any ongoing and collaborative research

and development programs with the Federal Aviation Administration and the National Aeronautics and Space Administration and

(ii) estimates of long-term funding needs and details of funds expended and allocated in the budget requests of the President that support integration into the National Airspace.

(B) TERMINATION.—The requirement to submit a report under subparagraph (A) shall terminate on the date that is 5 years after the date of the enactment of this Act.

(c) UAS EXECUTIVE COMMITTEE DEFINED.—In this section, the term “UAS Executive Committee” means the National Aeronautics and Space Administration and the Department of Defense—Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 and established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated such sums as may be necessary to carry out this section.

**SEC. 1047. SENSE OF SENATE ON NOTICE TO CONGRESS ON UNFUNDED PRIORITIES.**

It is the sense of the Senate that—

(1) not later than 45 days after the submission to Congress of the budget for a fiscal year under section 1105(a) of title 31, United States Code, each officer specified in paragraph (2) should, through the Chairman of the Joint Chiefs of Staff and the Secretary of Defense, submit to the congressional defense committees a list of any priority military programs or activities under the jurisdiction of such officer for which, in the estimate of such officer additional funds, if available, would substantially reduce operational or programmatic risk or accelerate the creation or fielding of a critical military capability;

(2) the officers specified in this paragraph are—

- (A) the Chief of Staff of the Army;
- (B) the Chief of Naval Operations;
- (C) the Chief of Staff of the Air Force;
- (D) the Commandant of the Marine Corps; and

(E) the Commander of the United States Special Operations Command; and

(3) each list, if any, under paragraph (1) should set forth for each military program or activity on such list—

(A) a description of such program or activity;

(B) a summary description of the justification for or objectives of additional funds, if available for such program or activity; and

(C) the additional amount of funds recommended in connection with the justification or objectives described for such program or activity under subparagraph (B).

**Subtitle F—Reports**

**SEC. 1061. REPORT ON STRATEGIC AIRLIFT AIRCRAFT.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth the following:

(1) An assessment of the feasibility and advisability of obtaining a Federal Aviation Administration certification for commercial use of each of the following:

(A) A commercial variant of the C-17 aircraft.

(B) A retired C-17A aircraft.

(C) A retired C-5A aircraft.

(2) An assessment of the current limitations of the aircraft of the Civil Reserve Air Fleet.

(3) An assessment of the potential for using the aircraft referred to in paragraph (1) in the Civil Reserve Air Fleet.

(4) An assessment of the advantages of adding the aircraft referred to in paragraph (1) to the Civil Reserve Air Fleet.

(5) An update on the status of any cooperation between the Federal Aviation Administration and the Department of Defense on the certification of the aircraft referred to in paragraph (1).

(6) A description of all actions required, including any impediments to such actions, to offering retired C-5A aircraft or retired C-17A aircraft as excess defense articles to United States allies or for sale to Civil Reserve Air Fleet carriers.

(7) A description of the actions required for interested allies or Civil Reserve Air Fleet carriers to take delivery of excess C-5A aircraft or excess C-17A aircraft, including the actions, modifications, or demilitarization necessary for such recipients to take delivery of such aircraft, and provisions for permitting such recipients to undertake responsibility for such actions, to the maximum extent practicable.

**SEC. 1062. REPEAL OF BIENNIAL REPORT ON THE GLOBAL POSITIONING SYSTEM.**

Section 2281 of title 10, United States Code, is amended—

- (1) by striking subsection (d); and
- (2) by redesignating subsection (e) as subsection (d).

**SEC. 1063. REPEAL OF ANNUAL REPORT ON THREAT POSED BY WEAPONS OF MASS DESTRUCTION, BALLISTIC MISSILES, AND CRUISE MISSILES.**

Section 234 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1664; 50 U.S.C. 2367) is repealed.

**Subtitle G—Nuclear Matters**

**SEC. 1071. STRATEGIC DELIVERY SYSTEMS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Nuclear Posture Review of 2010 said, with respect to modernizing the triad, “for planned reductions under New START, the United States should retain a smaller Triad of SLBMs, ICBMs, and heavy bombers. Retaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities”.

(2) The Senate stated in Declaration 12 of the Resolution of Advice and Consent to Ratification of the New START Treaty that “In accordance with paragraph 1 of Article V of the New START Treaty, which states that, ‘Subject to the provisions of this Treaty, modernization and replacement of strategic offensive arms may be carried out,’ it is the sense of the Senate that United States deterrence and flexibility is assured by a robust triad of strategic delivery vehicles. To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and to ensuring the continued flexibility of United States conventional and nuclear delivery systems”.

(3) The Senate required the President, prior to the entry into force of the New START Treaty, to certify to the Senate that the President intended to modernize or replace the triad of strategic nuclear delivery systems.

(4) The President made this certification in a message to the Senate on February 2, 2011, in which the President stated, “I intend to (a) modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM; and (b) maintain the United States rocket motor industrial base”.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 491. Strategic delivery systems**

“(a) ANNUAL CERTIFICATION.—Beginning in fiscal year 2013, the President shall annually certify in writing to the congressional defense committees whether plans to modernize or replace strategic delivery systems are fully funded at levels equal to or more than the levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549), including plans regarding—

“(1) a heavy bomber and air-launched cruise missile;

“(2) an intercontinental ballistic missile;

“(3) a submarine-launched ballistic missile;

“(4) a ballistic missile submarine; and

“(5) maintaining the nuclear command and control system (as first reported in section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576)).

“(b) ADDITIONAL REPORT MATTERS FOLLOWING CERTAIN CERTIFICATIONS.—If the President certifies under subsection (a) that plans to modernize or replace strategic delivery systems are not fully funded, the President shall include in the next annual report submitted to Congress under section 1043 of the National Defense Authorization Act for Fiscal Year 2012 the following:

“(1) A determination whether or not the lack of full funding will result in a loss of military capability when compared with the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010.

“(2) If the determination under paragraph (1) is that the lack of full funding will result in a loss of military capability—

“(A) a plan to preserve or retain the military capability that would otherwise be lost; or

“(B) a report setting forth—

“(i) an assessment of the impact of the lack of full funding on the strategic delivery systems specified in subsection (a); and

“(ii) a description of the funding required to restore or maintain the capability.

“(3) A certification by the President whether or not the President is committed to accomplishing the modernization and replacement of strategic delivery systems and will meet the obligations concerning nuclear modernization as set forth in declaration 12 of the Resolution of Advice and Consent to Ratification of the New START Treaty.

“(c) TREATMENT OF CERTAIN REDUCTIONS.—Any certification under subsection (a) shall not take into account the following:

“(1) Reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and delivery systems.

“(2) Strategic delivery systems that are retired or awaiting dismantlement on the date of the certification under subsection (a).

“(d) DEFINITIONS.—In this section:

“(1) The term ‘New START Treaty’ means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

“(2) The term ‘strategic delivery system’ means a delivery system for nuclear weapons.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of

such title is amended by adding at the end the following new item:

“491. Strategic delivery systems.”.

**SEC. 1072. REQUIREMENTS DEFINITION FOR COMBINED WARHEAD FOR CERTAIN MISSILE SYSTEMS.**

Not later than 60 days after the date of the enactment of this Act, the Nuclear Weapons Council shall submit Congress a report setting forth a definition of the requirements for a combined warhead for the W-78 Minuteman III missile system and the W-88 Trident D-5 missile system. The definition shall serve as the basis for a 6.1 conception definition and 6.2 feasibility study for the combined systems.

**SEC. 1073. CONGRESSIONAL BUDGET OFFICE ESTIMATE OF COSTS OF NUCLEAR WEAPONS AND DELIVERY SYSTEMS.**

Not later than one year after the date of the enactment of this Act, the Director of the Congressional Budget Office shall submit to the congressional defense committees a report setting forth the following:

(1) An estimate of the costs over the 10-year period beginning on the date of the report associated with fielding and maintaining the current nuclear weapons and nuclear weapon delivery systems of the United States.

(2) An estimate of the costs over the 10-year period beginning on the date of the report of any life extension, modernization, or replacement of any current nuclear weapons or nuclear weapon delivery systems of the United States that is anticipated as of the date of the report.

**Subtitle H—Other Matters**

**SEC. 1081. REDESIGNATION OF THE CENTER FOR HEMISPHERIC DEFENSE STUDIES AS THE WILLIAM J. PERRY CENTER FOR HEMISPHERIC DEFENSE STUDIES.**

(a) REDESIGNATION.—

(1) IN GENERAL.—The Center for Hemispheric Defense Studies is hereby redesignated as the “William J. Perry Center for Hemispheric Defense Studies”.

(2) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the center referred to in paragraph (1) shall be considered to be a reference to the William J. Perry Center for Hemispheric Defense Studies.

(b) CONFORMING AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) In section 184—

(A) in subsection (b)(2), by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) The William J. Perry Center for Hemispheric Defense Studies, established in 1997 and located in Washington, D.C.”; and

(B) in subsection (f)(5), by striking “Center for Hemispheric Defense Studies” and inserting “William J. Perry Center for Hemispheric Defense Studies”.

(2) In section 2611(a)(2), by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) The William J. Perry Center for Hemispheric Defense Studies.”.

**SEC. 1082. TECHNICAL AMENDMENTS TO REPEAL STATUTORY REFERENCES TO UNITED STATES JOINT FORCES COMMAND.**

Title 10, United States Code, is amended as follows:

(1)(A) Section 232 is repealed.

(B) The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 232.

(2) Section 2859(d) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2).

(3) Section 10503(13)(B) is amended—

(A) by striking clause (iii); and

(B) redesignating clause (iv) as clause (iii).  
**SEC. 1083. SENSE OF CONGRESS ON NON-UNITED STATES CITIZENS WHO ARE GRADUATES OF UNITED STATES EDUCATIONAL INSTITUTIONS WITH ADVANCED DEGREES IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.**

(a) FINDINGS.—Congress makes the following findings:

(1) It is a national security concern that more than half of all graduates with advanced scientific and technical degrees from United States institutions of higher education are non-United States citizens who have very limited opportunities upon graduation to contribute to the science and technology activities of the Department of Defense and the United States defense industrial base.

(2) The capabilities of the Armed Forces are highly reliant upon advanced technologies that provide our forces with a technological edge on the battlefield.

(3) In order to maintain and advance our military technological superiority, the United States requires the best and brightest scientists, mathematicians, and engineers to discover, develop, and field the next generation of weapon systems and defense technologies.

(4) The Department of Defense and the defense industrial base compete with other sectors for a limited number of United States citizens who have appropriate advanced degrees and skills.

(5) While an overarching national priority is to increase the numbers of United States citizens who have appropriate advanced degrees in science, technology, engineering, and mathematics (STEM), it would be beneficial if the Department of Defense and the defense industrial base were able to access the pool of talent of non-United States citizens with advanced scientific and technical degrees from United States institutions of higher education, many of whom are otherwise returning to their home countries.

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

(1) that the Department of Defense should make every reasonable and practical effort to increase the number of United States citizens who pursue advanced degrees in science, technology, engineering, and mathematics; and

(2) to strongly urge the Department of Defense to investigate innovative mechanisms (subject to all appropriate security requirements) to access to the pool of talent of non-United States citizens with advanced scientific and technical degrees from United States institutions of higher education, especially in those scientific and technical areas that are most vital to the national defense (such as those identified by the Assistant Secretary of Defense for Research and Engineering and the Armed Forces).

#### **TITLE XI—CIVILIAN PERSONNEL MATTERS**

**SEC. 1101. AUTHORITY FOR TRANSPORTATION OF FAMILY HOUSEHOLD PETS OF CIVILIAN PERSONNEL DURING EVACUATION OF NON-ESSENTIAL PERSONNEL.**

Section 5725 of title 5, United States Code, is amended—

(1) in subsection (a)(2), by inserting “and family household pets,” after “personal effects,”; and

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

“(c)(1) Authority under subsection (a) to transport family household pets of an employee includes authority for shipment and the payment of quarantine costs, if any.

“(2) An employee for whom transportation of family household pets is authorized under

subsection (a) may be paid reimbursement or a monetary allowance if other commercial transportation means have been used.

“(3) The provision of transportation of family household pets for an employee of the Department of Defense under subsection (a) and the payment of reimbursement under paragraph (2) shall be subject to the same terms and conditions as apply under subsection 406(b)(1)(H)(iii) of title 37 with respect to family household pets of members of the uniformed services, including limitations on the types, size, and number of pets for which transportation may be provided or reimbursement paid.”.

**SEC. 1102. EXPANSION OF EXPERIMENTAL PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL AT THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.**

(a) EXPANSION.—Section 1101(b)(1)(A) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended by striking “40” and inserting “60”.

(b) CONSTRUCTION.—The amendment made by subsection (a) shall not be construed as affecting any applicable authorization or delimitation of the numbers of personnel that may be employed at the Defense Advanced Research Projects Agency.

**SEC. 1103. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.**

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and amended by section 1112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1616), is further amended by striking “2013” and inserting “2014”.

#### **TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

##### **Subtitle A—Assistance and Training**

**SEC. 1201. EXTENSION OF AUTHORITY TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES AND MODIFICATION OF NOTICE IN CONNECTION WITH INITIATION OF ACTIVITIES.**

(a) EXTENSION.—Subsection (g) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456), as most recent amended by section 1204(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1622), is further amended—

(1) by striking “September 30, 2013” and inserting “September 30, 2014”; and

(2) by striking “fiscal years 2006 through 2013” and inserting “fiscal years 2006 through 2014”.

(b) MODIFICATION OF NOTICE.—

(1) IN GENERAL.—Subsection (e)(2) of such section 1206, as amended by section 1206(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2418), is further amended by adding at the end the following new subparagraph:

“(D) Detailed information (including the amount and purpose) on the assistance provided the country during the three preceding fiscal years under each of the following programs or accounts:

“(i) A program under this section.

“(ii) The Foreign Military Financing program under the Foreign Assistance Act of 1961.

“(iii) Peacekeeping Operations.

“(iv) The International Narcotics Control and Law Enforcement (INCLE) program

under section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291).

“(v) Nonproliferation, Anti-Terrorism, Demining, and Related Programs (NADR).”.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to any country in which activities are initiated under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 on or after that date.

**SEC. 1202. EXTENSION OF AUTHORITY FOR NON-RECIPROCAL EXCHANGE OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.**

Section 1207(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2514; 10 U.S.C. 168 note) is amended by striking “September 30, 2012” and inserting “September 30, 2017”.

**SEC. 1203. AUTHORITY TO BUILD THE CAPACITY OF CERTAIN COUNTERTERRORISM FORCES IN YEMEN AND EAST AFRICA.**

(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the Secretary of State, provide assistance as follows:

(1) To enhance the ability of the Yemen Ministry of Interior Counter Terrorism Forces to conduct counterterrorism operations against al Qaeda in the Arabian Peninsula and its affiliates.

(2) To enhance the capacity of the national military forces, security agencies serving a similar defense function, other counterterrorism forces, and border security forces of Djibouti, Ethiopia, and Kenya to conduct counterterrorism operations against al Qaeda, al Qaeda affiliates, and al Shabaab.

(3) To enhance the capacity of national military forces participating in the African Union Mission in Somalia to conduct counterterrorism operations against al Qaeda, al Qaeda affiliates, and al Shabaab.

(b) TYPES OF ASSISTANCE.—

(1) AUTHORIZED ELEMENTS.—Assistance under subsection (a) may include the provision of equipment, supplies, training, and minor military construction.

(2) REQUIRED ELEMENTS.—Assistance under subsection (a) shall be provided in a manner that promotes—

(A) observance of and respect for human rights and fundamental freedoms; and

(B) respect for legitimate civilian authority in the country receiving such assistance.

(3) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in this subsection that is otherwise prohibited by any other provision of law.

(4) LIMITATIONS ON MINOR MILITARY CONSTRUCTION.—The total amount that may be obligated and expended on minor military construction under subsection (a) in any fiscal year may not exceed amounts as follows:

(A) In the case of minor military construction under paragraph (1) of subsection (a), \$10,000,000.

(B) In the case of minor military construction under paragraphs (2) and (3) of subsection (a), \$10,000,000.

(c) FUNDING.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for a fiscal year for the Department of Defense for operation and maintenance—

(A) not more than \$75,000,000 may be used to provide assistance under paragraph (1) of subsection (a); and

(B) not more than \$75,000,000 may be used to provide assistance under paragraphs (2) and (3) of subsection (a).

(2) AVAILABILITY OF FUNDS FOR ASSISTANCE ACROSS FISCAL YEARS.—Amounts available under this subsection for the authority in

subsection (a) for a fiscal year may be used for assistance under that authority that begins in such fiscal year but ends in the next fiscal year.

(d) NOTICE TO CONGRESS.—

(1) IN GENERAL.—Not later than 30 days before providing assistance under subsection (a), the Secretary of Defense shall submit to the committees of Congress specified in paragraph (2) a notice setting forth the assistance to be provided, including the types of such assistance, the budget for such assistance, and the completion date for the provision of such assistance.

(2) COMMITTEES OF CONGRESS.—The committees of Congress specified in this paragraph are—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(e) EXPIRATION.—Except as provided in subsection (c)(2), the authority provided under subsection (a) may not be exercised after the earlier of—

(1) the date on which the Global Security Contingency Fund achieves full operational capability; or

(2) September 30, 2014.

**SEC. 1204. LIMITATION ON AVAILABILITY OF FUNDS FOR STATE PARTNERSHIP PROGRAM.**

(a) LIMITATION.—Of the amounts authorized to be appropriated by this Act and available for the State Partnership Program, not more than 50 percent may be obligated or expended for that Program until the latter of the following:

(1) The date on which the Secretary of Defense submits to the appropriate congressional committees the final regulations required by subsection (a) of section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2517; 32 U.S.C. 107 note).

(2) The date on which the Secretary of Defense certifies to the appropriate congressional committees that appropriate modifications have been made, and appropriate controls have been instituted, to ensure the compliance of the Program with section 1341 of title 31, United States Code (commonly referred to as the “Anti-Deficiency Act”), in the future.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” has the meaning given that term in subsection (d) of section 1210 of the National Defense Authorization Act for Fiscal Year 2010.

**Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan**

**SEC. 1211. COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.**

(a) ONE-YEAR EXTENSION.—

(1) IN GENERAL.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1619) is amended by striking “fiscal year 2012” each place it appears and inserting “fiscal year 2013”.

(2) CONFORMING AMENDMENT.—The heading of subsection (a) of such section is amended by striking “FISCAL YEAR 2012” and inserting “FISCAL YEAR 2013”.

(b) AMOUNT OF FUNDS AVAILABLE DURING FISCAL YEAR 2013.—Subsection (a) of such section is further amended by striking “\$400,000,000” and inserting “\$200,000,000”.

**SEC. 1212. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.**

(a) LIMITATION ON AMOUNT OF FUNDS FOR FISCAL YEAR 2013.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1631; 10 U.S.C. 113 note) is amended by striking “in fiscal year 2012” and all that follows and inserting “may not exceed amounts as follows:

“(1) In fiscal year 2012, \$524,000,000.

“(2) In fiscal year 2013, \$508,000,000.”.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by inserting “or 2013” after “fiscal year 2012”.

**SEC. 1213. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.**

Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4392), as amended by section 1216 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1632), is further amended—

(1) in subsection (a)—

(A) by striking “\$50,000,000” and inserting “\$35,000,000”; and

(B) by striking “in each of fiscal years 2011 and 2012” and inserting “for fiscal year 2013”; and

(2) in subsection (e)—

(A) by striking “utilize funds” and inserting “obligate funds”; and

(B) by striking “December 31, 2012” and inserting “December 31, 2013”.

**SEC. 1214. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR PROGRAM TO DEVELOP AND CARRY OUT INFRASTRUCTURE PROJECTS IN AFGHANISTAN.**

Section 1217(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4393), as amended by section 1217(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1632), is further amended—

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

“(1) IN GENERAL.—Subject to paragraph (2), to carry out the program authorized under subsection (a), the Secretary of Defense may use amounts as follows:

“(A) Up to \$400,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2012.

“(B) Up to \$350,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2013.”;

(2) in paragraph (2)—

(A) by striking “85 percent” and inserting “50 percent”;

(B) by inserting “for a fiscal year after fiscal year 2011” after “in paragraph (1)”; and

(C) by striking “fiscal year 2012.” and inserting “such fiscal year, including for each project to be initiated during such fiscal year the following:

“(A) An estimate of the financial and other requirements necessary to sustain such project on an annual basis after the completion of such project.

“(B) An assessment whether the Government of Afghanistan is committed to and has the capacity to maintain and use such project after its completion.

“(C) A description of any arrangements for the sustainment of such project following its completion if the Government of Afghanistan lacks the capacity (in either financial or human resources) to maintain such project.”; and

(3) in paragraph (3), by adding at the end the following new subparagraph:

“(C) In the case of funds for fiscal year 2013, until September 30, 2014.”.

**SEC. 1215. EXTENSION OF PAKISTAN COUNTER-INSURGENCY FUND.**

(a) EXTENSION.—Section 1224(h) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2521), as most recently amended by section 1220(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1633), is further amended by striking “September 30, 2012” each place it appears and inserting “September 30, 2013”.

(b) EXTENSION OF LIMITATION ON FUNDS PENDING REPORT.—Section 1220(b)(1)(A) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1633) is amended by striking “fiscal year 2013” and inserting “fiscal year 2013”.

**SEC. 1216. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.**

(a) EXTENSION OF AUTHORITY.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1630), is further amended—

(1) by striking “for fiscal year 2012” and

(2) by inserting “, during the period ending on September 30, 2013,” after “Secretary of Defense may”.

(b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d) of such section, as so amended, is further amended—

(1) by striking “during fiscal year 2012 may not exceed \$1,690,000,000” and inserting “may not exceed \$1,750,000,000 during fiscal year 2013, except that reimbursements made during fiscal year 2013 for support provided by Pakistan before May 1, 2011, using funds available for that purpose before fiscal year 2013 shall not count against this limitation”; and

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

“(3) PROHIBITION ON REIMBURSEMENT OF PAKISTAN FOR SUPPORT DURING PERIODS CLOSED TO TRANSHIPMENT.—Effective as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, funds (including funds from a prior fiscal year that remain available for obligation) may not be used for reimbursements under the authority in subsection (a) for Pakistan for claims of support provided during any period when the ground lines of supply through Pakistan to Afghanistan were closed to the transshipment of equipment and supplies in support of United States military operations in Afghanistan.”.

(c) SUPPORTED OPERATIONS.—Such section is further amended in subsections (a)(1) and (b) by striking “Operation Iraqi Freedom or”.

(d) LIMITATION ON REIMBURSEMENT OF PAKISTAN IN FISCAL YEAR 2013 PENDING CERTIFICATION ON PAKISTAN.—

(1) IN GENERAL.—Effective as of the date of the enactment of this Act, no amounts authorized to be appropriated by this Act, and no amounts authorized to be appropriated for fiscal years before fiscal year 2013 that remain available for obligation, may be used for reimbursements of Pakistan under the authority in subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008, as so amended, until the Secretary of Defense certifies to the congressional defense committees each of the following:

(A) That Pakistan has opened and is maintaining security along the ground lines of

supply through Pakistan to Afghanistan for the transshipment of equipment and supplies in support of United States military operations in Afghanistan.

(B) That Pakistan is not providing support to militant extremists groups (including the Haqqani Network and the Afghan Taliban Quetta Shura) located in Pakistan and conducting cross-border attacks against United States, coalition, or Afghanistan security forces, and is taking actions to prevent such groups from basing and operating in Pakistan.

(C) That Pakistan is demonstrating a continuing commitment, and is making significant efforts toward the implementation of a strategy, to counter improvised explosive devices, including efforts to attack improvised explosive device networks, monitor known precursors used in improvised explosive devices, and develop and implement a strict protocol for the manufacture of explosive materials (including calcium ammonium nitrate) and accessories and for their supply to legitimate end users.

(D) That Pakistan is demonstrably cooperating with United States counterterrorism efforts, including by not detaining, prosecuting, or imprisoning citizens of Pakistan as a result of their cooperation with such efforts, including Dr. Shakil Afridi.

(2) **WAIVER AUTHORITY.**—The Secretary may waive the limitation in paragraph (1) if the Secretary certifies to the congressional defense committees in writing that the waiver is in the national security interests of the United States and includes with such certification a justification for the waiver.

**SEC. 1217. EXTENSION AND MODIFICATION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.**

(a) **EXTENSION.**—Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 111-181; 122 Stat. 394), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1629), is further amended by striking “fiscal year 2012” each place it appears and inserting “fiscal year 2013”.

(b) **REPEAL OF AUTHORITY FOR USE OF FUNDS IN CONNECTION WITH IRAQ.**—

(1) **IN GENERAL.**—Subsection (a) of such section 1234, as so amended, is further amended by striking “Iraq and”.

(2) **CONFORMING AMENDMENT.**—The heading of such section 1234 is amended by striking “IRAQ AND”.

**SEC. 1218. STRATEGY FOR SUPPORTING THE ACHIEVEMENT OF A SECURE PRESIDENTIAL ELECTION IN AFGHANISTAN IN 2014.**

(a) **STRATEGY REQUIRED.**—The Secretary of Defense shall, in consultation with the Secretary of State, develop a strategy to support the Government of Afghanistan in its efforts to achieve a secure presidential election in Afghanistan in 2014.

(b) **ELEMENTS.**—The strategy shall include support to the Government of Afghanistan for the following:

(1) The identification and training of an adequate number of personnel within the current existing end strength of the Afghanistan National Security Forces (ANSF) for security of polling stations, election materials, and protection of election workers and officials.

(2) The recruitment and training of an adequate number of female personnel in the Afghanistan National Security Forces to afford equitable access to polls for women, secure polling stations, and secure locations for counting and storing election materials.

(3) The securing of freedom of movement and communications for candidates before and during the election.

(c) **FUNDING RESOURCES.**—In developing the strategy, the Secretary shall identify, from among funds currently available to the Department of Defense for activities in Afghanistan, the funds required to execute the strategy.

**SEC. 1219. INDEPENDENT ASSESSMENT OF THE AFGHAN NATIONAL SECURITY FORCES.**

(a) **INDEPENDENT ASSESSMENT REQUIRED.**—The Secretary of Defense shall provide for the conduct of an independent assessment of the strength, force structure, force posture, and capabilities required to make the Afghan National Security Forces (ANSF) capable of providing security for their own country so as to prevent Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region, and the world.

(b) **CONDUCT OF ASSESSMENT.**—The assessment required by subsection (a) may, at the election of the Secretary, be conducted by—

(1) a Federally-funded research and development center (FFRDC); or

(2) an independent, non-governmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that has recognized credentials and expertise in national security and military affairs appropriate for the assessment.

(c) **ELEMENTS.**—The assessment required by subsection (a) shall include, but not be limited to, the following:

(1) An assessment of the likely internal and regional security environment for Afghanistan over the next decade, including challenges and threats to the security and sovereignty of Afghanistan from state and non-state actors.

(2) An assessment of the strength, force structure, force posture, and capabilities required to make the Afghan National Security Forces capable of providing security for their own country so as to prevent Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region, and the world.

(3) An assessment of any capability gaps in the Afghan National Security Forces that are likely to persist after 2014 and that will require continued support from the United States and its allies.

(4) An assessment whether current proposals for the resourcing of the Afghan National Security Forces after 2014 are adequate to establish and maintain long-term security for the Afghanistan people, and implications of the under-resourcing of the Afghan National Security Forces for United States national security interests.

(d) **REPORT.**—Not later than one year after the date of the enactment of this Act, the entity selected for the conduct of the assessment required by subsection (a) shall provide to the Secretary and the congressional defense committees a report containing its findings as a result of the assessment. The report shall be submitted in unclassified form, but may include a classified annex.

(e) **FUNDING.**—Of the amounts authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, up to \$1,000,000 shall be made available for the assessment required by subsection (a).

(f) **AFGHAN NATIONAL SECURITY FORCES.**—For purposes of this section, the Afghan National Security Forces shall include all forces under the authority of the Afghan Ministry of Defense and Afghan Ministry of Interior, including the Afghan National Army, the Afghan National Police, the Afghan Border Police, the Afghan National Civil Order Police, and the Afghan Local Police.

**SEC. 1220. REPORT ON AFGHANISTAN PEACE AND REINTEGRATION PROGRAM.**

(a) **REPORT REQUIRED.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the Afghanistan Peace and Reintegration Program (APRP).

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of the goals and objectives of the Afghanistan Peace and Reintegration Program.

(2) A description of the structure of the Program at the national and sub-national levels in Afghanistan, including the number and types of vocational training and other education programs.

(3) A description of the activities of the Program as of the date of the report.

(4) A description and assessment of the procedures for vetting individuals seeking to participate in the Program, including an assessment of the extent to which biometric identification systems are used and the role of provincial peace councils in such procedures.

(5) The amount of funding provided by the United States, and by the international community, to support the Program, and the amount of funds so provided that have been distributed as of the date of the report.

(6) An assessment of the individuals who have been reintegrated into the Program, set forth in terms as follows:

(A) By geographic distribution by province.

(B) By number of each of low-level insurgent fighters, mid-level commanders, and senior commanders.

(C) By number confirmed to have been part of the insurgency.

(D) By number who are currently members of the Afghan Local Police.

(E) By number who are participating in or have completed vocational training or other educational programs as part of the Program.

(7) A description and assessment of the procedures for monitoring the individuals participating in the Program.

(8) A description and assessment of the role of women and minority populations in the implementation of the Program.

(9) An assessment of the effectiveness of the activities of the Program described under paragraph (3) in achieving the goals and objectives of the Program.

(10) Such recommendations as the Secretary of Defense considers appropriate for improving the implementation, oversight, and effectiveness of the Program.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

**Subtitle C—Reports**

**SEC. 1231. REVIEW AND REPORTS ON DEPARTMENT OF DEFENSE EFFORTS TO BUILD THE CAPACITY OF AND PARTNER WITH FOREIGN SECURITY FORCES.**

(a) **REVIEW.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Defense Policy Board shall conduct a review of the efforts of the Department of Defense to build the capacity of, or partner with, foreign security forces in support of national defense and security strategies.

(2) ELEMENTS.—The review required by this subsection shall include the following:

(A) An examination of the ways in which the efforts of the Department to build the capacity of, or partner with, foreign security forces directly support implementation of current national defense and security strategies.

(B) An assessment of the range of effects that efforts of the Department to build the capacity of, or partner with, foreign security forces are designed to achieve in support of current national defense and security strategies.

(C) An assessment of the criteria used for prioritizing such efforts in support of national defense and security strategies.

(D) An identification of the authorities the Department currently uses to implement such efforts, together with an assessment of the adequacy of such authorities.

(E) An assessment of the capabilities required by the Department to implement such efforts.

(F) An assessment of the most effective distribution of the roles and responsibilities for such efforts within the Department, together with an assessment whether the Department military and civilian workforce is appropriately sized and shaped to meet the requirements of such efforts.

(G) An evaluation of current measures of the Department for assessing activities of the Department designed to build the capacity of, or partner with, foreign security forces, including an assessment whether such measures address the extent to which such activities directly support the priorities of national defense and security strategies.

(H) An identification of recommendations for clarifying or improving the guidance and assessment measures of the Department relating to its efforts to build the capacity of, or partner with, foreign security forces in support of national defense and security strategies.

(3) REPORT.—Not later than 90 days after the completion of the review required by this subsection, the Secretary of Defense shall submit to the congressional defense committees a report containing the result of the review.

(b) STRATEGIC GUIDANCE ON DEPARTMENT OF DEFENSE EFFORTS TO BUILD PARTNER CAPACITY AND OTHER PARTNERSHIP INITIATIVES.—Not later than 120 days after the completion of the review required by subsection (a), the Secretary of Defense shall, in coordination with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report setting forth the following:

(1) An assessment, taking into account the recommendations of the Defense Policy Board in the review required by subsection (a), of the efforts of the Department of Defense to build the capacity of, and partner with, foreign military forces in support of national defense and security strategies.

(2) Strategic guidance for the Department for its efforts to build the capacity of, and partner with, foreign military forces in support of national defense and security strategies, which guidance shall address—

(A) the ways such efforts directly support the goals and objectives of national defense and security strategies;

(B) the criteria to be used for prioritizing activities to implement such efforts in support of national defense and security strategies;

(C) the measures to be used to assess the effects achieved by such efforts and the extent to which such effects support the objectives of national defense and security strategies;

(D) the appropriate roles and responsibilities of the Armed Forces, the Defense Agen-

cies, and other components of the Department in conducting such efforts; and

(E) the relationship of Department workforce planning with the requirements for such efforts.

**SEC. 1232. ADDITIONAL ELEMENTS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.**

Section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended—

(1) in subsection (b)—

(A) by amending paragraph (9) to read as follows:

“(9) Developments in China’s asymmetric capabilities, including efforts to develop and deploy cyberwarfare and electronic warfare capabilities, and associated activities originating or suspected of originating from China. This discussion of these developments shall include—

“(A) the nature of China’s cyber activities directed against the Department of Defense and an assessment of the damage inflicted on the Department of Defense by reason thereof, and the potential harms;

“(B) a description of China’s strategy for use and potential targets of offensive cyberwarfare and electronic warfare capabilities;

“(C) details on the number of malicious cyber incidents emanating from Internet Protocol addresses in China, including a comparison of the number of incidents during the reporting period to previous years; and

“(D) details regarding the specific People’s Liberation Army; state security; research and academic; state-owned, associated, or other commercial enterprises; and other relevant actors involved in supporting or conducting cyberwarfare and electronic warfare activities and capabilities.”;

(B) by redesignating paragraphs (10), (11), and (12) as paragraphs (15), (16), and (17) respectively;

(C) by inserting after paragraph (9) the following new paragraphs:

“(10) The strategy and capabilities of Chinese space programs, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities, and efforts to develop, acquire, or gain access to advanced technologies that would enhance Chinese military capabilities.

“(11) Developments in China’s nuclear capabilities, which shall include the following:

“(A) The size and state of China’s nuclear stockpile.

“(B) A description of China’s nuclear strategy and associated doctrines.

“(C) A description of the quantity, range, payload features, and location of China’s nuclear missiles and their associated launchers or platforms.

“(D) An analysis of China’s efforts to use electromagnetic pulse.

“(E) Projections of possible future Chinese nuclear arsenals, their capabilities, and associated doctrines.

“(F) A description of China’s fissile material stockpile and civil and military production capabilities and capacities.

“(G) A discussion of any significant uncertainties or knowledge gaps surrounding China’s nuclear weapons program and the potential implications of any such knowledge gaps for the security of the United States and its allies.

“(12) A description of China’s anti-access and area denial capabilities.

“(13) A description of China’s command, control, communications, computers, intelligence, surveillance, and reconnaissance

modernization program and its applications for China’s precision guided weapons.

“(14) A description of China’s maritime activities, including—

“(A) China’s response to Freedom of Navigation activities conducted by the Department of Defense;

“(B) an account of each time People’s Liberation Army Navy vessels have transited outside the First Island Chain, including the type of vessels that were involved; and

“(C) the role of China’s maritime law enforcement vessels in maritime incidents, including details regarding any collaboration between China’s law enforcement vessels and the People’s Liberation Army Navy.”; and

(D) by adding after paragraph (17), as redesignated by subparagraph (B), the following new paragraphs:

“(18) A description of Chinese military-to-military relationships with other countries, including the size and activity of military attache offices around the world and military education programs conducted in China for other countries or in other countries for the Chinese.

“(19) A description of any significant sale or transfer of military hardware, expertise, and technology to or from the People’s Republic of China, including a forecast of possible future sales and transfers, and a description of the implications of those sales and transfers for the security of the United States and its friends and allies in Asia. The information under this paragraph shall include—

“(A) the extent of the People’s Republic of China’s knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to receiving states;

“(B) the extent in each selling state of government knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to the People’s Republic of China;

“(C) an itemization of significant sales and transfers of military hardware, expertise, or technology that have taken place during the reporting period;

“(D) significant assistance by any selling state to key research and development programs in China, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons;

“(E) significant assistance by the People’s Republic of China to the research and development programs of purchasing or receiving states, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons;

“(F) the extent to which arms sales to or from the People’s Republic of China are a source of funds for military research and development or procurement programs in China or the selling state;

“(G) a discussion of the ability of the People’s Liberation Army to assimilate such sales or transfers, mass produce new equipment, and develop doctrine for use; and

“(H) a discussion of the potential threat of developments related to such sales on the security interests of the United States and its friends and allies in Asia.”; and

(2) by amending subsection (d) to read as follows:

“(d) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an assessment of the Commander of the United States Pacific Command on the following matters:



“(1) Any gaps in intelligence that limit the ability of the Commander to address challenges posed by the People’s Republic of China.

“(2) Any gaps in the capabilities, capacity, and authorities of the Commander to address challenges posed by the People’s Republic of China to the United States Armed Forces and United States interests in the region.

“(3) Any other matters the Commander considers to be relevant.”.

#### Subtitle D—Other Matters

#### SEC. 1241. IMPROVED ADMINISTRATION OF THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES’ PROGRAM.

(a) AUTHORITY.—

(1) IN GENERAL.—Chapter 6 of title 10, United States Code, is amended by adding at the end the following new section:

#### “§ 168a. American, British, Canadian, and Australian Armies’ Program: administration; agreements with other participating countries

“(a) AUTHORITY.—As part of the participation by the United States in the land-force program known as the American, British, Canadian, and Australian Armies’ Program (in this section referred to as the ‘Program’), the Secretary of Defense may, with the concurrence of the Secretary of State, enter into agreements with the other participating countries in accordance with this section, and the Program shall be managed pursuant to a joint agreement among the participating countries.

“(b) PARTICIPATING COUNTRIES.—In addition to the United States, the countries participating in the Program are the following:

“(1) Australia.

“(2) Canada.

“(3) New Zealand.

“(4) The United Kingdom.

“(c) CONTRIBUTIONS BY PARTICIPANTS.—(1) An agreement under subsection (a) shall provide that each participating country shall contribute to the Program—

“(A) its equitable share of the full cost for the Program, including the full cost of overhead and administrative costs related to the Program; and

“(B) any amount allocated to it in accordance with the agreement for the cost for monetary claims asserted against any participating country as a result of participation in the Program.

“(2) Such an agreement shall also provide that each participating country (including the United States) may provide its contribution for its equitable share under the agreement in funds, in personal property, or in services required for the Program (or in any combination thereof).

“(3) Any contribution by the United States to the Program that is provided in funds shall be made from funds available to the Department of Defense for operation and maintenance.

“(4) Any contribution received by the United States from another participating country to meet that country’s share of the costs of the Program shall be credited to appropriations available to the Department of Defense, as determined by the Secretary of Defense. The amount of a contribution credited to an appropriation account in connection with the Program shall be available only for payment of the share of the Program expenses allocated to the participating country making the contribution. Amounts so credited shall be available for the following purposes:

“(A) Payments to contractors and other suppliers (including the Department of Defense and participating countries acting as suppliers) for necessary goods and services of the Program.

“(B) Payments for any damages and costs resulting from the performance or cancellation of any contract or other obligation in support of the Program.

“(C) Payments for any monetary claim against a participating country as a result of the participation of that country in the Program.

“(D) Payments or reimbursements of other Program expenses, including overhead and administrative costs for any administrative office for the Program.

“(E) Refunds to other participating countries.

“(5) Costs for the operation of any office established to carry out the Program shall be borne jointly by the participating countries as provided for in an agreement referred to in subsection (a).

“(d) AUTHORITY TO CONTRACT FOR PROGRAM ACTIVITIES.—As part of the participation by the United States in the Program, the Secretary of Defense may enter into contracts or incur other obligations on behalf of the other participating countries for activities under the Program. Any payment for such a contract or other obligation under this subsection may be paid only from contributions credited to an appropriation under subsection (c)(4).

“(e) DISPOSAL OF PROPERTY.—As part of the participation by the United States in the Program, the Secretary of Defense may, with respect to any property that is jointly acquired by the countries participating in the Program, agree to the disposal of the property without regard to any law of the United States that is otherwise applicable to the disposal of property owned by the United States. Such disposal may include the transfer of the interest of the United States in the property to one or more of the other participating countries or the sale of the property. Reimbursement for the value of the property disposed of (including the value of the interest of the United States in the property) shall be made in accordance with an agreement under subsection (a).

“(f) SUNSET.—Any agreement entered into by the United States with another country under subsection (a), and United States participation in the joint agreement described in that subsection, shall expire not later than five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 6 of such title is amended by adding at the end the following new item:

“168a. American, British, Canadian, and Australian Armies’ Program: administration; agreements with other participating countries.”.

(b) REPORT.—Not later than 60 days before the expiration date for agreements under subsection (a) of section 168a of title 10, United States Code (as added by subsection (a) of this section), pursuant to subsection (f) of such section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the activities, costs, and accomplishments of the American, British, Canadian, and Australian Armies’ Program during the five-year period ending on the date of such report.

#### SEC. 1242. UNITED STATES PARTICIPATION IN HEADQUARTERS EUROCORPS.

(a) PARTICIPATION AUTHORIZED.—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of members of the Armed Forces as members of the staff of Headquarters Eurocorps for the purpose of supporting the North Atlantic Treaty Organization (NATO) activities of the NATO Rapid Deployable Corps Eurocorps.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) REQUIREMENT.—The participation of members of the Armed Forces as members of the staff of Headquarters Eurocorps shall be in accordance with the terms of one or more memoranda of understanding entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and Headquarters Eurocorps.

(2) COST-SHARING ARRANGEMENTS.—If Department of Defense facilities, equipment, or funds are used to support Headquarters Eurocorps, the memoranda of understanding under paragraph (1) shall provide details of any cost-sharing arrangement or other funding arrangement.

(c) LIMITATION ON NUMBER OF MEMBERS PARTICIPATING AS STAFF.—Not more than two members of the Armed Forces may participate as members of the staff of Headquarters Eurocorps, until the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A certification by the Secretary of Defense that the participation of more than two members of the Armed Forces in Headquarters Eurocorps is in the national interests of the United States.

(2) A description of the benefits of the participation of the additional members proposed by the Secretary.

(3) A description of the plans for the participation of the additional members proposed by the Secretary, including the grades and posts to be filled.

(4) A description of the costs associated with the participation of the additional members proposed by the Secretary.

(d) AVAILABILITY OF APPROPRIATED FUNDS.—

(1) AVAILABILITY.—Funds appropriated to the Department of Defense for operation and maintenance are available as follows:

(A) To pay the United States’ share of the operating expenses of Headquarters Eurocorps.

(B) To pay the costs of the participation of members of the Armed Forces participating as members of the staff of Headquarters Eurocorps, including the costs of expenses of such participants.

(2) LIMITATION.—No funds may be used under this section to fund the pay or salaries of members of the Armed Forces who participate as members of the staff of the Headquarters, North Atlantic Treaty Organization (NATO) Rapid Deployable Corps under this section.

(e) HEADQUARTERS EUROCORPS DEFINED.—In this section, the term “Headquarters Eurocorps” refers to the multinational military headquarters, established on October 1, 1993, which is one of the High Readiness Forces (Land) associated with the Allied Rapid Reaction Corps of NATO.

#### SEC. 1243. DEPARTMENT OF DEFENSE PARTICIPATION IN EUROPEAN PROGRAM ON MULTILATERAL EXCHANGE OF AIR TRANSPORTATION AND AIR REFUELING SERVICES.

(a) PARTICIPATION AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of the United States in the Air Transport, Air-to-Air Refueling and other Exchanges of Services program (in this section referred to as the “ATARES program”) of the Movement Coordination Centre Europe.

(2) SCOPE OF PARTICIPATION.—Participation in the ATARES program under paragraph (1) shall be limited to the reciprocal exchange or transfer of air transportation and air refueling services on a reimbursable basis or by replacement-in-kind or the exchange of air transportation or air refueling services of an equal value.

(3) LIMITATIONS.—The United States' balance of executed flight hours, whether as credits or debits, in participation in the ATARES program under paragraph (1) may not exceed 500 hours. The United States' balance of executed flight hours for air refueling in the ATARES program under paragraph (1) may not exceed 200 hours.

(b) WRITTEN ARRANGEMENT OR AGREEMENT.—

(1) ARRANGEMENT OR AGREEMENT REQUIRED.—The participation of the United States in the ATARES program under subsection (a) shall be in accordance with a written arrangement or agreement entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and the Movement Coordination Centre Europe.

(2) FUNDING ARRANGEMENTS.—If Department of Defense facilities, equipment, or funds are used to support the ATARES program, the written arrangement or agreement under paragraph (1) shall specify the details of any equitable cost sharing or other funding arrangement.

(3) OTHER ELEMENTS.—Any written arrangement or agreement entered into under paragraph (1) shall require that any accrued credits and liabilities resulting from an unequal exchange or transfer of air transportation or air refueling services shall be liquidated, not less than once every five years, through the ATARES program.

(c) IMPLEMENTATION.—In carrying out any written arrangement or agreement entered into under subsection (b), the Secretary of Defense may—

(1) pay the United States' equitable share of the operating expenses of the Movement Coordination Centre Europe and the ATARES consortium from funds available to the Department of Defense for operation and maintenance; and

(2) assign members of the Armed Forces or Department of Defense civilian personnel, from among members and personnel within billets authorized for the United States European Command, to duty at the Movement Coordination Centre Europe as necessary to fulfill the United States' obligations under that arrangement or agreement.

(d) CREDITING OF RECEIPTS.—Any amount received by the United States in carrying out a written arrangement or agreement entered into under subsection (b) shall be credited, as elected by the Secretary of Defense, to the following:

(1) The appropriation, fund, or account used in incurring the obligation for which such amount is received.

(2) An appropriation, fund, or account currently available for the purposes for which such obligation was made.

(e) ANNUAL SECRETARY OF DEFENSE REPORTS.—Not later than 30 days after the end of each fiscal year in which the authority provided by this section is in effect, the Secretary of Defense shall submit to Congress a report on United States participation in the ATARES program during such fiscal year. Each report shall include the following:

(1) The United States balance of executed flight hours at the end of the fiscal year covered by such report.

(2) The types of services exchanged or transferred during the fiscal year covered by such report.

(3) A description of any United States costs under the written arrangement or agreement under subsection (b)(1) in connection with the use of Department of Defense facilities, equipment, or funds to support the ATARES program under that subsection as provided by subsection (b)(2).

(4) A description of the United States' equitable share of the operating expenses of the Movement Coordination Centre Europe

and the ATARES consortium paid under subsection (c)(1).

(5) A description of any amounts received by the United States in carrying out a written arrangement or agreement entered into under subsection (b).

(f) COMPTROLLER GENERAL OF UNITED STATES REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the ATARES program. The report shall set forth the assessment of the Comptroller General of the program, including the types of services available under the program, whether the program is achieving its intended purposes, and, on the basis of actual cost data from the performance of the program, the cost-effectiveness of the program.

(g) EXPIRATION.—The authority provided by this section to participate in the ATARES program shall expire five years after the date on which the Secretary of Defense first enters into a written arrangement or agreement under subsection (b). The Secretary shall publish notice of such date on a public website of the Department of Defense.

**SEC. 1244. AUTHORITY TO ESTABLISH PROGRAM TO PROVIDE ASSISTANCE TO FOREIGN CIVILIANS FOR HARM INCIDENT TO COMBAT OPERATIONS OF THE ARMED FORCES IN FOREIGN COUNTRIES.**

(a) AUTHORITY TO ESTABLISH PROGRAM.—The Secretary of Defense may establish a program, under such regulations as the Secretary may prescribe, to enable military commanders at their discretion to provide assistance to foreign civilians for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) ELEMENTS.—

(1) NATURE OF ASSISTANCE.—Any assistance provided under a program under subsection (a) may be provided only ex gratia, and shall not be considered an admission or acknowledgment of any legal obligation to compensate for any damage, personal injury, or death.

(2) TREATMENT WITH OTHER COMPENSATION.—In the event compensation for damage, personal injury, or death covered by this section is received through a separate program operated by the United States Government, receipt of compensation in such amount should be considered by the commander or legal advisor determining appropriate assistance under a program under subsection (a).

(3) AMOUNT OF ASSISTANCE.—If the Secretary of Defense determines a program under subsection (a) to be fitting in a particular setting, the amount of assistance, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment of cultural appropriateness and prevailing economic conditions.

(c) RECORDS.—

(1) IN GENERAL.—The regulations prescribed by the Secretary of Defense for purposes of any program under subsection (a) shall include requirements as follows:

(A) That local military commanders maintain a written record of any assistance offered or denied under such program.

(B) That local military commanders submit on a timely basis a report summarizing such written records to the appropriate office in the Department of Defense as specified by the Secretary in such regulations.

**SEC. 1245. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN CAPITAL PROJECTS IN CONNECTION WITH OVERSEAS CONTINGENCY OPERATIONS.**

(a) LIMITATION.—

(1) IN GENERAL.—Upon the commencement or designation of a military operation as an overseas contingency operation on or after the date that is 60 days after the date of the enactment of this Act, amounts authorized to be appropriated for the Department of Defense may not be obligated or expended for a capital project described in subsection (b) unless the Secretary of Defense, in consultation with the United States commander of military operations in the country in which the project will be carried out, completes an assessment on the necessity and sustainability of the project.

(2) ELEMENTS.—Each assessment on a capital project under this subsection shall include, but not be limited to, the following:

(A) An estimate of the total cost of the project to the United States.

(B) An estimate of the financial and other requirements necessary for the host government to sustain the project on an annual basis after completion of the project.

(C) An assessment whether the host government has the capacity (in both financial and human resources) to maintain and use the project after completion.

(D) A description of any arrangements for the sustenance of the project following its completion if the host government lacks the capacity (in either financial or human resources) to maintain the project.

(E) An assessment whether the host government has requested or expressed its need for the project, and an explanation of the decision to proceed with the project absent such request or need.

(F) An assessment of the effect of the project on the military mission of the United States in the country concerned.

(b) COVERED CAPITAL PROJECTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a capital project described in this subsection is any capital project overseas for an overseas contingency operation for the direct benefit of a host country and funded by the Department of Defense if the capital project—

(A) in the case of a project that directly supports building the capacity of indigenous security forces in the host country, has an estimated value in excess of \$10,000,000; or

(B) in the case of any other project, has an estimated value in excess of \$2,000,000.

(2) EXCLUSION.—A capital project described in this subsection does not include any project for military construction (as that term is defined in section 114 (b) of title 10, United States Code) or a military family housing project under section 2821 of such title.

(c) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) in order to initiate a capital project if the Secretary determines that the project is in the national security interests of the United States. In the first report submitted under subsection (d) after any waiver under this subsection, the Secretary shall include a detailed justification of such waiver. Not later than 180 days after issuing a waiver under this subsection, the Secretary shall submit to Congress the assessment described in subsection (a) with respect to the capital project concerned.

(d) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal-year quarter the Secretary of Defense shall submit to Congress a report setting forth each assessment conducted under subsection (a) during such fiscal-year quarter.

(2) FORM.—Each report shall be submitted in unclassified form, but may include a classified annex.

(e) CAPITAL PROJECT DEFINED.—In this section, the term “capital project” has the meaning given that term in section 308 of the Aid, Trade, and Competitiveness Act of 1992 (22 U.S.C. 2421e).

#### TITLE XIII—COOPERATIVE THREAT REDUCTION

##### SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2632 note).

(b) FISCAL YEAR 2013 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term “fiscal year 2013 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2013, 2014, and 2015.

##### SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the \$519,100,000 authorized to be appropriated to the Department of Defense for fiscal year 2013 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

- (1) For strategic offensive arms elimination, \$68,300,000.
- (2) For chemical weapons destruction, \$14,600,000.
- (3) For global nuclear security, \$99,800,000.
- (4) For cooperative biological engagement, \$276,400,000.
- (5) For proliferation prevention, \$32,400,000.
- (6) For threat reduction engagement, \$2,400,000.
- (7) For other assessments/administrative support, \$25,200,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2013 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2013 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2013 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in para-

graphs (1) through (7) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

#### TITLE XIV—OTHER AUTHORIZATIONS

##### Subtitle A—Military Programs

##### SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

##### SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

##### SEC. 1403. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4501.

##### SEC. 1404. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

- (1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and
- (2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

##### SEC. 1405. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

##### SEC. 1406. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

##### Subtitle B—National Defense Stockpile

##### SEC. 1411. RELEASE OF MATERIALS NEEDED FOR NATIONAL DEFENSE PURPOSES FROM THE STRATEGIC AND CRITICAL MATERIALS STOCKPILE.

(a) AUTHORITY FOR PRESIDENT TO DELEGATE SPECIAL DISPOSAL AUTHORITY OF PRESIDENT FOR RELEASE FOR NATIONAL DEFENSE PURPOSES.—Section 7(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98f(a)) is amended—

- (1) in paragraph (1), by striking “and” at the end;
- (2) in paragraph (2), by striking the period at the end and inserting “; and”;
- (3) by adding at the end the following new paragraph:

“(3) on the order of the Under Secretary of Defense for Acquisition, Technology, and Logistics, if the President has designated the Under Secretary to have authority to issue

release orders under this subsection and, in the case of any such order, if the Under Secretary determines that the release of such materials is required for use, manufacture, or production for purposes of national defense.”

(b) EXCLUSION FROM DELEGATION LIMITATION.—Section 16 of such Act (50 U.S.C. 98h-7) is amended by striking “sections 7 and 13” each place it appears and inserting “sections 7(a)(1) and 13”.

##### Subtitle C—Chemical Demilitarization Matters

##### SEC. 1421. SUPPLEMENTAL CHEMICAL AGENT AND MUNITIONS DESTRUCTION TECHNOLOGIES AT PUEBLO CHEMICAL DEPOT, COLORADO, AND BLUE GRASS ARMY DEPOT, KENTUCKY.

(a) SUPPLEMENTAL DESTRUCTION TECHNOLOGIES.—Section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) is amended—

(1) by redesignating subsection (o) as subsection (p); and

(2) by inserting after subsection (n) the following new subsection (o):

“(o) SUPPLEMENTAL DESTRUCTION TECHNOLOGIES.—In determining the technologies to supplement the neutralization destruction of the stockpile of lethal chemical agents and munitions at Pueblo Chemical Depot, Colorado, and Blue Grass Army Depot, Kentucky, the Secretary of Defense may consider the following:

- “(1) Explosive Destruction Technologies.
- “(2) Any technologies developed for treatment and disposal of agent or energetic hydrolysates, if problems with the current on-site treatment of hydrolysates are encountered.”

(b) REPEAL OF SUPERSEDED PROVISION.—Section 151 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1645A-30) is repealed.

##### Subtitle D—Other Matters

##### SEC. 1431. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2013 from the Armed Forces Retirement Home Trust Fund the sum of \$67,590,000 for the operation of the Armed Forces Retirement Home.

##### SEC. 1432. ADDITIONAL WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.

(a) IN GENERAL.—Section 1403 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2676; 10 U.S.C. 12310 note) is amended—

- (1) by striking subsection (b);
- (2) by redesignating subsection (c) as subsection (d); and
- (3) by inserting after subsection (a) the following new subsections (b) and (c):

“(b) ESTABLISHMENT OF FURTHER ADDITIONAL TEAMS.—The Secretary of Defense is authorized to have established two additional teams designated as Weapons of Mass Destruction Civil Support teams, beyond the 55 teams required in subsection (a), if—

“(1) the Secretary of Defense has made the certification provided for in section 12310(c)(5) of title 10, United States Code, with respect to each of such additional teams before December 31, 2011; and

“(2) the establishment of such additional teams does not require an increase in authorized personnel levels above the numbers authorized as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.

“(c) LIMITATION OF ESTABLISHMENT OF FURTHER TEAMS.—No Weapons of Mass Destruction Civil Support Team may be established beyond the number authorized by subsections (a) and (b) unless—

“(1) the Secretary submits to Congress a request for authority to establish such team, including a detailed justification for their establishment; and

“(2) the establishment of such team is specifically authorized by a law enacted after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.”

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the Weapons of Mass Destruction Civil Support Teams. The report shall include the following:

(1) A detailed description of risk management criteria and considerations to be used in determining the optimal number and location of Weapons of Mass Destruction Civil Support Teams.

(2) A description of the operational and training activities conducted by the Weapons of Mass Destruction Civil Support Teams during each of fiscal years 2010, 2011, and 2012.

(3) An assessment of the optimal number and location of Weapons of Mass Destruction Civil Support Teams in light of the information under paragraphs (1) and (2).

(4) A comparative analysis of the cost of establishing Weapons of Mass Destruction Civil Support Teams in the reserve components of the Armed Forces (other than the National Guard) with the cost of establishing Weapons of Mass Destruction Civil Support Teams in the National Guard.

(5) A description of the portion of the costs of Weapons of Mass Destruction Civil Support Teams that is currently borne by the States.

#### **TITLE XV—AUTHORIZATION OF APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**

##### **Subtitle A—Authorization of Appropriations**

###### **SEC. 1501. PURPOSE.**

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2013 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

###### **SEC. 1502. PROCUREMENT.**

Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

###### **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

###### **SEC. 1504. OPERATION AND MAINTENANCE.**

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

###### **SEC. 1505. MILITARY PERSONNEL.**

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

###### **SEC. 1506. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agen-

cies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

###### **SEC. 1507. DEFENSE HEALTH PROGRAM.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

###### **SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

###### **SEC. 1509. DEFENSE INSPECTOR GENERAL.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

##### **Subtitle B—Financial Matters**

###### **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

###### **SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$4,000,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

##### **Subtitle C—Limitations and Other Matters**

###### **SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.**

(a) CONTINUATION OF EXISTING LIMITATIONS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2013 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4424).

(b) AVAILABILITY FOR SUPPORT OF TRAINING OF AFGHAN PUBLIC PROTECTION FORCE.—Assistance provided during fiscal year 2013 utilizing funds in the Afghanistan Security Forces Fund may be used to increase the capacity of the Government of Afghanistan to recruit, vet, train, and manage the Afghan Public Protection Force within the Afghanistan Ministry of Interior, including activities in connection with the following:

(1) Expanding the capacity of the Force to train and qualify recruits for static security,

convoy security, and personal detail security.

(2) Improving the infrastructure of the Afghan Public Protection Force Training Center or other facilities for training Force personnel.

(3) Increasing the capacity of the Afghanistan Ministry of Interior to manage the Force.

(4) Improving procedures for recruiting and vetting Force personnel.

(5) Establishing or implementing requirements for qualifications, training, and accountability consistent with the purposes of section 862 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note), to the extent feasible.

(c) PLAN FOR USE OF AFGHANISTAN SECURITY FORCES FUND THROUGH 2017.—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for using funds available to the Department of Defense to provide assistance to the security forces of Afghanistan through the Afghanistan Security Forces Fund through September 30, 2017.

###### **SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.**

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2013.

(b) AVAILABILITY OF CERTAIN FISCAL YEAR 2013 FUNDS.—

(1) IN GENERAL.—Of the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2013, \$15,000,000 may be available to the Secretary of Defense to provide training, equipment, supplies, and services to ministries and other entities of the Government of Pakistan that the Secretary has identified as critical for countering the flow of improvised explosive device precursor chemicals from Pakistan to locations in Afghanistan.

(2) PROVISION THROUGH OTHER US AGENCIES.—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer funds available under paragraph (1) to such department or agency for the provision of training, equipment, supplies, and services to ministries and other entities of the Government of Pakistan as described in that paragraph by such department or agency.

(3) NOTICE TO CONGRESS.—Funds may not be used under the authority in paragraph (1) until 15 days after the date on which the Secretary of Defense submits to the congressional defense committees a notice on the training, equipment, supplies, and services to be provided using such funds.

(c) EXPIRATION.—This section shall cease to be effective on December 31, 2013.

###### **SEC. 1533. PLAN FOR TRANSITION IN FUNDING OF UNITED STATES SPECIAL OPERATIONS COMMAND FROM SUPPLEMENTAL FUNDING FOR OVERSEAS CONTINGENCY OPERATIONS TO RECURRING FUNDING UNDER THE FUTURE-YEARS DEFENSE PROGRAM.**

The Secretary of Defense shall submit to the congressional defense committees, at the same time as the budget of the President for fiscal year 2014 is submitted to Congress pursuant to section 1105(a) of title 31, United

States Code, a plan for the transition of funding of the United States Special Operations Command from funds authorized to be appropriated for overseas contingency operations (commonly referred to as the “overseas contingency operations budget”) to funds authorized to be appropriated for recurring operations of the Department of Defense in accordance with applicable future-years defense programs under section 221 of title 10, United States Code (commonly referred to as the “base budget”).

**SEC. 1534. EXTENSION OF AUTHORITY ON TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.**

Section 1535(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4426), as amended by section 1534 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1658), is further amended—

(1) in the second sentence of paragraph (4)—

(A) by striking “The amount of funds used” and inserting “The amount of fund obligated”;

(B) by inserting “and \$93,000,000 for fiscal year 2013” after “fiscal year 2012”;

(C) by inserting “for fiscal year 2012” after “except that”;

(2) in paragraph (6), by striking “October 31, 2011, and October 31, 2012” and inserting “October 31 of each of 2011, 2012, and 2013”; and

(3) in paragraph (7)—

(A) by striking “provided in” and inserting “to obligate funds for projects under”;

(B) by striking “September 30, 2012” and inserting “September 30, 2013”.

**SEC. 1535. ASSESSMENTS OF TRAINING ACTIVITIES AND INTELLIGENCE ACTIVITIES OF THE JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT ORGANIZATION.**

(a) TRAINING ACTIVITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Chairman of Joint Chiefs of Staff and the other chiefs of staff of the Armed Forces, submit to the congressional defense committees a report setting forth an assessment of the training-related activities of the Joint Improvised Explosive Device Defeat Organization (JIEDDO).

(2) ELEMENTS.—The assessment required by paragraph (1) shall—

(A) include all training programs and functions executed by the Joint Improvised Explosive Device Defeat Organization in support of the United States Armed Forces or coalition partners;

(B) identify any program or function which is duplicated elsewhere within the Department of Defense; and

(C) assess the value of maintaining such duplication.

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

(4) LIMITATION.—No training-related program may be initiated by the Joint Improvised Explosive Device Defeat Organization between the date of the enactment of this Act and the date of the submittal of the report required by paragraph (1).

(b) INTELLIGENCE ACTIVITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to the congressional defense committees a report setting forth an assessment of the activities of the Counter-Improvised-Explosive-Device Operations Integration Center of the Joint Improvised Explosive Device Defeat Organization.

(2) ELEMENTS.—The assessment required by paragraph (1) shall—

(A) include all intelligence analysis programs and functions executed by the Counter-Improvised-Explosive-Device Operations Integration Center in support of the United States Government or coalition partners;

(B) identify any program or function which is duplicated elsewhere within the Department of Defense, including the intelligence components of the Department, or the intelligence community of the United States; and

(C) assess the value of maintaining such duplication.

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

**TITLE XVI—MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION**

**SEC. 1601. SHORT TITLE.**

This title may be cited as the “Military Compensation and Retirement Modernization Commission Act of 2012”.

**SEC. 1602. PURPOSE.**

The purpose of this title is to establish a Commission to review and make recommendations to modernize the military compensation and retirement systems in order to—

(1) ensure the long-term viability of the All-Volunteer Force;

(2) enable the quality of life for members of the Armed Forces and the other uniformed services and their families in a manner that fosters successful recruitment, retention, and careers for members of the Armed Forces and the other uniformed services; and

(3) modernize and achieve fiscal sustainability for the compensation and retirements systems for the Armed Forces and the other uniformed services for the 21st century.

**SEC. 1603. DEFINITIONS.**

In this title:

(1) The term “military compensation and retirement systems” means the military compensation system and the military retirement system.

(2) The term “military compensation system” means provisions of law providing eligibility for and the computation of military compensation, including regular military compensation, special and incentive pays and allowances, medical and dental care, educational assistance and related benefits, and commissary and exchange benefits and related benefits and activities.

(3) The term “military retirement system” means retirement benefits, including retired pay based upon service in the uniformed services and survivor annuities based upon such service.

(4) The term “Armed Forces” has the meaning given the term “armed forces” in section 101(a)(4) of title 10, United States Code.

(5) The term “uniformed services” has the meaning given that term in section 101(a)(5) of title 10, United States Code.

(6) The term “Secretary” means the Secretary of Defense.

(7) The term “Commission” means the commission established under section 1604.

(8) The term “Commission establishment date” means the first day of the first month beginning on or after the date of the enactment of this Act.

(9) The terms “veterans service organization” and “military-related advocacy group or association” mean an organization the primary purpose of which is to advocate for veterans, military personnel, military retirees, or military families.

**SEC. 1604. MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION.**

(a) ESTABLISHMENT.—There is established in the executive branch an independent commission to be known as the Military Compensation and Retirement Modernization Commission. The Commission shall be considered an independent establishment of the Federal Government as defined by section 104 of title 5, United States Code, and a temporary organization under section 3161 of such title.

(b) APPOINTMENT.—

(1) IN GENERAL.—

(A) MEMBERS.—The Commission shall be composed of nine members appointed by the President, in consultation with—

(i) the Chairman and Ranking Member of the Committee on Armed Services of the Senate; and

(ii) the Chairman and Ranking Member of the Committee on Armed Services of the House of Representatives.

(B) DEADLINE FOR APPOINTMENT.—The President shall make appointments to the Commission not later than six months after the Commission establishment date.

(C) TERMINATION FOR LACK OF APPOINTMENT.—If the President does not make all appointments to the Commission on or before the date specified in subparagraph (B), the Commission shall be terminated.

(2) QUALIFICATIONS OF INDIVIDUALS APPOINTED.—In appointing individuals to the Commission, the President shall—

(A) ensure that—

(i) there are members with significant expertise in Federal compensation and retirement systems, including the military compensation and retirement systems, private sector compensation, retirement, or human resource systems, and actuarial science;

(ii) at least five members have active-duty military experience, including—

(I) at least one of whom has active-duty experience as an enlisted member; and

(II) at least one of whom has experience as a member of a reserve component; and

(iii) at least one member was the spouse of a member of the Armed Forces, or, in the sole determination of the President, has significant experience in military family matters; and

(B) select individuals who are knowledgeable and experienced with the uniformed services and military compensation and retirement issues.

(3) LIMITATION.—The President may not appoint to the Commission an individual who within the preceding year has been employed by a veterans service organization or military-related advocacy group or association.

(4) CHAIR.—At the time the President appoints the members of the Commission, the President shall designate one of the members to be Chair of the Commission. The individual designated as Chair of the Commission shall be a person who has expertise in the military compensation and retirement systems. The Chair, or the designee of the Chair, shall preside over meetings of the Commission and be responsible for establishing the agenda of Commission meetings and hearings.

(c) TERMS.—Members shall be appointed for the life of the Commission (subject to subsection (b)(3)). A vacancy in the Commission shall not affect its powers, and shall be filled in the same manner as the original appointment was made.

(d) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding the requirements of section 2105 of title 5, United States Code, including the required supervision under subsection (a)(3) of such section, the members of the Commission shall be deemed Federal employees.

**SEC. 1605. COMMISSION HEARINGS AND MEETINGS.**

(a) IN GENERAL.—The Commission shall conduct hearings on the recommendations it is taking under consideration. Any such hearing, except a hearing in which classified information is to be considered, shall be open to the public. Any hearing open to the public shall be announced on a Federal website at least 14 days in advance. For all hearings open to the public, the Commission shall release an agenda and a listing of materials relevant to the topics to be discussed.

**(b) MEETINGS.—**

(1) INITIAL MEETING.—The Commission shall hold its initial meeting not later than 30 days after the date as of which all members have been appointed.

(2) SUBSEQUENT MEETINGS.—After its initial meeting, the Commission shall meet upon the call of the Chair or a majority of its members.

(3) PUBLIC MEETINGS.—Each meeting of the Commission shall be held in public unless any member objects.

(c) QUORUM.—Five members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

**(d) PUBLIC COMMENTS.—**

(1) IN GENERAL.—The Commission shall seek written comments from the general public and interested parties on measures to modernize the military compensation and retirement systems. Comments shall be requested through a solicitation in the Federal Register and announcement on the Internet website of the Commission.

(2) PERIOD FOR SUBMITTAL.—The period for the submittal of comments pursuant to the solicitation under paragraph (1) shall end not earlier than 30 days after the date of the solicitation and shall end on or before the date on which the Secretary transmits the recommendations of the Secretary to the Commission under section 1606(b).

(3) USE BY COMMISSION.—The Commission shall consider the comments submitted under this subsection when developing its recommendations.

**SEC. 1606. PRINCIPLES AND PROCEDURE FOR COMMISSION RECOMMENDATIONS.****(a) PRINCIPLES.—**

(1) CONTEXT OF COMMISSION REVIEW.—The Commission shall conduct a review of the military compensation and retirement systems in the context of all elements of the current military compensation and retirement systems, force management objectives, and changes in life expectancy and the labor force.

**(2) DEVELOPMENT OF COMMISSION RECOMMENDATIONS.—**

(A) CONSISTENCY WITH PRESIDENTIAL PRINCIPLES.—The Commission shall develop recommendations for modernizing the military compensation and retirement systems that are consistent with principles established by the President under paragraph (3).

(B) GRANDFATHERING.—The recommendations of the Commission may not apply to any person who first becomes a member of a uniformed service before the date of the enactment of a military compensation and retirement modernization Act pursuant to this title (except that such recommendations may include provisions allowing for such a member to make a voluntary election to be covered by some or all of the provisions of such recommendations).

(3) PRESIDENTIAL PRINCIPLES.—Not later than five months after the Commission establishment date, the President shall establish and transmit to the Commission and Congress principles for modernizing the military compensation and retirement systems. The principles established by the President shall address the following:

(A) Maintaining recruitment and retention of the best military personnel.

(B) Modernizing the active and reserve military compensation and retirement systems.

(C) Differentiating between active and reserve military service.

(D) Differentiating between service in the Armed Forces and service in the other uniformed services.

(E) Assisting with force management.

(F) Ensuring the fiscal sustainability of the military compensation and retirement systems.

**(b) SECRETARY OF DEFENSE RECOMMENDATIONS.—**

(1) IN GENERAL.—Not later than nine months after the Commission establishment date, the Secretary shall transmit to the Commission the recommendations of the Secretary for military compensation and retirement modernization. The Secretary shall concurrently transmit the recommendations to Congress.

(2) DEVELOPMENT OF RECOMMENDATIONS.—The Secretary shall develop the recommendations of the Secretary under paragraph (1)—

(A) on the basis of the principles established by the President pursuant to subsection (a)(3);

(B) in consultation with the Secretary of Homeland Security, with respect to recommendations concerning members of the Coast Guard;

(C) in consultation with the Secretary of Health and Human Services, with respect to recommendations concerning members of the Public Health Service;

(D) in consultation with the Secretary of Commerce, with respect to recommendations concerning members of the National Oceanic and Atmospheric Administration; and

(E) in consultation with the Director of the Office of Management and Budget.

(3) JUSTIFICATION.—The Secretary shall include with the recommendations under paragraph (1) the justification of the Secretary for each recommendation.

(4) AVAILABILITY OF INFORMATION.—The Secretary shall make available to the Commission and to Congress the information used by the Secretary to prepare the recommendations of the Secretary under paragraph (1).

(c) COMMISSION HEARINGS ON RECOMMENDATIONS OF SECRETARY.—After receiving from the Secretary the recommendations of the Secretary for military compensation and retirement modernization pursuant to subsection (b), the Commission shall conduct public hearings on the recommendations.

**(d) COMMISSION REPORT AND RECOMMENDATIONS.—**

(1) REPORT.—Not later than 15 months after the Commission establishment date, the Commission shall transmit to the President a report containing the findings and conclusions of the Commission, together with the recommendations of the Commission for the modernization of the military compensation and retirement systems. The Commission shall include in the report legislative language to implement the recommendations of the Commission. The findings and conclusions in the report shall be based on the review and analysis by the Commission of the recommendations of the Secretary.

(2) REQUIREMENT FOR APPROVAL.—The recommendations of the Commission must be approved by at least five members of the Commission before the recommendations may be transmitted to the President under paragraph (1).

(3) PROCEDURES FOR CHANGING RECOMMENDATIONS OF SECRETARY.—The Commission may make a change described in paragraph (4) in the recommendations made by the Secretary only if the Commission—

(A) determines that the change is consistent with the principles established by the President under subsection (a)(3);

(B) publishes a notice of the proposed change not less than 45 days before transmitting its recommendations to the President pursuant to paragraph (1); and

(C) conducts a public hearing on the proposed change.

(4) COVERED CHANGES.—Paragraph (3) applies to a change by the Commission in the recommendations of the Secretary that would—

(A) add a new recommendation;

(B) delete a recommendation; or

(C) substantially change a recommendation.

(5) EXPLANATION AND JUSTIFICATION FOR CHANGES.—The Commission shall explain and justify in its report submitted to the President under paragraph (1) any recommendation made by the Commission that is different from the recommendations made by the Secretary pursuant to subsection (b).

(6) TRANSMITTAL TO CONGRESS.—The Commission shall transmit a copy of its report to Congress on the same date on which it transmits its report to the President under paragraph (1).

**SEC. 1607. CONSIDERATION OF COMMISSION RECOMMENDATIONS BY THE PRESIDENT AND CONGRESS.****(a) REVIEW BY THE PRESIDENT.—**

(1) REPORT OF PRESIDENTIAL APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date on which the Commission transmits its report to the President under section 1606(d), the President shall transmit to the Commission and to Congress a report containing the approval or disapproval by the President of the recommendations of the Commission in the report.

(2) PRESIDENTIAL APPROVAL.—If in the report under paragraph (1) the President approves all the recommendations of the Commission, the President shall include with the report the following:

(A) A copy of the recommendations of the Commission.

(B) The certification by the President of the approval of the President of each recommendation.

(C) The legislative language transmitted by the Commission to the President as part of the report of the Commission under section 1606(d)(1).

**(3) PRESIDENTIAL DISAPPROVAL.—**

(A) REASONS FOR DISAPPROVAL.—If in the report under paragraph (1) the President disapproves the recommendations of the Commission, in whole or in part, the President shall include in the report the reasons for that disapproval.

(B) REVISED RECOMMENDATIONS FROM COMMISSION.—The Commission shall then transmit to the President, not later one month after the date of the report of the President under paragraph (1), revised recommendations for the modernization of the military compensation and retirement systems, together with revised legislative language to implement the revised recommendations of the Commission.

(4) ACTION ON REVISED RECOMMENDATIONS.—If the President approves all of the revised recommendations of the Commission transmitted pursuant to paragraph (3)(B), the President shall transmit to Congress, not later than one month after receiving the revised recommendations, the following:

(A) A copy of the revised recommendations.

(B) The certification by the President of the approval of the President of each recommendation as so revised.

(C) The revised legislative language transmitted to the President under paragraph (3)(B).



(5) **TERMINATION OF COMMISSION.**—If the President does not transmit to Congress an approval and certification described in paragraph (2) or (4) in accordance with the applicable deadline under such paragraph, the Commission shall be terminated not later than one month after the expiration of the period for transmittal of a report under paragraph (4).

(b) **CONSIDERATION BY CONGRESS.**—

(1) **RULEMAKING.**—The provisions of this subsection are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(2) **MILITARY COMPENSATION AND RETIREMENT MODERNIZATION BILL.**—For the purpose of this subsection, the term “military compensation and retirement modernization bill” means only a bill consisting of the proposed legislative language recommended by the Commission and submitted to Congress by the President pursuant to subsection (a).

(3) **INTRODUCTION OF LEGISLATIVE PROPOSAL IN HOUSE AND SENATE.**—If the President transmits to Congress under subsection (a) a copy of the recommendations of the Commission (including the legislative language recommended by the Commission), together with a certification of the approval of the President of the recommendations, the proposed legislative language recommended by the Commission and submitted to Congress by the President pursuant to that subsection—

(A) shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the chairman of the Committee on Armed Services of the Senate; and

(B) shall be introduced in the House of Representatives (by request) on the next legislative day by the chair of the Committee on Armed Services of the House of Representatives.

(4) **CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.**—

(A) **REFERRAL AND REPORTING.**—Any committee of the House of Representatives to which the military compensation and retirement modernization bill is referred shall report it to the House without amendment not later than the end of the 60-day period beginning on the date on which the bill is introduced. If a committee fails to report the bill to the House within that period, it shall be in order to move that the House discharge the committee from further consideration of the bill. Such a motion shall not be in order after the last committee authorized to consider the bill reports it to the House or after the House has disposed of a motion to discharge the bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the Commission bill in accordance with subparagraphs (B) and (C). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(B) **PROCEEDING TO CONSIDERATION.**—After the last committee authorized to consider a military compensation and retirement modernization bill reports it to the House or has been discharged (other than by motion) from

its consideration, it shall be in order to move to proceed to consider the military compensation and retirement modernization bill in the House. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to the military compensation and retirement modernization bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) **CONSIDERATION.**—The military compensation and retirement modernization bill shall be considered as read. All points of order against the bill and against its consideration are waived. The previous question shall be considered as ordered on the bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the bill shall not be in order.

(D) **VOTE ON PASSAGE.**—The vote on passage of the military compensation and retirement modernization bill shall occur not later than the end of the 90-day period beginning on the date on which the bill is introduced.

(5) **EXPEDITED PROCEDURE IN THE SENATE.**—

(A) **COMMITTEE CONSIDERATION.**—A military compensation and retirement modernization bill introduced in the Senate under subsection (a) shall be jointly referred to the committee or committees of jurisdiction, which committees shall report the bill without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than the end of the 60-day period beginning on the date on which the bill is introduced. If any committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

(B) **MOTION TO PROCEED.**—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a military compensation and retirement modernization bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the military compensation and retirement modernization bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the military compensation and retirement modernization bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the military compensation and retirement modernization bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the military compensation and retirement modernization bill is agreed to, the military compensation and retirement modernization bill shall remain the unfinished business until disposed of.

(C) **CONSIDERATION.**—All points of order, other than budget points of order, against the military compensation and retirement modernization bill and against consideration of the bill are waived. Consideration of the bill and of all debatable motions and appeals in connection therewith shall not exceed a total of 10 hours which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate on the bill is in order, shall

require an affirmative vote of three-fifths of the Members duly chosen and sworn, and is not debatable. Any debatable motion or appeal is debatable for not to exceed 1 hour, to be divided equally between those favoring and those opposing the motion or appeal. All time used for consideration of the bill, including time used for quorum calls and voting, shall be counted against the total 10 hours of consideration.

(D) **NO AMENDMENTS.**—An amendment to the Commission bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the Commission bill, is not in order.

(E) **VOTE ON PASSAGE.**—If the Senate has voted to proceed to the military compensation and retirement modernization bill, the vote on passage of the bill shall occur immediately following the conclusion of the debate on a military compensation and retirement modernization bill, and a single quorum call at the conclusion of the debate if requested. The vote on passage of the bill shall occur not later the end of the 90-day period beginning on the date on which the bill is introduced.

(F) **RULINGS OF THE CHAIR ON PROCEDURE.**—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a military compensation and retirement modernization bill shall be decided without debate.

(6) **AMENDMENT.**—The military compensation and retirement modernization bill shall not be subject to amendment in either the House of Representatives or the Senate.

(7) **CONSIDERATION BY THE OTHER HOUSE.**—If, before passing the military compensation and retirement modernization bill, one House receives from the other a military compensation and retirement modernization bill—

(A) the military compensation and retirement modernization bill of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no military compensation and retirement modernization bill had been received from the other House until the vote on passage, when the military compensation and retirement modernization bill received from the other House shall supplant the military compensation and retirement modernization bill of the receiving House.

#### **SEC. 1608. PAY FOR MEMBERS OF THE COMMISSION.**

(a) **IN GENERAL.**—Each member, other than the Chair, of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(b) **CHAIR.**—The Chair of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

#### **SEC. 1609. EXECUTIVE DIRECTOR.**

(a) **APPOINTMENT.**—The Commission shall appoint and fix the rate of basic pay for an Executive Director in accordance with section 3161 of title 5, United States Code.

(b) **LIMITATIONS.**—The Executive Director may not have served on active duty in the Armed Forces or as a civilian employee of the Department of Defense during the one-year period preceding the date of such appointment and may not have been employed

by a veterans service organization or a military-related advocacy group or association during that one-year period.

**SEC. 1610. STAFF.**

(a) **IN GENERAL.**—Subject to subsections (b) and (c), the Executive Director, with the approval of the Commission, may appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161 of title 5, United States Code.

(b) **LIMITATIONS ON STAFF.**—

(1) **NUMBER OF DETAILEES FROM DEPARTMENT OF DEFENSE.**—Not more than one-third of the personnel employed by or detailed to the Commission may be on detail from the Department of Defense.

(2) **PRIOR DUTIES WITHIN DEPARTMENT OF DEFENSE.**—A person may not be detailed from the Department of Defense to the Commission if, in the year before the detail is to begin, that person participated personally and substantially in any matter within the Department concerning the preparation of recommendations for military compensation and retirement modernization.

(3) **NUMBER OF DETAILEES ELIGIBLE FOR MILITARY RETIRED PAY.**—Not more than one-fourth of the personnel employed by or detailed to the Commission may be persons eligible for or receiving military retired pay.

(4) **PRIOR EMPLOYMENT WITH CERTAIN ORGANIZATIONS.**—A person may not be employed by or detailed to the Commission if, in the year before the employment or detail is to begin, that person was employed by a veterans service organization or a military-related advocacy group or association.

(c) **LIMITATIONS ON PERFORMANCE REVIEWS.**—No member of the Armed Forces, and no officer or employee of the Department of Defense, may—

(1) prepare any report concerning the effectiveness, fitness, or efficiency of the performance of the staff of the Commission or any person detailed from the Department to that staff;

(2) review the preparation of such a report; or

(3) approve or disapprove such a report.

**SEC. 1611. CONTRACTING AUTHORITY.**

The Commission may lease space and acquire personal property to the extent funds are available.

**SEC. 1612. JUDICIAL REVIEW PRECLUDED.**

The following shall not be subject to judicial review:

(1) Actions of the President, the Secretary, and the Commission under section 1606.

(2) Actions of the President under section 1607(a).

**SEC. 1613. TERMINATION.**

Except as otherwise provided in this title, the Commission shall terminate not later than 26 months after the Commission establishment date.

**SEC. 1614. FUNDING.**

Of the amounts authorized to be appropriated by this division for the Department of Defense for fiscal year 2013, up to \$10,000,000 shall be available to the Commission to carry out its duties under this title. Funds available to the Commission under the preceding sentence shall remain available until expended.

**TITLE XVII—NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE**

**SEC. 1701. SHORT TITLE.**

This title may be cited as the “National Commission on the Structure of the Air Force Act of 2012”.

**SEC. 1702. ESTABLISHMENT OF COMMISSION.**

(a) **ESTABLISHMENT.**—There is established the National Commission on the Structure of the Air Force (in this title referred to as the “Commission”).

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Commission shall be composed of eight members, of whom—

(A) four shall be appointed by the President, of whom one shall be the Chairman of the Reserve Forces Policy Board;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) **APPOINTMENT DATE.**—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(3) **EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.**—

If one or more appointments under subparagraph (A) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments so not made. If an appointment under subparagraph (B), (C), (D), or (E) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment under such subparagraph shall expire, and the number of members of the Commission shall be reduced by the number equal to the number otherwise appointable under such subparagraph.

(c) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) **INITIAL MEETING.**—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) **MEETINGS.**—The Commission shall meet at the call of the Chair.

(f) **QUORUM.**—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) **CHAIR AND VICE CHAIRMAN.**—The Commission shall select a Chair and Vice Chair from among its members.

**SEC. 1703. DUTIES OF THE COMMISSION.**

(a) **STUDY.**—

(1) **IN GENERAL.**—The Commission shall undertake a comprehensive study of the current structure of the Air Force to determine whether, and how, the structure should be modified to best fulfill current and anticipated mission requirements for the Air Force in a manner consistent with available resources.

(2) **CONSIDERATIONS.**—In considering an alternative structure for the Air Force, the Commission shall give particular consideration to identifying a structure that—

(A) meets current and anticipated requirements of the combatant commands;

(B) achieves an appropriate balance between the regular and reserve components of the Air Force, taking advantage of the unique strengths and capabilities of each;

(C) ensures that the reserve components of the Air Force have the capacity needed to support current and anticipated homeland defense and disaster assistance missions in the United States;

(D) provides for sufficient numbers of regular members of the Air Force to provide a base of trained personnel from which the per-

sonnel of the reserve components of the Air Force could be recruited;

(E) maintains a peacetime rotation force to avoid exceeding operational tempo goals of 1:2 for regular members of the Air Forces and 1:5 for members of the reserve components of the Air Force; and

(F) maximizes achievable costs savings.

(b) **REPORT.**—Not later than March 31, 2013, the Commission shall submit to the President and the congressional defense committees a report which shall contain a detailed statement of the findings and conclusions of the Commission as a result of the study required by subsection (a), together with its recommendations for such legislation and administrative actions as it considers appropriate in light of the results of the study.

**SEC. 1704. POWERS OF THE COMMISSION.**

(a) **HEARINGS.**—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this title.

(b) **INFORMATION FROM FEDERAL AGENCIES.**—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this title. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) **GIFTS.**—The Commission may accept, use, and dispose of gifts or donations of services or property.

**SEC. 1705. COMMISSION PERSONNEL MATTERS.**

(a) **COMPENSATION OF MEMBERS.**—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) **TRAVEL EXPENSES.**—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) **STAFF.**—

(1) **IN GENERAL.**—The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) **COMPENSATION.**—The Chair of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) **DETAIL OF GOVERNMENT EMPLOYEES.**—Any Federal Government employee may be

detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chair of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

**SEC. 1706. TERMINATION OF THE COMMISSION.**

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 1703.

**SEC. 1707. FUNDING.**

Amounts authorized to be appropriated for fiscal year 2013 and available for operation and maintenance for the Air Force as specified in the funding table in section 4301 may be available for the activities of the Commission under this title.

**SEC. 1708. LIMITATION ON AVAILABILITY OF FUNDS FOR REDUCTIONS TO THE AIR NATIONAL GUARD AND THE AIR FORCE RESERVE.**

(a) **IN GENERAL.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used to divest, retire, or transfer, any aircraft of the Air Force assigned to units of the Air National Guard or Air Force Reserve as of May 31, 2012.

(b) **EXCEPTION.**—The Secretary of the Air Force may divest or retire, or prepare to divest or retire, C-5A aircraft if the Secretary replaces such aircraft through a transfer of C-5B, C-5M, or C-17 mobility aircraft so as to maintain all Air National Guard and Air Force Reserve units impacted by such divest-

ment or retirement at current or higher assigned manpower levels to operate the aircraft so transferred.

**SEC. 1709. FUNDING FOR MAINTENANCE OF FORCE STRUCTURE OF THE AIR FORCE PENDING COMMISSION RECOMMENDATIONS.**

There is hereby authorized to be appropriated to the Department of Defense for fiscal year 2013, \$1,400,000,000 for the force structure of the Air Force. The amount authorized to be appropriated by this section is in addition to any other amounts authorized to be appropriated by this Act.

**SEC. 1710. RETENTION OF CORE FUNCTIONS OF THE ELECTRONIC SYSTEMS CENTER AT HANSCOM AIR FORCE BASE PENDING FUTURE STRUCTURE STUDY.**

The Secretary of the Air Force shall retain the current leadership rank and core functions of the Electronic Systems Center at Hanscom Air Force Base with the same integrated mission elements, responsibilities, and capabilities as existed as of November 1, 2011, until 180 days after the National Commission on the Structure of the Air Force submits to the congressional defense committees the report required under section 1703.

**DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

**SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2013”.

**SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.**

(a) **EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.**—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military con-

struction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2015; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016.

(b) **EXCEPTION.**—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2015; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2016 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

**TITLE XXI—ARMY MILITARY CONSTRUCTION**

**SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Army: Inside the United States**

State	Installation or Location	Amount
Alaska	Fort Wainwright	\$10,400,000
	Joint Base Elmendorf-Richardson	\$7,900,000
California	Concord	\$8,900,000
Colorado	Fort Carson	\$18,000,000
	Fort McNair	\$7,200,000
Georgia	Fort Benning	\$16,000,000
	Fort Gordon	\$23,300,000
	Fort Stewart	\$49,650,000
Hawaii	Pohakuloa Training Area	\$29,000,000
	Schofield Barracks	\$96,000,000
	Wheeler Army Air Field	\$85,000,000
Kansas	Fort Riley	\$12,200,000
Kentucky	Fort Campbell	\$81,800,000
	Fort Knox	\$6,000,000
Missouri	Fort Leonard Wood	\$123,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$47,000,000
	Picatinny Arsenal	\$10,200,000
New York	Fort Drum	\$95,000,000
North Carolina	Fort Bragg	\$68,000,000
Oklahoma	Fort Sill	\$4,900,000
South Carolina	Fort Jackson	\$24,000,000
Texas	Corpus Christi	\$37,200,000
	Fort Bliss	\$7,200,000
	Fort Hood	\$51,200,000
	Joint Base San Antonio	\$21,000,000
	Fort Belvoir	\$94,000,000
Virginia	Fort Lee	\$81,000,000
	Joint Base Lewis McChord	\$164,000,000
Washington	Yakima	\$5,100,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**Army: Outside the United States**

Country	Installation or Location	Amount
Italy .....	Camp Ederle .....	\$36,000,000
	Vicenza .....	\$32,000,000
Japan .....	Okinawa .....	\$78,000,000
	Sagami .....	\$18,000,000
Korea .....	Camp Humphreys .....	\$45,000,000

**SEC. 2102. FAMILY HOUSING.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,641,000.

**SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family hous-

ing functions of the Department of the Army, as specified in the funding table in section 4601.

**SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.**

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2628) for Fort Belvoir, Virginia, for construction of a Road and Access Control Point at the installation, the Secretary of the Army may construct a standard design Access Control Point consistent with the Army's construction guidelines for Access Control Points.

**SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (122 Stat. 4659), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Army: Extension of 2009 Project Authorizations**

State	Installation or Location	Project	Amount
Alabama .....	Anniston Army Depot	Lake Yard Interchange .....	\$1,400,000
New Jersey .....	Picatinny Arsenal .....	Ballistic evaluation Facility Phase I .....	\$9,900,000

**SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authoriza-

tion Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (123 Stat. 2628), shall remain in effect until Octo-

ber 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Army: Extension of 2010 Project Authorizations**

State/Country	Installation or Location	Project	Amount
Louisiana .....	Fort Polk .....	Land Purchases and Condemnation .....	\$17,000,000
New Jersey .....	Picatinny Arsenal .....	Ballistic Evaluation Facility, Ph2 .....	\$10,200,000
Virginia .....	Fort Belvoir .....	Road and Access Control Point .....	\$9,500,000
Washington .....	Fort Lewis .....	Fort Lewis-McCord AFB Joint Access ....	\$9,000,000
Kuwait .....	Kuwait .....	APS Warehouses .....	\$82,000,000

**SEC. 2107. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.**

(a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a cadet barracks at the U.S. Military Academy, New York, in the amount of \$192,000,000.

(b) USE OF UNOBLIGATED PRIOR-YEAR MILITARY CONSTRUCTION FUNDS.—The Secretary of the Army shall use available, unobligated military construction funds appropriated for a fiscal year before fiscal year 2013 for the project described in subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

**TITLE XXII—NAVY MILITARY CONSTRUCTION**

**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2204 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Inside the United States**

State	Installation or Location	Amount
Arizona .....	Yuma .....	\$29,285,000

Inside the United States—Continued

State	Installation or Location	Amount
California .....	Camp Pendleton .....	\$88,110,000
	Coronado .....	\$78,541,000
	Miramar .....	\$27,897,000
	San Diego .....	\$71,188,000
	Seal Beach .....	\$30,594,000
	Twentynine Palms .....	\$47,270,000
	Ventura County .....	\$12,790,000
Florida .....	Jacksonville .....	\$21,980,000
Hawaii .....	Kaneohe Bay .....	\$97,310,000
Mississippi .....	Meridian .....	\$10,926,000
New Jersey .....	Earle .....	\$33,498,000
North Carolina .....	Camp Lejeune .....	\$69,890,000
	Cherry Point Marine Corps Air Station .....	\$45,891,000
	New River .....	\$8,525,000
South Carolina .....	Beaufort .....	\$81,780,000
	Parris Island .....	\$10,135,000
	Dahlgren .....	\$28,228,000
Virginia .....	Oceana Naval Air Station .....	\$39,086,000
	Portsmouth .....	\$32,706,000
	Quantico .....	\$58,714,000
	Yorktown .....	\$48,823,000
Washington .....	Whidbey Island .....	\$6,272,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction

projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island .....	SW Asia .....	\$51,348,000
Diego Garcia .....	Diego Garcia .....	\$1,691,000
Djibouti .....	Camp Lemonier .....	\$99,420,000
Greece .....	Souda Bay .....	\$25,123,000
Japan .....	Iwakuni .....	\$13,138,000
	Okinawa .....	\$8,206,000
Romania .....	Deveselu .....	\$45,205,000
Spain .....	Rota .....	\$17,215,000
Worldwide Unspecified .....	Unspecified Worldwide Locations .....	\$34,048,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,527,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$97,655,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in 4601, including incremental funding for the construction of increment 2 of explosives handling wharf 2 at Kitsap, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1666), \$254,241,000.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1666), for Kitsap (Bangor) Washington, for construction of Explosives Handling Wharf #2 at that location, the Secretary of

the Navy may acquire fee or lesser real property interests to accomplish required environmental mitigation for the project using appropriations authorized for the project.

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (122 Stat 4670) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1668), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Navy: Extension of 2009 Project Authorization**

State/Country	Installation or Location	Project	Amount
California .....	Marine Corps Base, Camp Pendleton .....	Operations Access Points, Red Beach .....	\$11,970,000
District of Columbia .....	Marine Corps Air Station, Miramar .....	Emergency Response Station	\$6,530,000
	Washington Navy Yard .....	Child Development Center ...	\$9,340,000

**SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authoriza-

tion Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2627), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (123 Stat. 2632), shall remain in effect until

October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Navy: Extension of 2010 Project Authorization**

State/Country	Installation or Location	Project	Amount
California .....	Mountain Warfare Training Center, Bridgeport .....	Mountain Warfare Training, Commissary .....	\$6,830,000
Maine .....	Portsmouth Naval Shipyard	Gate 2 Security Improvements .....	\$7,090,000
Djibouti .....	Camp Lemonier .....	Security Fencing .....	\$8,109,000
		Ammo Supply Point .....	\$21,689,000
		Interior Paved Roads .....	\$7,275,000

**SEC. 2208. REALIGNMENT OF MARINES IN THE ASIA-PACIFIC REGION.**

(a) RESTRICTION ON USE OF FUNDS.—Except as provided in subsection (c), none of the funds authorized to be appropriated under this Act, and none of the amounts provided by the Government of Japan for construction activities on land under the jurisdiction of the Department of Defense, may be obligated or expended to implement the realignment of Marine Corps forces from Okinawa to other locations until—

(1) the Commander of the United States Pacific Command provides to the congressional defense committees an assessment of the strategic and logistical resources needed to ensure the distributed lay-down of members of the United States Marine Corps in the United States Pacific Command Area of Responsibility meets the contingency operations plans;

(2) the Secretary of Defense submits to the congressional defense committees master plans for the construction of facilities and infrastructure to execute the Marine Corps distributed lay-down on Guam, Australia, and Hawaii, including a detailed description of costs and the schedule for such construction;

(3) the Secretary of the Navy submits a plan to the congressional defense committees detailing the proposed investments and schedules required to restore facilities and infrastructure at Marine Corps Air Station Futenma; and

(4) a plan coordinated by all pertinent Federal agencies is provided to the congressional defense committees detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the non-military utilities, facilities, and infrastructure, if any, on Guam affected by the realignment of forces.

**(b) DEVELOPMENT OF PUBLIC INFRASTRUCTURE.—**

(1) AUTHORIZATION REQUIRED.—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available in fiscal year 2012 or fiscal year 2013 under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant, transfer cooperative agreement, or supplemental funding unless specifically authorized by law.

(2) PUBLIC INFRASTRUCTURE DEFINED.—In this section, the term “public infrastructure” means any utility, method of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

(c) EXCEPTION TO RESTRICTION ON USE OF FUNDS.—The Secretary of Defense may use

funds described in subsection (a) to carry out additional analysis or studies required the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for proposed actions on Guam or Hawaii.

(d) DISTRIBUTED LAY-DOWN DEFINED.—For purposes of this section, the term “distributed lay-down” refers to the planned distribution of Marines in Okinawa, Guam, Hawaii, Australia, and possibly elsewhere that is contemplated in support of the joint statement of the U.S. – Japan Security Consultative Committee dated April 27, 2012.

(e) REPEAL.—Section 2207 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1668) is repealed.

**TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION**

**SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Air Force: Inside the United States**

State	Installation or Location	Amount
Arkansas .....	Little Rock AFB .....	\$30,178,000
Florida .....	Tyndall AFB .....	\$14,750,000
Georgia .....	Fort Stewart .....	\$7,250,000
	Moody AFB .....	\$8,500,000
New Mexico .....	Holloman AFB .....	\$25,000,000
North Dakota .....	Minot AFB .....	\$4,600,000
Texas .....	Joint Base San Antonio .....	\$18,000,000



**Air Force: Inside the United States—Continued**

State	Installation or Location	Amount
Utah .....	Hill AFB .....	\$13,530,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**Air Force: Outside the United States**

State	Installation or Location	Amount
Greenland .....	Thule AB .....	\$24,500,000
Italy .....	Aviano AB .....	\$9,400,000
Worldwide Unspecified .....	Unspecified Worldwide Locations .....	\$34,657,000

**SEC. 2302. FAMILY HOUSING.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,253,000.

**SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in

the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$79,571,000.

**SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601, including incremental funding for the construction of increment 2 of the U.S. Strategic Command Replacement Facility at Offutt Air Force Base, Nebraska, authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal

Year 2012 (division B of Public Law 112–81; 125 Stat. 1670), \$111,000,000.

**SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (123 Stat. 2636), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Air Force: Extension of 2010 Project Authorizations**

State	Installation or Location	Project	Amount
Missouri .....	Whiteman AFB .....	Land Acquisition North & South Boundary .....	\$5,500,000
Montana .....	Malmstrom AFB .....	Weapons Storage Area (WSA), Phase 2 .....	\$10,600,000

**TITLE XXIV—DEFENSE AGENCIES  
MILITARY CONSTRUCTION**

**Subtitle A—Defense Agency Authorizations**

**SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2403 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the

United States, and in the amounts, set forth in the following table:

**Defense Agencies: Inside the United States**

State	Installation or Location	Amount
Arizona .....	Yuma .....	\$1,300,000
California .....	Coronado .....	\$55,259,000
	DEF Fuel Support Point - San Diego .....	\$91,563,000
	Edwards Air Force Base .....	\$27,500,000
	Twentynine Palms .....	\$27,400,000
Colorado .....	Buckley Air Force Base .....	\$30,000,000
	Fort Carson .....	\$56,673,000
	Pikes Peak .....	\$3,600,000
CONUS Classified .....	Classified Location .....	\$6,477,000
Delaware .....	Dover AFB .....	\$2,000,000
Florida .....	Eglin AFB .....	\$41,695,000
	Hurlburt Field .....	\$16,000,000
	MacDill AFB .....	\$34,409,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$24,289,000
Illinois .....	Great Lakes .....	\$28,700,000
	Scott AFB .....	\$86,711,000
Indiana .....	Grissom ARB .....	\$26,800,000
Kentucky .....	Fort Campbell .....	\$71,639,000
Louisiana .....	Barksdale AFB .....	\$11,700,000
Maryland .....	Annapolis .....	\$66,500,000
	Bethesda Naval Hospital .....	\$62,200,000
	Fort Meade .....	\$128,600,000
Missouri .....	Fort Leonard Wood .....	\$18,100,000
New Mexico .....	Cannon AFB .....	\$93,085,000
New York .....	Fort Drum .....	\$43,200,000
North Carolina .....	Camp Lejeune .....	\$80,064,000
	Fort Bragg .....	\$130,422,000
	Seymour Johnson AFB .....	\$55,450,000
Pennsylvania .....	DEF Distribution Depot New Cumberland .....	\$17,400,000
South Carolina .....	Shaw AFB .....	\$57,200,000
Texas .....	Red River Army Depot .....	\$16,715,000
Virginia .....	Joint Expeditionary Base Little Creek - Story .....	\$11,132,000
	Norfolk .....	\$8,500,000
Washington .....	Fort Lewis .....	\$50,520,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium .....	Brussels .....	\$26,969,000
Germany .....	Stuttgart-Patch Barracks .....	\$2,413,000
	Vogelweh .....	\$61,415,000
	Weisbaden .....	\$52,178,000
Guantanamo Bay, Cuba ...	Guantanamo Bay .....	\$40,200,000
Japan .....	Camp Zama .....	\$13,273,000
	Kadena AB .....	\$143,545,000
	Sasebo .....	\$35,733,000
	Zukeran .....	\$79,036,000
Korea .....	Kunsan AB .....	\$13,000,000
	Osan AB .....	\$77,292,000
Romania .....	Deveselu .....	\$157,900,000
United Kingdom .....	Menwith Hill Station .....	\$50,283,000
	RAF Feltwell .....	\$30,811,000
	RAF Mildenhall .....	\$6,490,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects as specified in the funding table in 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount of \$150,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in 4601, including incremental funding for the following projects in the following amounts:

(1) For the construction of increment 7 of the Army Medical Research Institute of Infectious Diseases Stage I at Fort Detrick,

Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2457), \$19,000,000.

(2) For the construction of increment 4 of a National Security Agency data center at Camp Williams, Utah, authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1888), \$191,414,000.

(3) For the construction of increment 4 of the hospital at Fort Bliss, Texas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2642), \$107,400,000.

(4) For the construction of increment 2 of the high performance computing center at Fort Meade, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of

Public Law 112-81; 125 Stat. 1672), as amended by section 2405(a) of this Act, \$225,521,000.

(5) For the construction of increment 2 of the ambulatory care center phase 3 at Joint Base San Antonio, Texas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672), \$80,700,000.

(6) For the construction of increment 2 of the medical center replacement at Rhine Ordnance Barracks, Germany, authorized by section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1673), \$127,000,000.

SEC. 2404. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of

Public Law 111-84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2401(a) of that Act (123 Stat. 2640), shall remain in effect until Octo-

ber 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later:

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Washington Headquarters Services: Extension of 2010 Project Authorization**

State	Installation or Location	Project	Amount
Virginia .....	Pentagon Reservation	Pentagon electrical upgrade .....	\$19,272,000

**SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.**

The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672), is amended in the item relating to Fort Meade, Maryland, by striking “\$29,640,000” in the amount column and inserting “\$792,200,000”.

**SEC. 2406. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.**

(a) PROJECT AUTHORIZATION.—The Secretary of Defense may carry out a military construction project to construct an Upgrade Fuel Pipeline at Andersen Air Force Base, Guam, in the amount of \$67,500,000.

(b) LIMITATION.—No funds may be obligated or expended for the project described in subsection (a) until the Commander of the United States Pacific Command provides to the congressional defense committees a report, with classified annex if necessary, detailing the strategic and operational requirements satisfied by the construction of this project and a certification that this project is a bona fide need for meeting national security objectives for fiscal year 2013.

(c) USE OF UNOBLIGATED PRIOR-YEAR MILITARY CONSTRUCTION FUNDS.—The Secretary of Defense shall use available, unobligated military construction funds appropriated for a fiscal year before fiscal year 2013 for the project described in subsection (a).

(d) CONGRESSIONAL NOTIFICATION.—The Secretary of Defense shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

**Subtitle B—Chemical Demilitarization Authorizations**

**SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction and land acquisition for chemical demilitarization, as specified in the funding table in section 4601, including incremental funding for the following projects in the following amounts:

(1) For the construction of phase 14 of a chemical munitions demilitarization facility at Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2698), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4697), \$36,000,000.

(2) For the construction of phase 13 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107; 115 Stat. 1298), section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2698), section 2414 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4697), and section 2412 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4450), \$115,000,000.

**SEC. 2412. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.**

(a) MODIFICATIONS.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2699), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4697), is amended—

(1) under the agency heading relating to Chemical Demilitarization Program, in the item relating to Pueblo Army Depot, Colorado, by striking “\$484,000,000” in the amount column and inserting “\$520,000,000”; and

(2) by striking the amount identified as the total in the amount column and inserting “\$866,454,000”.

(b) CONFORMING AMENDMENT.—Section 2406(b)(2) of the Military Construction Authorization Act for Fiscal Year 1997 (110 Stat. 2779), as so amended, is further amended by striking “\$484,000,000” and inserting “\$520,000,000”.

**TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM**

**SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

**SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501, as specified in the funding table in section 4601.

**TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**

**Subtitle A—Project Authorizations and Authorization of Appropriations**

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2600 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

**Army National Guard: Inside the United States**

State	Location	Amount
Alabama .....	Fort McClellan .....	\$5,400,000
Arkansas .....	Searcy .....	\$6,800,000
California .....	Fort Irwin .....	\$25,000,000
Connecticut .....	Camp Hartell .....	\$32,000,000
Delaware .....	Bethany Beach .....	\$5,500,000
Florida .....	Camp Blanding .....	\$9,000,000
	Miramar .....	\$20,000,000
Hawaii .....	Kapolei .....	\$28,000,000

**Army National Guard: Inside the United States—Continued**

State	Location	Amount
Idaho .....	Orchard Training Area .....	\$40,000,000
Indiana .....	South Bend .....	\$21,000,000
	Terre Haute .....	\$9,000,000
Iowa .....	Camp Dodge .....	\$3,000,000
Kansas .....	Topeka .....	\$9,500,000
Kentucky .....	Frankfort .....	\$32,000,000
Massachusetts .....	Camp Edwards .....	\$22,000,000
Minnesota .....	Camp Ripley .....	\$17,000,000
	St. Paul .....	\$17,000,000
Missouri .....	Fort Leonard Wood .....	\$18,000,000
	Kansas City .....	\$1,900,000
	Monett .....	\$820,000
	Perryville .....	\$700,000
Montana .....	Miles City .....	\$11,000,000
New Jersey .....	Sea Girt .....	\$34,000,000
New York .....	Stormville .....	\$24,000,000
Ohio .....	Chillicothe .....	\$3,100,000
	Delaware .....	\$12,000,000
Oklahoma .....	Camp Gruber .....	\$25,000,000
Utah .....	Camp Williams .....	\$36,000,000
Washington .....	Fort Lewis .....	\$35,000,000
West Virginia .....	Logan .....	\$14,200,000
Wisconsin .....	Wausau .....	\$10,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Re-

serve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National

Guard locations outside the United States, and in the amounts, set forth in the following table:

**Army National Guard: Outside the United States**

Country	Installation	Amount
Guam .....	Barrigada .....	\$8,500,000
Puerto Rico .....	Camp Santiago .....	\$3,800,000
	Ceiba .....	\$2,200,000
	Guaynabo .....	\$15,000,000
	Gurabo .....	\$14,700,000

**SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry

out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

**Army Reserve**

State	Location	Amount
California .....	Fort Hunter Liggett .....	\$68,300,000
	Tustin .....	\$27,000,000
Illinois .....	Fort Sheridan .....	\$28,000,000
Maryland .....	Aberdeen Proving Ground .....	\$21,000,000
	Baltimore .....	\$10,000,000
Massachusetts .....	Devens Reserve Forces Training Area .....	\$8,500,000
Nevada .....	Las Vegas .....	\$21,000,000
New Jersey .....	Joint Base McGuire-Dix-Lakehurst .....	\$7,400,000
Washington .....	Joint Base Lewis-McChord .....	\$40,000,000
Wisconsin .....	Fort McCoy .....	\$47,800,000

**SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National

Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve lo-

cations inside the United States, and in the amounts, set forth in the following table:

**Navy Reserve Marine Corps Reserve**

State	Location	Amount
Arizona .....	Yuma .....	\$5,379,000
Iowa .....	Fort Des Moines .....	\$19,162,000
Louisiana .....	New Orleans .....	\$7,187,000
New York .....	Brooklyn .....	\$4,430,000
Texas .....	Fort Worth .....	\$11,256,000

**SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

**Air National Guard**

State	Location	Amount
California .....	Fresno Yosemite IAP ANG .....	\$11,000,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$6,500,000
New Mexico .....	Kirtland AFB .....	\$8,500,000
Wyoming .....	Cheyenne MAP .....	\$6,486,000

**SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

**Air Force Reserve**

State	Location	Amount
New York .....	Niagara Falls IAP .....	\$6,100,000

**SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisi-

tion of land for those facilities), as specified in the funding table in section 4601.

**Subtitle B—Other Matters**

**SEC. 2611. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2009 PROJECT.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), the au-

thorization set forth in the table in subsection (b), as provided in section 2604 of that Act (122 Stat. 4706), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Air National Guard: Extension of 2009 Project Authorizations**

State	Installation or Location	Project	Amount
Mississippi .....	Gulfport-Biloxi Airport .....	Relocate Munitions Complex ..	\$3,400,000

**SEC. 2612. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of

Public Law 111-84; 123 Stat. 2627), the authorizations set forth in the tables in subsection (b), as provided in sections 2602 and 2604 of that Act (123 Stat. 2649, 2651), shall remain in effect until October 1, 2013, or the date of the

enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The tables referred to in subsection (a) are as follows:

**Army Reserve: Extension of 2010 Project Authorizations**

State	Installation or Location	Project	Amount
California .....	Camp Pendleton .....	Army Reserve Center .....	\$19,500,000
Connecticut .....	Bridgeport .....	Army Reserve Center/Land .....	\$18,500,000

**Air National Guard: Extension of 2010 Project Authorization**

State	Installation or Location	Project	Amount
Mississippi .....	Gulfport-Biloxi Airport .....	Relocate Base Entrance .....	\$6,500,000

**TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**

**SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, as specified in the funding table in section 4601.

**SEC. 2702. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, as specified in the funding table in section 4601.

**SEC. 2703. TECHNICAL AMENDMENTS TO SECTION 2702 OF FISCAL YEAR 2012 ACT.**

(a) CORRECTION.—Section 2702 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1681) is amended by striking “Using amounts” and all that follows through “may carry out” and inserting “Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for”.

(b) CONFORMING AMENDMENT.—The heading of such section is amended by striking “AUTHORIZED” and inserting “AUTHORIZATION OF APPROPRIATIONS FOR”.

**SEC. 2704. CRITERIA FOR DECISIONS INVOLVING CERTAIN BASE CLOSURE AND REALIGNMENT ACTIVITIES.**

(a) CRITERIA.—Not later than March 31, 2013, the Comptroller General of the United States shall submit to the congressional defense committees a report including objective criteria to be used by the Department of Defense to make decisions relating to realignments of units employed at military installations that are not covered by the requirements of section 2687 of title 10, United States Code, and closures of military installations that are not covered by such requirements.

(b) ONE-YEAR MORATORIUM ON CERTAIN ACTIONS RESULTING IN PERSONNEL REDUCTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no action may be taken before October 1, 2013, that would result in a military installation covered under paragraph (1) of section 2687(a) of title 10, United States Code, to no longer be covered by such paragraph.

(2) NATIONAL SECURITY WAIVER.—The Secretary of Defense may waive the prohibition

under paragraph (1) if the Secretary certifies to the congressional defense committees that is in the national security interests of the United States.

**TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS**

**Subtitle A—Military Construction Program and Military Family Housing Changes**

**SEC. 2801. AUTHORIZED COST AND SCOPE VARIATIONS.**

Section 2853 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “was approved originally” and inserting “was authorized”;

(2) in subsection (b)—

(A) in paragraph (1), by adding at the end the following: “Any reduction in scope of work for a military construction project shall not result in a facility or item of infrastructure that is not complete and useable or does not fully meet the mission requirement contained in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.”; and

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

“(3) In this subsection, the term ‘scope of work’ refers to the function, size, or quantity of the primary facility, any associated facility, or item of complete and useable infrastructure contained in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.”;

(3) in subsection (c)(1)(A), by striking “and the reasons therefor, including a description” and inserting “, the reasons therefor, a certification that the mission requirement identified in the justification data provided to Congress can be still be met with the reduced scope, and a description”;

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

“(e) Notwithstanding the authority under subsections (a) through (d), the Secretary concerned shall ensure compliance of contracts for military construction projects and for the construction, improvement, and acquisition of military family housing projects with section 1341 of title 31, United States Code (commonly referred to as the ‘Anti-Deficiency Act’).”.

**SEC. 2802. COMPTROLLER GENERAL REPORT ON IN-KIND PAYMENTS.**

(a) REPORTS REQUIRED.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the construction or renovation of Department of Defense facilities with in-kind payments. The report shall cover construction or renovation projects begun during the preceding two years.

(2) UPDATES.—Not later than one year after submitting the report required under paragraph (1), and annually thereafter for 3 years, the Comptroller General shall submit to the congressional defense committees a report covering projects begun since the most recent report.

(b) CONTENT.—Each report required under subsection (a) shall include the following elements:

(1) A listing of each facility constructed or renovated for the Department of Defense as payment in kind.

(2) The value in United States dollars of that construction or renovation.

(3) The source of the in-kind payment.

(4) The agreement pursuant to which the in-kind payment was made.

(5) A description of the purpose and need for the construction or renovation.

**SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.**

Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1685), is further amended—

(1) in subsection (c)—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2), as so redesignated, by striking the second sentence; and

(2) in subsection (h)—

(A) in paragraph (1), by striking “September 30, 2012” and inserting “September 30, 2013”; and

(B) in paragraph (2), by striking “fiscal year 2013” and inserting “fiscal year 2014”.

**Subtitle B—Real Property and Facilities Administration**

**SEC. 2811. AUTHORITY TO ACCEPT AS CONSIDERATION FOR LEASES OF NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES REAL PROPERTY INTERESTS AND NATURAL RESOURCE MANAGEMENT SERVICES RELATED TO AGREEMENTS TO LIMIT ENCROACHMENT.**

Section 2667 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by adding at the end the following new subparagraph:

“(G) Provision of interests in real property for the purposes specified in section 2684a of this title and provision of natural resource management services on such real property.”; and

(B) in paragraph (2), by striking “accepted at any property or facilities” and inserting “accepted at or for the benefit of any property or facilities”; and

(2) in subsection (e)(1)(C), by adding at the end the following new clause:

“(vi) Provision of funds pursuant to an agreement under section 2684a of this title.”.

**SEC. 2812. CLARIFICATION OF PARTIES WITH WHOM DEPARTMENT OF DEFENSE MAY CONDUCT EXCHANGES OF REAL PROPERTY AT MILITARY INSTALLATIONS.**

Section 2869(a)(1) of title 10, United States Code is amended—

(1) by striking “eligible”; and

(2) by striking “entity” both places it appears and inserting “person”.

**Subtitle C—Energy Security**

**SEC. 2821. GUIDANCE ON FINANCING FOR RENEWABLE ENERGY PROJECTS.**

(a) GUIDANCE ON USE OF AVAILABLE FINANCING APPROACHES.—Not later than 180 days after the date of the enactment of this Act,



the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Deputy Under Secretary of Defense for Installations and Environment, shall issue guidance about the use of available financing approaches for financing renewable energy projects and direct the Secretaries of the military departments to update their guidance accordingly. The guidance should describe the requirements and restrictions applicable to the underlying authorities and any Department of Defense-specific guidelines for using appropriated funds and alternative-financing approaches for renewable energy projects.

(b) **GUIDANCE ON USE OF BUSINESS CASE ANALYSES.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Deputy Under Secretary of Defense for Installations and Environment, and the Secretaries of the military departments, shall issue guidance that establishes and clearly describes the processes used by the military departments to select financing approaches for renewable energy projects to ensure that business case analyses are completed to maximize benefits and mitigate drawbacks and risks associated with different financing approaches.

(c) **INFORMATION SHARING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Deputy Under Secretary of Defense for Installations and Environment, shall develop a formalized communications process, such as a shared Internet website, that will enable officials at military installations to have timely access on an ongoing basis to information related to financing renewable energy projects on other installations, including best practices and lessons that officials at other installations have learned from their experiences in financing renewable energy projects.

**SEC. 2822. CONTINUATION OF LIMITATION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR PLATINUM CERTIFICATION.**

Section 2830(b)(1) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1695) is amended—

(1) by striking “authorized to be appropriated by this Act” and inserting “authorized to be appropriated”; and

(2) by inserting before the period at the end the following: “until the date that is six months after the date of the submittal to the congressional defense committees of the report required by subsection (a)”.

**SEC. 2823. PROHIBITION ON BIOFUEL REFINERY CONSTRUCTION.**

Notwithstanding any other provision of law, neither the Secretary of Defense nor any other official of the Department of Defense may enter into a contract to plan, design, refurbish, or construct a biofuels refinery or any other facility or infrastructure used to refine biofuels unless such planning, design, refurbishment, or construction is specifically authorized by law.

**Subtitle D—Land Conveyances**

**SEC. 2831. LAND CONVEYANCE, LOCAL TRAINING AREA FOR BROWNING ARMY RESERVE CENTER, UTAH.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Army may convey, without consideration, to the Department of Veterans Affairs (in this section referred to as the “Department”) all right, title, and interest of the United States in and to a parcel of

unimproved real property consisting of approximately 5 acres of the Local Training Area for the Browning Army Reserve Center, Utah, for the purpose of constructing and operating a Community Based Outpatient Clinic adjacent to the George E. Wahlen Veterans Home in Ogden, Utah.

(b) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—The Secretary may require the Department to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Department.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Department. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

**SEC. 2832. USE OF PROCEEDS, LAND CONVEYANCE, TYNDALL AIR FORCE BASE, FLORIDA.**

Section 2862(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 868) is amended—

(1) by striking “and to improve” and inserting “, to improve”; and

(2) by inserting before the period at the end the following: “, or for other purposes, subject to the limitations described in section 2667(e) of title 10, United States Code”.

**Subtitle E—Other Matters**

**SEC. 2841. CLARIFICATION OF AUTHORITY OF SECRETARY TO ASSIST WITH DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH THE ESTABLISHMENT OR EXPANSION OF A MILITARY INSTALLATION.**

Section 2391 of title 10, United States Code, is amended—

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

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

“(d) **AUTHORIZATION REQUIREMENT.**—If the Secretary of Defense determines that any grant, cooperative agreement, or supplement of funds available under Federal programs administered by agencies other than the Department of Defense provided under this section will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, or construction) of public infrastructure, such grant, cooperative agreement, or supplemental funding shall be specifically authorized by law.”; and

(3) in subsection (e), as redesignated by paragraph (1), by adding at the end the following new paragraph:

“(4) The term ‘public infrastructure’ means any utility, road, method of transportation, or facility under the control of a State or local government or a private entity that is used by, or constructed for the benefit of, the general public.”.

**SEC. 2842. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.**

(a) **IN GENERAL.**—The boundary of Petersburg National Battlefield is modified to include the properties as generally depicted on the map titled “Petersburg National Battlefield Boundary Expansion”, numbered 325/80,080, and dated June 2007. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

(b) **ACQUISITION OF PROPERTIES.**—The Secretary of the Interior (referred to in this section as the “Secretary”) is authorized to acquire the lands or interests in land, described in subsection (a), from willing sellers only by donation, purchase with donated or appropriated funds, exchange, or transfer.

(c) **ADMINISTRATION.**—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) **ADMINISTRATIVE JURISDICTION TRANSFER.**—

(1) **IN GENERAL.**—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as “Area to be transferred for Fort Lee Military Reservation” on the map described in paragraph (2)(A); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as “Area to be transferred to Petersburg National Battlefield” on the map described in paragraph (2)(A).

(2) **MAP.**—

(A) **IN GENERAL.**—The land to be transferred under paragraph (1) is depicted on the map entitled “Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction”, numbered 325/081A, and dated May 2011.

(B) **AVAILABILITY.**—The map described in subparagraph (A) shall be available for public inspection in the appropriate offices of the National Park Service.

(3) **CONDITIONS OF TRANSFER.**—The transfer of administrative jurisdiction authorized in paragraph (1) shall be subject to the following conditions:

(A) **NO REIMBURSEMENT OR CONSIDERATION.**—The transfer shall occur without reimbursement or consideration.

(B) **MANAGEMENT.**—The land conveyed to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of the park in accordance with applicable laws and regulations.

**SEC. 2843. CONGRESSIONAL NOTIFICATION WITH RESPECT TO OVERSIGHT AND MAINTENANCE OF BASE CEMETERIES FOLLOWING CLOSURE OF OVERSEAS MILITARY INSTALLATIONS.**

(a) **NOTIFICATION REQUIREMENT.**—Not later than 30 days after closure of a United States military installation overseas, the Secretary of Defense shall submit to the appropriate congressional committees a report that details a plan to ensure the oversight and continued maintenance of the cemetery located on the military installation. The plan shall clearly detail which Federal agency or private entity will assume responsibility for the operation and maintenance of the cemetery following the closure of the installation and what information with regard to the cemetery has been provided to the responsible agency or private entity.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means the Committees on Armed Services of the Senate and the House of Representatives.

**DIVISION C—DEPARTMENT OF ENERGY  
NATIONAL SECURITY AUTHORIZATIONS  
AND OTHER AUTHORIZATIONS**

**TITLE XXXI—DEPARTMENT OF ENERGY  
NATIONAL SECURITY PROGRAMS**

**Subtitle A—National Security Programs  
Authorizations**

**SEC. 3101. NATIONAL NUCLEAR SECURITY AD-  
MINISTRATION.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4601.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out the following new plant projects for the National Nuclear Security Administration:

Project 13-D-301, Electrical Infrastructure Upgrades, Lawrence Livermore National Laboratory/Los Alamos National Laboratory, \$23,000,000.

Project 13-D-903, Kesselring Site Prototype Staff Building, Kesselring Site, West Milton, New York, \$14,000,000.

Project 13-D-904, Kesselring Site Radiological Work and Storage Building, Kesselring Site, West Milton, New York, \$2,000,000.

Project 13-D-905, Remote-Handled Low-Level Waste Disposal Project, Idaho National Laboratory, Idaho, \$8,900,000.

**SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4601.

**SEC. 3103. OTHER DEFENSE ACTIVITIES.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for other defense activities in carrying out programs as specified in the funding table in section 4601.

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

**SEC. 3111. REPLACEMENT PROJECT FOR CHEM-  
ISTRY AND METALLURGY RESEARCH  
BUILDING, LOS ALAMOS NATIONAL  
LABORATORY, NEW MEXICO.**

(a) PROJECT REQUIRED.—

(1) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

**“SEC. 4215. REPLACEMENT PROJECT FOR CHEM-  
ISTRY AND METALLURGY RESEARCH  
BUILDING, LOS ALAMOS NATIONAL  
LABORATORY, NEW MEXICO.**

“(a) REPLACEMENT BUILDING REQUIRED.—The Secretary of Energy shall construct at Los Alamos National Laboratory, New Mexico a building to replace the functions of the existing Chemistry and Metallurgy Research building at Los Alamos National Laboratory associated with Department of Energy Hazard Category 2 special nuclear material operations.

“(b) LIMITATION ON COST.—The cost of the building constructed under subsection (a) may not exceed \$3,700,000,000.

“(c) PROJECT BASIS.—The construction authorized by subsection (a) shall use as its basis the facility project in the Department of Energy Readiness and Technical Base designated 04-D-125 (chemistry and metallurgy facility replacement project at Los Alamos National Laboratory).

“(d) DEADLINE FOR COMMENCEMENT OF OPERATIONS.—The building constructed under subsection (a) shall commence operations not later than December 31, 2024.”

(2) CLERICAL AND TECHNICAL AMENDMENT.—The table of contents in section 4001(b) of such Act is amended by inserting after the item relating to 4213 the following new items:

“Sec. 4214. Plan for transformation of National Nuclear Security Administration nuclear weapons complex.

“Sec. 4215. Replacement project for Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.”

(b) FUNDING.—

(1) FISCAL YEAR 2013 FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), of the amounts authorized to be appropriated by this division for fiscal year 2013 for the National Nuclear Security Administration, \$150,000,000 shall be available for the construction of the building authorized by section 4215 of the Atomic Energy Defense Act (as added by subsection (a)).

(B) EXCEPTION.—The following amounts authorized to be appropriated by this division for fiscal year 2013 for the National Nuclear Security Administration shall not be available for the construction of the building:

(i) Amounts available for Directed Stockpile Work.

(ii) Amounts available for Naval Reactors.

(iii) Amounts available for the facility project in the Department of Energy Readiness and Technical Base designated 06-D-141.

(2) PRIOR FISCAL YEAR FUNDS.—Amounts authorized to be appropriated for the Department of Energy for a fiscal year before fiscal year 2013 and available for the facility project in the Department of Energy Readiness and Technical Base designated 04-D-125 (chemistry and metallurgy facility replacement project at Los Alamos National Laboratory, New Mexico) shall be available for the construction of the building authorized by section 4215 of the Atomic Energy Defense Act (as so added).

**SEC. 3112. SUBMITTAL TO CONGRESS OF SE-  
LECTED ACQUISITION REPORTS AND  
INDEPENDENT COST ESTIMATES ON  
NUCLEAR WEAPON SYSTEMS UNDER-  
GOING LIFE EXTENSION.**

(a) SUBMITTAL REQUIRED.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as amended by section 3111 of this Act, is further amended by adding at the end the following new section:

**“SEC. 4216. SELECTED ACQUISITION REPORTS  
AND INDEPENDENT COST ESTI-  
MATES ON NUCLEAR WEAPON SYS-  
TEMS UNDERGOING LIFE EXTEN-  
SION.**

“(a) SELECTED ACQUISITION REPORTS.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to the congressional defense committees at the end of each fiscal-year quarter a report on each nuclear weapon system undergoing life extension. The reports shall be known as Selected Acquisition Reports for the weapon system concerned.

“(2) The information contained in the Selected Acquisition Report for a fiscal-year quarter for a nuclear weapon system shall be the information contained in the Selected Acquisition Report for such fiscal-year quarter for a major defense acquisition program under section 2432 of title 10, United States Code, expressed in terms of the nuclear weapon system.

“(b) INDEPENDENT COST ESTIMATES.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to the congressional defense committees a cost estimate on each nuclear weapon system undergoing life extension at the times in production as follows:

“(A) At the completion of phase 6.2A, relating to design definition and cost study.

“(B) Before initiation of phase 6.5, relating to first production.

“(2) A cost estimate for purposes of this subsection may not be prepared by the Department of Energy or the National Nuclear Security Administration.”

(b) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act, as so amended, is further amended by inserting after the item relating to 4215 the following new item:

“Sec. 4216. Selected Acquisition Reports and independent cost estimates on nuclear weapon systems undergoing life extension.”

**SEC. 3113. TWO-YEAR EXTENSION OF SCHEDULE  
FOR DISPOSITION OF WEAPONS-USA-  
BLE PLUTONIUM AT SAVANNAH  
RIVER SITE, AIKEN, SOUTH CARO-  
LINA.**

Section 4306 of the Atomic Energy Defense Act (50 U.S.C. 2566) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (C), by striking “2012” and inserting “2014”; and

(B) in subparagraph (D), by striking “2017” and inserting “2019”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “by January 1, 2012”; and

(B) in paragraph (5), by striking “2012” and inserting “2014”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “2012” and inserting “2014”;

(B) in paragraph (1), by striking “2014” and inserting “2016”; and

(C) in paragraph (2), by striking “2020” each place it appears and inserting “2022”;

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “2014” and inserting “2016”; and

(ii) by striking “2019” and inserting “2021”; and

(B) in paragraph (2)(A), by striking “2020” each place it appears and inserting “2022”; and

(5) in subsection (e), by striking “2023” and inserting “2025”.

**SEC. 3114. PROGRAM ON SCIENTIFIC ENGAGE-  
MENT FOR NONPROLIFERATION.**

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2562 et seq.) is amended by adding at the end the following new section:

**“SEC. 4309. PROGRAM ON SCIENTIFIC ENGAGE-  
MENT FOR NONPROLIFERATION.**

“(a) PROGRAM REQUIRED.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, carry out a program on scientific engagement in countries selected by the Secretary for purposes of the program in order to advance global nonproliferation and nuclear security efforts.

“(2) The program required by this section shall be a distinct program from the Global Initiatives for Proliferation Prevention program.

“(b) ELEMENTS.—The program shall include the elements as follows:

“(1) Training and capacity-building to strengthen nonproliferation and security best practices.

“(2) Engagement of United States scientists with foreign counterparts to advance nonproliferation goals.

“(c) REPORT ON COMMENCEMENT OF PROGRAM.—Funds may not be expended under the program required by this section until the Administrator submits to the congressional defense committees a report setting forth the following:

“(1) For each country selected for the program as of the date of such report—

“(A) a proliferation threat assessment prepared by the Director of National Intelligence; and

“(B) metrics for evaluating the success of the program.

“(2) Accounting standards for the conduct of the program approved by the Comptroller General of the United States.

“(d) REPORTS ON MODIFICATION OF PROGRAM.—Before making any modification in the program (whether selecting a new country for the program, ceasing the selection of a country for the program, or modifying an element of the program), the Administrator shall submit to the congressional defense committees a report on the modification. If the modification consists of the selection for the program of a country not previously selected for the program, the report shall include the matters specified in subsection (c)(1) for the country.”

(2) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act (division D of Public Law 107–314) is amended by inserting after the item relating to section 4308 the following new item:

“Sec. 4309. Program on scientific engagement for nonproliferation.”

(b) REPORT ON COORDINATION WITH OTHER UNITED STATES NONPROLIFERATION PROGRAMS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Nuclear Security Administration shall submit to the congressional defense committees a report describing the manner in which the program on scientific engagement for nonproliferation under section 4309 of the Atomic Energy Defense Act (as added by subsection (a)) coordinates with and complements, but does not duplicate, other nonproliferation programs of the United States Government.

(c) COMPTROLLER GENERAL OF THE UNITED STATES REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the program on scientific engagement for nonproliferation under section 4309 of the Atomic Energy Defense Act (as so added). The report shall include an assessment by the Comptroller General of the success of the program, as determined in accordance with the metrics for evaluating the success of the program under subsection (c)(1)(B) of such section 4309, and such other matters on the program as the Comptroller General considers appropriate.

**SEC. 3115. REPEAL OF REQUIREMENT FOR ANNUAL UPDATE OF DEPARTMENT OF ENERGY DEFENSE NUCLEAR FACILITIES WORKFORCE RESTRUCTURING PLAN.**

Section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704) is amended—

(1) in subsection (b)(1), by striking “and any updates of the plan under subsection (e)”;

(2) by striking subsection (e);

(3) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively; and

(4) in subsection (e), as redesignated by paragraph (3)—

(A) by striking “(1)” before “The Secretary”; and

(B) by striking paragraph (2).

**SEC. 3116. QUARTERLY REPORTS TO CONGRESS ON FINANCIAL BALANCES FOR ATOMIC ENERGY DEFENSE ACTIVITIES.**

(a) REPORTS REQUIRED.—Subtitle C of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2771 et seq.) is amended by adding at the end the following new section:

**“SEC. 4732. QUARTERLY REPORTS ON FINANCIAL BALANCES FOR ATOMIC ENERGY DEFENSE ACTIVITIES.**

“(a) REPORTS REQUIRED.—Not later than 15 days after the end of each fiscal year quarter, the Secretary of Energy shall submit to the congressional defense committees a report on the financial balances for each atomic energy defense program at the budget control levels used in the report accompanying the most current Act appropriating funds for energy and water development.

“(b) ELEMENTS.—Each report under subsection (a) shall set forth, for each program covered by such report, the following as of the end of the fiscal year quarter covered by such report:

“(1) The total amount authorized to be appropriated, including amounts authorized to be appropriated in the current fiscal year and amounts authorized to be appropriated for prior fiscal years.

“(2) The amount unobligated.

“(3) The amount unobligated but committed.

“(4) The amount obligated, but uncosted.

“(c) PRESENTATION.—Each report under subsection (a) shall present information as follows:

“(1) For each program, in summary form and by fiscal year.

“(2) With financial balances in connection with funding under recurring DoE national security authorizations (as that term is defined in section 4701(1)) presented separately from balances in connection with funding under any other provisions of law.”

(b) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act is amended by inserting after the item relating to section 4731 the following new item:

“Sec. 4732. Quarterly reports on financial balances for atomic energy defense activities.”

**SEC. 3117. TRANSPARENCY IN CONTRACTOR PERFORMANCE EVALUATIONS BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION LEADING TO AWARD FEES.**

(a) PUBLICATION REQUIRED.—

(1) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following new section:

**“SEC. 4805. PUBLICATION OF CONTRACTOR PERFORMANCE EVALUATIONS BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION LEADING TO AWARD FEES.**

“(a) IN GENERAL.—The Administrator of the National Nuclear Security Administration shall take appropriate actions to make available, to the maximum extent practicable, to the public each contractor performance evaluation conducted by the Administration of a national laboratory, production plant, or single user facility under the management responsibility of the Administration that results in the award of an award fee to the contractor concerned.

“(b) FORMAT.—Performance evaluations shall be made public under this section in a common format that facilitates comparisons of performance evaluations between and among similar management contracts.”

(2) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of that Act is amended by inserting after the item relating to section 4804 the following new item:

“Sec. 4805. Publication of contractor performance evaluations by the National Nuclear Security Administration leading to award fees.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to contractor per-

formance evaluations conducted by the National Nuclear Security Administration on or after that date.

**SEC. 3118. EXPANSION OF AUTHORITY TO ESTABLISH CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.**

(a) NUMBER OF POSITIONS.—Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking “300” and inserting “700”.

(b) EXTENSION TO CONTRACTING POSITIONS.—Such section is further amended by inserting “contracting,” before “scientific”.

(c) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows: **“SEC. 3241. AUTHORITY TO ESTABLISH CERTAIN CONTRACTING, SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.”**

(d) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3241 and inserting the following new item:

“Sec. 3241. Authority to establish certain contracting, scientific, engineering, and technical positions.”

**SEC. 3119. MODIFICATION AND EXTENSION OF AUTHORITY ON ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OF REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.**

(a) PROGRAMS FOR WHICH FUNDS MAY BE ACCEPTED.—Paragraph (2) of section 3132(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)) is amended to read as follows:

“(2) PROGRAMS COVERED.—The programs described in this paragraph are any programs within the Office of Defense Nuclear Nonproliferation of the National Nuclear Security Administration.”

(b) EXTENSION.—Paragraph (7) of such section is amended by striking “December 31, 2013” and inserting “December 31, 2018”.

**SEC. 3120. COST CONTAINMENT FOR Y-12 URANIUM PROCESSING FACILITY, Y-12 NATIONAL SECURITY COMPLEX, OAK RIDGE, TENNESSEE.**

(a) EXECUTION PHASES FOR PROJECT.—Project 06–D–141 for the Y–12 Uranium Processing Facility, Y–12 National Security Complex, Oak Ridge, Tennessee, shall be broken into separate execution phases as follows

(1) Phase I, which shall consist of processes associated with building 9212, including uranium casting and uranium chemical processing.

(2) Phase II, which shall consist of processes associated with buildings 9215 and 9998, including uranium metal working, machining, and inspection.

(3) Phase III, which shall consist of processes associated with building 9204–2E, including radiography, assembly, disassembly, quality evaluation, and production certification operations of nuclear weapon secondaries.

(b) BUDGETING AND AUTHORIZATION FOR EACH PHASE.—

(1) BUDGETING FOR EACH PHASE REQUIRED.—The Secretary of Energy shall budget separately for each phase under subsection (a) of the project referred to in that subsection.

(2) FUNDING PURSUANT TO SEPARATE AUTHORIZATIONS OF APPROPRIATIONS.—The Secretary may not proceed with a phase under subsection (a) of the project referred to in that subsection except with funds expressly authorized to be appropriated for that phase by law.

(c) COMPLIANCE OF PHASES WITH DOE ORDER ON PROGRAM AND PROJECT MANAGEMENT.—Each phase under subsection (a) of

the project referred to in that subsection shall comply with Department of Energy Order 413.3, relating to Program Management and Project Management for the Acquisition of Capital Assets.

(d) **LIMITATION ON COST OF PHASE I.**—The total cost of Phase I under subsection (a) of the project referred to in that subsection may not exceed \$4,200,000,000.

**SEC. 3121. AUTHORITY TO RESTORE CERTAIN FORMERLY RESTRICTED DATA TO THE RESTRICTED DATA CATEGORY.**

(a) **IN GENERAL.**—Section 142 of the Atomic Energy Act of 1954 (42 U.S.C. 2162) is amended—

(1) in subsection d.—

(A) by inserting “(1)” before “The Commission”; and

(B) by adding at the end the following new paragraphs:

“(2) The Commission may restore to the Restricted Data category any information related to the design of nuclear weapons removed under paragraph (1) if the Commission and the Department of Defense jointly determine that—

“(A) the programmatic requirements that caused the information to be removed from the Restricted Data category are no longer applicable or have diminished;

“(B) the information would be more appropriately protected as Restricted Data; and

“(C) restoring the information to the Restricted Data category is in the interest of national security.

“(3) Information related to the design of nuclear weapons shall be restored to the Restricted Data category under paragraph (2) in accordance with regulations prescribed by the Commission for purposes of that paragraph.”; and

(2) in subsection e.—

(A) by inserting “(1)” before “The Commission”; and

(B) by adding at the end the following new paragraphs:

“(2) The Commission may restore to the Restricted Data category any information concerning atomic energy programs of other nations removed under paragraph (1) if the Commission and the Director of National Intelligence jointly determine that—

“(A) the programmatic requirements that caused the information to be removed from the Restricted Data category are no longer applicable or have diminished;

“(B) the information would be more appropriately protected as Restricted Data; and

“(C) restoring the information to the Restricted Data category is in the interest of national security.

“(3) Information concerning atomic energy programs of other nations shall be restored to the Restricted Data category under paragraph (2) in accordance with regulations prescribed by the Commission for purposes of that paragraph.”.

(b) **TECHNICAL AMENDMENT.**—Paragraph (1) of subsection (e) of such section, as designated by subsection (a)(2)(A) of this section, is further amended by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”.

**Subtitle C—Reports**

**SEC. 3131. REPORT ON ACTIONS REQUIRED FOR TRANSITION OF REGULATION OF NON-NUCLEAR ACTIVITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO OTHER FEDERAL AGENCIES.**

Not later than February 28, 2013, the Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to Congress a report on the actions required to transition, to the maximum extent practicable, the regulation of the non-nuclear activities of the National Nuclear Security Administration to

other appropriate agencies of the Federal Government by not later than October 1, 2017.

**SEC. 3132. REPORT ON CONSOLIDATION OF FACILITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Nuclear Weapons Council shall submit to the congressional defense committees a report setting forth the assessment of the Council as to the feasibility of consolidating facilities and functions of the National Nuclear Security Administration in order to reduce costs.

(b) **PROCESS FOR CONSOLIDATION.**—If the assessment of the Council in the report under subsection (a) is that excess facilities exist and the consolidation of facilities and functions of the Administration is feasible and would reduce cost, the report shall include recommendations for a process to determine the manner in which the consolidation should be accomplished, including an estimate of the time to be required to complete the process.

(c) **LIMITATION ON AVAILABILITY OF CERTAIN FUNDS PENDING REPORT.**—Amounts authorized to be appropriated by this title and available for the facility projects in the Department of Energy Readiness and Technical Base designated 04-D-125 and 06-D-141 may not be obligated or expended for CD-3, Start of Construction (as found in Department of Energy Order 413.3 B Program and Project Management for the Acquisition of Capital Assets,) until the submittal under subsection (a) of the report required by that subsection.

**SEC. 3133. REGIONAL RADIOLOGICAL SECURITY ZONES.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) A terrorist attack using high-activity radiological materials, such as in a dirty bomb, could inflict billions of dollars of economic costs and considerable societal and economic dislocation, with effects and costs possibly lasting for years.

(2) It may be easier for terrorists to obtain the materials for, and to fabricate, a dirty bomb than an improvised nuclear device.

(3) Radiological materials are in widespread use worldwide, with estimates of the number of radiological sources ranging from 100,000 to millions.

(4) Many nations have a security and regulatory regime for their radiological sources that is much less developed than that of the United States.

(5) Radiological materials are used at many civilian sites including hospitals, industrial sites, and other locations that have little security, placing these materials at risk of theft.

(6) Many radiological materials have become lost, disused, unwanted, or abandoned, with the Global Threat Reduction Initiative of the National Nuclear Security Administration having recovered more than 30,000 radioactive sources in the United States, repatriated more than 2,400 United States-origin sources from other countries, and helped recover more than 13,000 radioactive sources and radioisotope thermoelectric generators in other countries.

(7) High-activity radiological materials can be used in a dirty bomb.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that United States and global non-proliferation efforts should place a high priority on programs to secure high-activity radiological sources to reduce the threat of radiological terrorism.

(c) **STUDY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Nuclear Security Administration shall submit to the

appropriate committees of Congress a study in accordance with paragraph (3).

(2) **CONSULTATION.**—The Administrator may, in conducting the study required under paragraph (1), consult with the Secretary of Homeland Security, the Secretary of State, the Nuclear Regulatory Commission, and such other departments and agencies of the United States Government as the Administrator considers appropriate.

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

(A) An assessment of the radioactive isotopes and associated activity levels that present the greatest risk to national and international security.

(B) A review of current United States Government efforts to secure radiological materials abroad, including coordination with foreign governments, the European Union, the International Atomic Energy Agency, other international programs, and nongovernmental organizations that identify, register, secure, remove, and provide for the disposition of high-risk radiological materials worldwide.

(C) A review of current United States Government efforts to secure radiological materials domestically at civilian sites, including hospitals, industrial sites, and other locations.

(D) A definition of regional radiological security zones, including the subset of the materials of concern to be the immediate focus and the security best practices required to achieve that goal.

(E) An assessment of the feasibility, cost, desirability, and added benefit of establishing regional radiological security zones in high priority areas worldwide in order to facilitate regional collaboration in—

(i) identifying and inventorying high-activity radiological sources at high-risk sites;

(ii) reviewing national level regulations, inspections, transportation security, and security upgrade options; and

(iii) assessing opportunities for the harmonization of regulations and security practices among the nations of the region.

(F) An assessment of the feasibility, cost, desirability, and added benefit of establishing remote regional monitoring centers that would receive real-time data from radiological security sites, would be staffed by trained personnel from the countries in the region, and would alert local law enforcement in the event of a potential or actual terrorist incident or other emergency.

(G) A list and assessment of the best practices used in the United States that are most critical in enhancing domestic radiological material security and could be used to enhance radiological security worldwide.

(H) An assessment of the United States entity or entities that would be best suited to lead efforts to establish a radiological security zone program.

(I) An estimate of the costs associated with the implementation of a radiological security zone program.

(J) An assessment of the known locations outside the United States housing high-risk radiological materials in excess of 1,000 curies.

(4) **FORM.**—The study required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 3134. REPORT ON LEGACY URANIUM MINES.****(a) REPORT.—**

(1) **IN GENERAL.**—The Secretary of Energy shall undertake a review of, and prepare a report on, abandoned uranium mines at which uranium ore was mined for the weapons program of the United States (hereinafter referred to as “legacy uranium mines”).

(2) **MATTERS TO BE ADDRESSED.**—The report shall describe and analyze—

(A) the location of the legacy uranium mines on Federal, State, tribal, and private land, taking into account any existing inventories undertaken by Federal agencies, States, and Indian tribes, and any additional information available to the Secretary;

(B) the extent to which the legacy uranium mines—

(i) may pose a potential and significant radiation health hazard to the public;

(ii) may pose some other threat to public health and safety hazard;

(iii) have caused, or may cause, degradation of water quality; and

(iv) have caused, or may cause, environmental degradation;

(C) a ranking of priority by category for the remediation and reclamation of the legacy uranium mines;

(D) the potential cost and feasibility of remediating and reclaiming, in accordance with applicable Federal law, each category of legacy uranium mines; and

(E) the status of any efforts to remediate and reclaim legacy uranium mines.

**(b) RECOMMENDATIONS.**—The report shall—

(1) make recommendations as to how to ensure most feasibly and effectively and expeditiously that the public health and safety, water resources, and the environment will be protected from the adverse effects of legacy uranium mines; and

(2) make recommendations on changes, if any, to Federal law to address the remediation and reclamation of legacy uranium mines.

(c) **CONSULTATION.**—In preparing the report, the Secretary of Energy shall consult with any other relevant Federal agencies, affected States and Indian tribes, and interested members of the public.

(d) **REPORT TO CONGRESS.**—Not later than 18 months after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate and the appropriate Committees of the House of Representatives—

(1) the report; and

(2) the plan and timeframe of the Secretary of Energy for implementing those recommendations of the report that do not require legislation.

**SEC. 3135. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PROJECTS CARRIED OUT BY OFFICE OF ENVIRONMENTAL MANAGEMENT OF THE DEPARTMENT OF ENERGY PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.**

Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “The Comptroller General shall conduct a review during the period described in paragraph (2), of the following:” and inserting “Beginning on the date of the submittal of the report required under subsection (b)(2), the Comptroller General shall conduct a review of the following:”;

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as redesignated by subparagraph (C), by striking “the end of the

period described in paragraph (2)” and inserting “August 30, 2012”; and

(2) in subsection (d)—

(A) in paragraph (1), by striking “Beginning on the date on which the Comptroller General submits the last report required under subsection (c)(3), the Comptroller General shall conduct a review of the following:” and inserting “Following the submittal of the final report required under subsection (c)(2), the Comptroller General shall conduct a review of the following:”; and

(B) in paragraph (2), by striking “Not later than 90 days after submitting the last report required under subsection (c)(3)” and inserting “Within seven months after receiving notification that all American Recovery and Reinvestment Act funds have been expended, but not later than April 30, 2016”.

**TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD****SEC. 3201. AUTHORIZATION.**

There are authorized to be appropriated for fiscal year 2013, \$29,415,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

**TITLE XXXV—MARITIME ADMINISTRATION****SEC. 3501. MARITIME ADMINISTRATION.**

Section 109 of title 49, United States Code, is amended to read as follows:

**“§ 109. Maritime administration**

“(a) **ORGANIZATION.**—The Maritime Administration is an administration in the Department of Transportation.

“(b) **MARITIME ADMINISTRATOR.**—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.

“(c) **DEPUTY MARITIME ADMINISTRATOR.**—The Maritime Administration shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

“(d) **DUTIES AND POWERS VESTED IN SECRETARY.**—All duties and powers of the Maritime Administration are vested in the Secretary.

“(e) **REGIONAL OFFICES.**—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

“(f) **INTERAGENCY AND INDUSTRY RELATIONS.**—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

“(g) **DETAILING OFFICERS FROM ARMED FORCES.**—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the armed forces may be detailed to

the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer’s pay and allowances as an officer in the armed forces, makes the officer’s total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

“(h) **CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.**—

“(1) **CONTRACTS AND COOPERATIVE AGREEMENTS.**—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—

“(A) carry out the Secretary’s duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and

“(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

“(2) **AUDITS.**—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

“(i) **GRANT ADMINISTRATIVE EXPENSES.**—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

“(j) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to carry out the duties and powers of the Secretary relating to the Maritime Administration.

“(2) **LIMITATIONS.**—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

“(A) acquisition, construction, or reconstruction of vessels;

“(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

“(C) costs of national defense features;

“(D) payments of obligations incurred for operating-differential subsidies;

“(E) expenses necessary for research and development activities, including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;

“(F) the Vessel Operations Revolving Fund;

“(G) National Defense Reserve Fleet expenses;

“(H) expenses necessary to carry out part B of subtitle V of title 46; and

“(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.

“(3) **TRAINING VESSELS.**—Amounts may not be appropriated for the purchase or construction of training vessels for State maritime academies unless the Secretary has approved a plan for sharing training vessels between State maritime academies.”

**DIVISION D—FUNDING TABLES**

**SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.**

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—Decisions by agency heads to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall be based on authorized, transparent, statutory criteria, or merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, and other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supercede the requirements of this section.

**TITLE XLI—PROCUREMENT**

**SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
<b>AIRCRAFT PROCUREMENT, ARMY</b>			
<b>FIXED WING</b>			
001	UTILITY F/W AIRCRAFT ....	18,639	18,639
002	C-12 CARGO AIRPLANE ..	0	0
003	MQ-1 UAV .....	518,088	518,088
004	RQ-11 (RAVEN) .....	25,798	25,798
005	BCT UNMANNED AERIAL VEH (UAVS) INCR 1.	0	0
<b>ROTARY</b>			
006	HELICOPTER, LIGHT UTILITY (LUH).	271,983	271,983
007	AH-64 APACHE BLOCK IIIA REMAN.	577,115	577,115
008	ADVANCE PROCUREMENT (CY).	107,707	107,707
009	AH-64 APACHE BLOCK IIIB NEW BUILD.	153,993	153,993
010	ADVANCE PROCUREMENT (CY).	146,121	146,121
011	AH-64 BLOCK II/WRA ....	0	0
012	KIOWA WARRIOR (OH-58F) WRA.	0	0
013	UH-60 BLACKHAWK M MODEL (MYP).	1,107,087	1,107,087
014	ADVANCE PROCUREMENT (CY).	115,113	115,113
015	CH-47 HELICOPTER .....	1,076,036	1,076,036
016	ADVANCE PROCUREMENT (CY).	83,346	83,346
<b>MODIFICATION OF AIRCRAFT</b>			
017	C12 AIRCRAFT MODS .....	0	0
018	MQ-1 PAYLOAD—UAS ....	231,508	231,508
019	MQ-1 WEAPONIZATION—UAS.	0	0
020	GUARDRAIL MODS (MIP)	16,272	16,272
021	MULTI SENSOR ABN RECON (MIP).	4,294	4,294
022	AH-64 MODS .....	178,805	178,805
023	CH-47 CARGO HELICOPTER MODS (MYP).	39,135	39,135

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
024	UTILITY/CARGO AIRPLANE MODS.	24,842	24,842
025	AIRCRAFT LONG RANGE MODS.	0	0
026	UTILITY HELICOPTER MODS.	73,804	73,804
027	KIOWA WARRIOR MODS ...	192,484	192,484
028	AIRBORNE AVIONICS .....	0	0
029	NETWORK AND MISSION PLAN.	190,789	190,789
030	COMMS, NAV SURVEILLANCE. JTRS integration delayed.	133,191	89,191 [-44,000]
031	GATM ROLLUP .....	87,280	87,280
032	RQ-7 UAV MODS .....	104,339	104,339
<b>SPARES AND REPAIR PARTS</b>			
033	SPARE PARTS (AIR) .....	0	0
<b>GROUND SUPPORT AVIONICS</b>			
034	AIRCRAFT SURVIVABILITY EQUIPMENT.	34,037	34,037
035	SURVIVABILITY CM .....	0	0
036	CMWS .....	127,751	127,751
<b>OTHER SUPPORT</b>			
037	AVIONICS SUPPORT EQUIPMENT.	4,886	4,886
038	COMMON GROUND EQUIPMENT.	82,511	82,511
039	AIRCREW INTEGRATED SYSTEMS.	77,381	77,381
040	AIR TRAFFIC CONTROL ....	47,235	47,235
041	INDUSTRIAL FACILITIES ...	1,643	1,643
042	LAUNCHER, 2.75 ROCKET	516	516
	<b>TOTAL, AIRCRAFT PROCUREMENT, ARMY.</b>	<b>5,853,729</b>	<b>5,809,729</b>
<b>MISSILE PROCUREMENT, ARMY</b>			
<b>SURFACE-TO-AIR MISSILE SYSTEM</b>			
001	PATRIOT SYSTEM SUMMARY.	646,590	646,590
002	MSE MISSILE .....	12,850	12,850
003	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY.	0	0
004	HELLFIRE SYS SUMMARY	1,401	1,401
005	JAVELIN (AAWS-M) SYSTEM SUMMARY.	81,121	81,121
006	TOW 2 SYSTEM SUMMARY.	64,712	64,712
007	ADVANCE PROCUREMENT (CY).	19,931	19,931
008	GUIDED MLRS ROCKET (GMLRS).	218,679	218,679
009	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR).	18,767	18,767
010	HIGH MOBILITY ARTILLERY ROCKET SYSTEM.	12,051	12,051
011	PATRIOT MODS .....	199,565	199,565
012	ITAS/TOW MODS .....	0	0
013	MLRS MODS .....	2,466	2,466
014	HIMARS MODIFICATIONS	6,068	6,068
015	HELLFIRE MODIFICATIONS	0	0
016	SPARES AND REPAIR PARTS.	7,864	7,864
017	AIR DEFENSE TARGETS ...	3,864	3,864
018	ITEMS LESS THAN \$5 MILLION (MISSILES).	1,560	1,560
019	PRODUCTION BASE SUPPORT.	5,200	5,200
	<b>TOTAL, MISSILE PROCUREMENT, ARMY.</b>	<b>1,302,689</b>	<b>1,302,689</b>
<b>PROCUREMENT OF W&amp;TCV, ARMY TRACKED COMBAT VEHICLES</b>			
001	STRYKER VEHICLE .....	286,818	286,818
002	FCS SPIN OUTS .....	0	0

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>			
003	STRYKER (MOD) .....	60,881	60,881
004	FIST VEHICLE (MOD) .....	57,257	57,257
005	BRADLEY PROGRAM (MOD).	148,193	148,193
006	HOWITZER, MED SP FT 155MM M109A6 (MOD).	10,341	10,341
007	PALADIN PIM MOD IN SERVICE.	206,101	206,101
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES).	107,909	230,909
	Increased production ..		[123,000]
009	ASSAULT BREACHER VEHICLE.	50,039	50,039
010	M88 FOV MODS .....	29,930	29,930
011	M1 ABRAMS TANK (MOD)	129,090	129,090
012	ABRAMS UPGRADE PROGRAM.	74,433	74,433
012A	ADVANCE PROCUREMENT (CY).		91,000
	Advanced procurement Abrams upgrade program.		[91,000]
<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>			
013	PRODUCTION BASE SUPPORT (TCV-WTCV).	1,145	1,145
<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>			
014	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY.	506	506
015	M240 MEDIUM MACHINE GUN (7.62MM).	0	0
016	MACHINE GUN, CAL. 50 M2 ROLL.	0	0
017	LIGHTWEIGHT .50 CALIBER MACHINE GUN. Program termination ..	25,183	0
	MK-19 GRENADE MACHINE GUN (40MM).	0	[-25,183]
018	MORTAR SYSTEMS .....	8,104	8,104
019	M107, CAL. 50, SNIPER RIFLE.	0	0
020	XM320 GRENADE LAUNCHER MODULE (GLM).	14,096	14,096
021	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS).	0	0
022	M4 CARBINE .....	21,272	21,272
023	CARBINE .....	6,598	6,598
024	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS).	56,725	56,725
025	COMMON REMOTELY OPERATED WEAPONS STATION.	13,827	13,827
026	HOWITZER LT WT 155MM (T).		
027	<b>MOD OF WEAPONS AND OTHER COMBAT VEHICLES</b>		
028	MK-19 GRENADE MACHINE GUN MODS.	0	0
029	M777 MODS .....	26,843	26,843
030	M4 CARBINE MODS .....	27,243	27,243
031	M2 50 CAL MACHINE GUN MODS.	39,974	39,974
032	M249 SAW MACHINE GUN MODS.	4,996	4,996
033	M240 MEDIUM MACHINE GUN MODS.	6,806	6,806
034	SNIPER RIFLES MODIFICATIONS.	14,113	14,113
035	M119 MODIFICATIONS ....	20,727	20,727
036	M16 RIFLE MODS .....	3,306	3,306
037	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV).	3,072	3,072





SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
061	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM.	57,727	57,727	099	COUNTERFIRE RADARS ...	244,409	244,409	133	GRND STANDOFF MINE DETECTN SYSTM (GSTMIDS).	0	0
062	PENTAGON INFORMATION MGT AND TELECOM.	5,000	5,000	100	ENHANCED SENSOR & MONITORING SYSTEM (WMD).	2,426	2,426	134	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS).	29,106	29,106
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>				<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>			135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT).	25,459	25,459
065	JIT/CIBS-M .....	1,641	1,641	101	TACTICAL OPERATIONS CENTERS.	30,196	30,196	136	REMOTE DEMOLITION SYSTEMS.	8,044	8,044
066	PROPHET GROUND .....	48,797	48,797	102	FIRE SUPPORT C2 FAMILY	58,903	58,903	137	<\$5M, COUNTERMINE EQUIPMENT.	3,698	3,698
067	DIGITAL TOPOGRAPHIC SPT SYS (DTSS).	0	0	103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM.	8,111	8,111		<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
068	DRUG INTERDICTION PROGRAM (DIP) (TIARA).	0	0	104	FAAD C2 .....	5,031	5,031	138	HEATERS AND ECU'S .....	12,210	12,210
069	DCGS-A (MIP) .....	184,007	184,007	105	AIR & MSL DEFENSE PLANNING & CONTROL SYS.	64,144	64,144	139	SOLDIER ENHANCEMENT	6,522	6,522
070	JOINT TACTICAL GROUND STATION (JTGS).	2,680	2,680	106	KNIGHT FAMILY .....	11,999	11,999	140	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS).	11,222	11,222
071	TROJAN (MIP) .....	21,483	21,483	107	LIFE CYCLE SOFTWARE SUPPORT (LCSS).	1,853	1,853	141	GROUND SOLDIER SYSTEM.	103,317	103,317
072	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP).	2,412	2,412	108	AUTOMATIC IDENTIFICATION TECHNOLOGY.	14,377	14,377	142	MOUNTED SOLDIER SYSTEM.	0	0
073	CI HUMINT AUTO REPRINTING AND COLLECTION.	7,077	7,077	109	TC AIMS II .....	0	0	143	FORCE PROVIDER .....	0	0
074	ITEMS LESS THAN \$5 MILLION (MIP).	0	0	110	TACTICAL INTERNET MANAGER.	0	0	144	FIELD FEEDING EQUIPMENT.	27,417	27,417
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>			111	NETWORK MANAGEMENT INITIALIZATION AND SERVICE.	59,821	59,821	145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM.	52,065	52,065
075	LIGHTWEIGHT COUNTER MORTAR RADAR.	72,594	72,594	112	MANEUVER CONTROL SYSTEM (MCS).	51,228	51,228	146	MORTUARY AFFAIRS SYSTEMS.	2,358	2,358
076	CREW .....	15,446	15,446	113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE).	176,901	176,901	147	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS.	31,573	31,573
077	FMly OF PERSISTENT SURVEILLANCE CAPABILITIES.	0	0	114	RECONNAISSANCE AND SURVEYING INSTRUMENT SET.	15,209	15,209	148	ITEMS LESS THAN \$5 MILLION.	14,093	14,093
078	COUNTERINTELLIGENCE/ SECURITY COUNTERMEASURES.	1,470	1,470		<b>ELECT EQUIP—AUTOMATION</b>				<b>PETROLEUM EQUIPMENT</b>		
079	CI MODERNIZATION .....	1,368	1,368	115	ARMY TRAINING MODERNIZATION.	8,866	8,866	149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER.	36,266	36,266
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>			116	AUTOMATED DATA PROCESSING EQUIP.	129,438	129,438	150	<b>MEDICAL EQUIPMENT</b>		
080	FAAD GBS .....	7,980	7,980	117	GENERAL FUND ENTERPRISE BUSINESS SYS FAM.	9,184	9,184	151	COMBAT SUPPORT MEDICAL.	34,101	34,101
081	SENTINEL MODS .....	33,444	33,444	118	CSS COMMUNICATIONS ...	20,639	20,639	152	MEDEVAC MISSION EQUIPMENT PACKAGE (MEP).	20,540	20,540
082	SENSE THROUGH THE WALL (STTW).	6,212	0	119	RESERVE COMPONENT AUTOMATION SYS (RCAS).	35,493	35,493		<b>MAINTENANCE EQUIPMENT</b>		
	Slow execution of prior years appropriations.		[-6,212]		<b>ELECT EQUIP—AUDIO VISUAL SYS (AV)</b>			153	MOBILE MAINTENANCE EQUIPMENT SYSTEMS.	2,495	2,495
083	NIGHT VISION DEVICES ...	166,516	166,516	120	ITEMS LESS THAN \$5 MILLION (AV).	8,467	8,467	154	ITEMS LESS THAN \$5 MILLION (MAINT EQ).	0	0
084	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM.	0	0	121	ITEMS LESS THAN \$5 MILLION.	5,309	5,309		<b>CONSTRUCTION EQUIPMENT</b>		
085	NIGHT VISION, THERMAL WPN SIGHT.	82,162	82,162	122	<b>ELECT EQUIP—SUPPORT PRODUCTION BASE SUPPORT (C-E).</b>	586	586	155	GRADER, ROAD MTZD, HVY, 6X4 (CCE).	2,028	2,028
086	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF.	20,717	20,717	123	BCT NETWORK .....	0	0	156	SKID STEER LOADER (SSL) FAMILY OF SYSTEM.	0	0
087	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM).	0	0	124	DEFENSE RAPID INNOVATION PROGRAM.	0	0	157	SCRAPERS, EARTHMOVING.	6,146	6,146
088	BASE EXPEDITARY TARGETING AND SURV SYS.	0	0	124A	<b>CLASSIFIED PROGRAMS</b>	3,435	3,435	158	MISSION MODULES—ENGINEERING.	31,200	31,200
089	GREEN LASER INTERDICTION SYSTEM (GLIS).	1,014	1,014		<b>CLASSIFIED PROGRAMS ..</b>			159	COMPACTOR .....	0	0
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS.	29,881	29,881	125	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>	0	0	160	LOADERS .....	0	0
091	PROFILER .....	12,482	12,482	126	PROTECTIVE SYSTEMS ....	3,960	3,960	161	HYDRAULIC EXCAVATOR ..	0	0
092	MOD OF IN-SVC EQUIP (FIREFINDER RADARS).	3,075	3,075	127	FAMILY OF NON-LETHAL EQUIPMENT (FNLE).	4,374	4,374	162	TRACTOR, FULL TRACKED	20,867	20,867
093	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2).	0	0	128	BASE DEFENSE SYSTEMS (BDS).	4,374	4,374	163	ALL TERRAIN CRANES ....	4,003	4,003
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P).	141,385	141,385	129	CBRN SOLDIER PROTECTION.	9,259	9,259	164	PLANT, ASPHALT MIXING	3,679	3,679
095	LIGHTWEIGHT LASER DESIGNATOR/RANGE-FINDER.	0	0	129	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM).	0	0	165	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE).	30,042	30,042
096	MOD OF IN-SVC EQUIP (LLDR).	22,403	22,403		<b>BRIDGING EQUIPMENT</b>			166	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPA.	13,725	13,725
097	COMPUTER BALLISTICS: LHMCB XM32.	0	0	130	TACTICAL BRIDGING .....	35,499	35,499	167	CONST EQUIP ESP .....	13,351	13,351
098	MORTAR FIRE CONTROL SYSTEM.	29,505	29,505	131	TACTICAL BRIDGE, FLOAT-RIBBON.	32,893	32,893		ITEMS LESS THAN \$5 MILLION (CONST EQUIP).	9,134	9,134
					<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>				<b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>		
				132	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST.	0	0	168	JOINT HIGH SPEED VESSEL (JHSV).	0	0

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
169	HARBORMASTER COMMAND AND CONTROL CENTER.	0	0					053	COMMON ECM EQUIPMENT.	114,690	114,690
170	ITEMS LESS THAN \$5 MILLION (FLOAT/RAIL). GENERATORS	10,552	10,552		<b>AIRCRAFT PROCUREMENT, NAVY</b>			054	COMMON AVIONICS CHANGES.	96,183	96,183
171	GENERATORS AND ASSOCIATED EQUIP.	60,302	60,302	001	<b>COMBAT AIRCRAFT</b>			055	COMMON DEFENSIVE WEAPON SYSTEM.	0	0
	<b>MATERIAL HANDLING EQUIPMENT</b>			002	EA-18G .....	1,027,443	1,027,443	056	ID SYSTEMS .....	39,846	39,846
172	ROUGH TERRAIN CONTAINER HANDLER (RTCH).	0	0		ADVANCE PROCUREMENT (CY).	0	0	057	P-8 SERIES .....	5,302	5,302
173	FAMILY OF FORKLIFTS .....	5,895	5,895	003	F/A-18E/F (FIGHTER) HORNET.	2,035,131	2,035,131	058	MAGTF EW FOR AVIATION	34,127	34,127
174	ALL TERRAIN LIFTING ARMY SYSTEM.	0	0		ADVANCE PROCUREMENT (CY).	30,296	90,296	059	RQ-7 SERIES .....	49,324	49,324
	<b>TRAINING EQUIPMENT</b>				Retain option for additional FY 14 aircraft.		[60,000]	060	V-22 (TILT/ROTOR ACFT) OSPREY.	95,856	95,856
175	COMBAT TRAINING CENTERS SUPPORT.	104,649	104,649	005	JOINT STRIKE FIGHTER CV	1,007,632	1,007,632		<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
176	TRAINING DEVICES, NON-SYSTEM.	125,251	125,251	006	ADVANCE PROCUREMENT (CY).	65,180	65,180	061	SPARES AND REPAIR PARTS.	1,166,430	1,166,430
177	CLOSE COMBAT TACTICAL TRAINER.	19,984	19,984		JSF STOVL .....	1,404,737	1,404,737		<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
178	AVIATION COMBINED ARMS TACTICAL TRAINER.	10,977	10,977	008	ADVANCE PROCUREMENT (CY).	106,199	106,199	062	COMMON GROUND EQUIPMENT.	387,195	387,195
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING.	4,056	4,056	009	V-22 (MEDIUM LIFT) .....	1,303,120	1,303,120	063	AIRCRAFT INDUSTRIAL FACILITIES.	23,469	23,469
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>			010	ADVANCE PROCUREMENT (CY).	154,202	154,202	064	WAR CONSUMABLES .....	43,383	43,383
180	CALIBRATION SETS EQUIPMENT.	10,494	10,494		H-1 UPGRADES (UH-1Y/AH-1Z).	720,933	720,933	065	OTHER PRODUCTION CHARGES.	3,399	3,399
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE).	45,508	45,508	012	ADVANCE PROCUREMENT (CY).	69,658	69,658	066	SPECIAL SUPPORT EQUIPMENT.	32,274	32,274
182	TEST EQUIPMENT MODERNIZATION (TEMOD).	24,334	24,334	013	MH-60S (MYP) .....	384,792	384,792	067	FIRST DESTINATION TRANSPORTATION.	1,742	1,742
	<b>OTHER SUPPORT EQUIPMENT</b>			014	ADVANCE PROCUREMENT (CY).	69,277	69,277	068	CANCELLED ACCOUNT ADJUSTMENTS.	0	0
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT.	5,078	5,078	015	MH-60R (MYP) .....	656,866	656,866		<b>TOTAL AIRCRAFT PROCUREMENT, NAVY.</b>	<b>17,129,296</b>	<b>17,189,296</b>
184	PHYSICAL SECURITY SYSTEMS (OPA3).	46,301	46,301	016	ADVANCE PROCUREMENT (CY).	185,896	185,896		<b>WEAPONS PROCUREMENT, NAVY</b>		
185	BASE LEVEL COMMON EQUIPMENT.	1,373	1,373	017	P-8A POSEIDON .....	2,420,755	2,420,755		<b>MODIFICATION OF MISSILES</b>		
186	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3).	59,141	59,141	018	ADVANCE PROCUREMENT (CY).	325,679	325,679	001	TRIDENT II MODS .....	1,224,683	1,224,683
187	PRODUCTION BASE SUPPORT (OTH).	2,446	2,446	019	E-2D ADV HAWKEYE .....	861,498	861,498		<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
188	SPECIAL EQUIPMENT FOR USER TESTING.	12,920	12,920	020	ADVANCE PROCUREMENT (CY).	123,179	123,179	002	MISSILE INDUSTRIAL FACILITIES.	5,553	5,553
189	AMC CRITICAL ITEMS OPA3.	19,180	19,180		<b>AIRLIFT AIRCRAFT</b>				<b>STRATEGIC MISSILES</b>		
190	TRACTOR YARD .....	7,368	7,368	021	C-40A .....	0	0	003	TOMAHAWK .....	308,970	308,970
191	UNMANNED GROUND VEHICLE.	83,937	71,937		<b>TRAINER AIRCRAFT</b>				<b>TACTICAL MISSILES</b>		
	Transfer to PE 0604641A at Army request.		[-12,000]	022	JPATS .....	278,884	278,884	004	AMRAAM .....	102,683	102,683
192	TRAINING LOGISTICS MANAGEMENT.	0	0		<b>OTHER AIRCRAFT</b>			005	SIDEWINDER .....	80,226	80,226
	<b>OPA2</b>			023	KC-130J .....	3,000	3,000	006	JSOW .....	127,609	127,609
193	INITIAL SPARES—C&E ....	64,507	64,507	024	ADVANCE PROCUREMENT (CY).	22,995	22,995	007	STANDARD MISSILE .....	399,482	399,482
	<b>TOTAL OTHER PROCUREMENT, ARMY.</b>	<b>6,326,245</b>	<b>6,307,033</b>	025	ADVANCE PROCUREMENT (CY).	51,124	51,124	008	RAM .....	66,769	66,769
	<b>JOINT IMPR EXPLOSIVE DEV DEFEAT FUND</b>			026	MQ-8 UAV .....	124,573	124,573	009	HELLFIRE .....	74,501	74,501
001	ATTACK THE NETWORK ....	0	0	027	STUASLO UAV .....	9,593	9,593	010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM).	0	0
002	DEFEAT THE DEVICE .....	0	0		<b>MODIFICATION OF AIRCRAFT</b>			011	AERIAL TARGETS .....	61,518	61,518
003	FORCE TRAINING	0	0	028	EA-6 SERIES .....	30,062	30,062	012	OTHER MISSILE SUPPORT	3,585	3,585
	<b>STAFF AND INFRASTRUCTURE</b>			029	AEA SYSTEMS .....	49,999	49,999		<b>MODIFICATION OF MISSILES</b>		
004	OPERATIONS .....	227,414	0	030	AV-8 SERIES .....	38,703	38,703	013	ESSM .....	58,194	58,194
	Transfer to OCO .....		[-227,414]	031	ADVERSARY .....	4,289	4,289	014	HARM MODS .....	86,721	86,721
	<b>TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.</b>	<b>227,414</b>	<b>0</b>	032	F-18 SERIES .....	647,306	647,306	015	STANDARD MISSILES MODS.	0	0
				033	H-46 SERIES .....	2,343	2,343		<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
				034	AH-1W SERIES .....	8,721	8,721	016	WEAPONS INDUSTRIAL FACILITIES.	2,014	2,014
				035	H-53 SERIES .....	45,567	45,567	017	FLEET SATELLITE COMM FOLLOW-ON.	21,454	21,454
				036	SH-60 SERIES .....	83,527	83,527		<b>ORDNANCE SUPPORT EQUIPMENT</b>		
				037	H-1 SERIES .....	6,508	6,508	018	ORDNANCE SUPPORT EQUIPMENT.	54,945	54,945
				038	EP-3 SERIES .....	66,374	66,374		<b>TORPEDOES AND RELATED EQUIP</b>		
				039	P-3 SERIES .....	148,405	148,405	019	SSTD .....	2,700	2,700
				040	E-2 SERIES .....	16,322	16,322	020	ASW TARGETS .....	10,385	10,385
				041	TRAINER A/C SERIES .....	34,284	34,284		<b>MOD OF TORPEDOES AND RELATED EQUIP</b>		
				042	C-2A .....	4,743	4,743	021	MK-54 TORPEDO MODS ..	74,487	74,487
				043	C-130 SERIES .....	60,302	60,302	022	MK-48 TORPEDO ADCAP MODS.	54,281	54,281
				044	FEWSG .....	670	670		<b>QUICKSTRIKE MINE</b> .....	<b>6,852</b>	<b>6,852</b>
				045	CARGO/TRANSPORT A/C SERIES.	26,311	26,311				
				046	E-6 SERIES .....	158,332	158,332				
				047	EXECUTIVE HELICOPTERS SERIES.	58,163	58,163				
				048	SPECIAL PROJECT AIRCRAFT.	12,421	12,421				
				049	T-45 SERIES .....	64,488	64,488				
				050	POWER PLANT CHANGES	21,569	21,569				
				051	JPATS SERIES .....	1,552	1,552				
				052	AVIATION LIFE SUPPORT MODS.	2,473	2,473				

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
024	<b>SUPPORT EQUIPMENT</b> TORPEDO SUPPORT EQUIPMENT.	46,402	46,402	028	AMMO MODERNIZATION ..	4,566	4,566	011	LCS CLASS SUPPORT EQUIPMENT.	19,865	19,865
025	ASW RANGE SUPPORT .....	11,927	11,927	029	ITEMS LESS THAN \$5 MILLION.	6,010	6,010	012	SUBMARINE BATTERIES ..	41,522	41,522
026	<b>DESTINATION TRANSPORTATION</b> FIRST DESTINATION TRANSPORTATION.	3,614	3,614		<b>PRIOR YEAR SAVINGS</b> PRIOR YEAR SAVINGS .....			013	LPD CLASS SUPPORT EQUIPMENT.	30,543	30,543
027	<b>GUNS AND GUN MOUNTS</b> SMALL ARMS AND WEAPONS.	12,594	12,594	029B	Ammunition change in requirements.		-88,300	014	STRATEGIC PLATFORM SUPPORT EQUIP.	16,257	16,257
028	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b> CIWS MODS .....	59,303	67,003		<b>TOTAL, PROCUREMENT OF AMMO, NAVY &amp; MC.</b>	<b>759,539</b>	<b>658,739</b>	015	DSSP EQUIPMENT .....	3,630	3,630
	Buy additional ordnance alteration kits.		[7,700]		<b>SHIPBUILDING &amp; CONVERSION, NAVY OTHER WARSHIPS</b>			016	CG MODERNIZATION .....	101,000	101,000
029	COAST GUARD WEAPONS	19,072	19,072	001	CARRIER REPLACEMENT PROGRAM.	608,195	608,195	017	LCAC .....	16,645	16,645
030	GUN MOUNT MODS .....	54,706	54,706	002	ADVANCE PROCUREMENT (CY).	0	0	018	UNDERWATER EOD PROGRAMS.	35,446	35,446
031	CRUISER MODERNIZATION WEAPONS.	1,591	1,591	003	VIRGINIA CLASS SUBMARINE.	3,217,601	3,217,601	019	ITEMS LESS THAN \$5 MILLION.	65,998	65,998
032	AIRBORNE MINE NEUTRALIZATION SYSTEMS.	20,607	20,607	004	ADVANCE PROCUREMENT (CY).	874,878	1,652,557	020	CHEMICAL WARFARE DETECTORS.	4,359	4,359
033	<b>OTHER</b> CANCELLED ACCOUNT ADJUSTMENTS.	0	0		Advance procurement for 2nd SSN in FY 14.		[777,679]	021	SUBMARINE LIFE SUPPORT SYSTEM.	10,218	10,218
034	<b>SPARES AND REPAIR PARTS</b> SPARES AND REPAIR PARTS.	60,150	60,150	005	CVN REFUELING OVERHAULS.	1,613,392	1,613,392		<b>REACTOR PLANT EQUIPMENT</b>		
	<b>TOTAL, WEAPONS PROCUREMENT, NAVY.</b>	<b>3,117,578</b>	<b>3,125,278</b>	006	ADVANCE PROCUREMENT (CY).	70,010	70,010	022	REACTOR POWER UNITS	286,859	286,859
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>			007	SSBN ERO .....	0	0	023	REACTOR COMPONENTS ..	278,503	278,503
001	<b>NAVY AMMUNITION</b> GENERAL PURPOSE BOMBS.	27,024	27,024	008	DDG 1000 .....	669,222	669,222		<b>OCEAN ENGINEERING</b>		
002	AIRBORNE ROCKETS, ALL TYPES.	56,575	56,575	009	DDG-51 .....	3,048,658	3,048,658	024	DIVING AND SALVAGE EQUIPMENT.	8,998	8,998
003	MACHINE GUN AMMUNITION.	21,266	21,266	010	ADVANCE PROCUREMENT (CY).	466,283	466,283	025	<b>SMALL BOATS</b> STANDARD BOATS .....	30,131	30,131
004	PRACTICE BOMBS .....	34,319	34,319	011	LITTORAL COMBAT SHIP ..	1,784,959	1,784,959	026	<b>TRAINING EQUIPMENT</b> OTHER SHIPS TRAINING EQUIPMENT.	29,772	29,772
005	CARTRIDGES & CART ACTUATED DEVICES.	53,755	53,755	012	ADVANCE PROCUREMENT (CY).	0	0		<b>PRODUCTION FACILITIES EQUIPMENT</b>		
006	AIR EXPENDABLE COUNTERMEASURES.	61,693	61,693	013	AMPHIBIOUS SHIPS LPD-17 .....	0	0	027	OPERATING FORCES IPE	64,346	64,346
007	JATOS .....	2,776	2,776	014	LHA REPLACEMENT .....	0	0	028	<b>OTHER SHIP SUPPORT</b> NUCLEAR ALTERATIONS ..	154,652	154,652
008	LRLAP 6" LONG RANGE ATTACK PROJECTILE.	7,102	7,102	015	JOINT HIGH SPEED VESSEL.	189,196	189,196	029	LCS COMMON MISSION MODULES EQUIPMENT.	31,319	31,319
009	5 INCH/54 GUN AMMUNITION.	48,320	48,320		<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>			030	LCS MCM MISSION MODULES.	38,392	38,392
010	INTERMEDIATE CALIBER GUN AMMUNITION.	25,544	25,544	016	OCEANOGRAPHIC SHIPS ..	0	0	031	LCS SUW MISSION MODULES.	32,897	32,897
011	OTHER SHIP GUN AMMUNITION.	41,624	41,624	017	ADVANCE PROCUREMENT (CY).	307,300	307,300		<b>LOGISTIC SUPPORT</b> LSD MIDLIFE .....	49,758	49,758
012	SMALL ARMS & LANDING PARTY AMMO.	65,893	65,893	018	OUTFITTING .....	309,648	309,648	032	<b>SHIP RADARS</b> RADAR SUPPORT .....	0	0
013	PYROTECHNIC AND DEMOLITION.	11,176	11,176	019	SERVICE CRAFT .....	0	0	033	SPQ-9B RADAR .....	19,777	19,777
014	AMMUNITION LESS THAN \$5 MILLION.	4,116	4,116	020	LCAC SLEP .....	47,930	47,930	034	AN/SQQ-89 SURF ASW COMBAT SYSTEM.	89,201	89,201
015	<b>MARINE CORPS AMMUNITION</b> SMALL ARMS AMMUNITION.	83,733	83,733	021	COMPLETION OF PY SHIPBUILDING PROGRAMS.	372,573	372,573	035	SSN ACOUSTICS .....	190,874	190,874
016	LINEAR CHARGES, ALL TYPES.	24,645	24,645		<b>TOTAL, SHIPBUILDING &amp; CONVERSION, NAVY.</b>	<b>13,579,845</b>	<b>14,357,524</b>	036	UNDERSEA WARFARE SUPPORT EQUIPMENT.	17,035	17,035
017	40MM, ALL TYPES .....	16,201	16,201		<b>OTHER PROCUREMENT, NAVY</b>			037	SONAR SWITCHES AND TRANSDUCERS.	13,410	13,410
018	60MM, ALL TYPES .....	0	0		<b>SHIP PROPULSION EQUIPMENT</b>			038	ELECTRONIC WARFARE MILDEC.	0	0
019	81MM, ALL TYPES .....	13,711	3,711	001	LM-2500 GAS TURBINE ..	10,658	10,658		<b>ASW ELECTRONIC EQUIPMENT</b>		
	Decrease for excess ...		[-10,000]	002	ALLISON 501K GAS TURBINE.	8,469	8,469	040	SUBMARINE ACOUSTIC WARFARE SYSTEM.	21,489	21,489
020	120MM, ALL TYPES .....	12,557	12,557		<b>NAVIGATION EQUIPMENT</b>			041	SSTD .....	10,716	10,716
021	CTG 25MM, ALL TYPES ...	0	0	003	OTHER NAVIGATION EQUIPMENT.	23,392	23,392	042	FIXED SURVEILLANCE SYSTEM.	98,896	98,896
022	GRENADES, ALL TYPES ...	7,634	7,134		<b>PERISCOPES</b>			043	SURTASS .....	2,774	2,774
	Decrease for excess ...		[-500]	004	SUB PERISCOPES & IMAGING EQUIP.	53,809	53,809	044	MARITIME PATROL AND RECONNAISSANCE FORCE.	18,428	18,428
023	ROCKETS, ALL TYPES .....	27,528	27,528		<b>OTHER SHIPBOARD EQUIPMENT</b>				<b>ELECTRONIC WARFARE EQUIPMENT</b>		
024	ARTILLERY, ALL TYPES .....	93,065	93,065	005	DDG MOD .....	452,371	452,371	045	AN/SLQ-32 .....	92,270	92,270
025	DEMOLITION MUNITIONS, ALL TYPES.	2,047	47	006	FIREFIGHTING EQUIPMENT	16,958	16,958		<b>RECONNAISSANCE EQUIPMENT</b>		
	Decrease for excess ...		[-2,000]	007	COMMAND AND CONTROL SWITCHBOARD.	2,492	2,492	046	SHIPBOARD IW EXPLOIT ..	107,060	107,060
026	FUZE, ALL TYPES .....	5,297	5,297	008	POLLUTION CONTROL EQUIPMENT.	20,707	20,707	047	AUTOMATED IDENTIFICATION SYSTEM (AIS).	914	914
027	NON LETHALS .....	1,362	1,362	009	SUBMARINE SUPPORT EQUIPMENT.	12,046	12,046		<b>SUBMARINE SURVEILLANCE EQUIPMENT</b>		
				010	VIRGINIA CLASS SUPPORT EQUIPMENT.	79,870	79,870	048	SUBMARINE SUPPORT EQUIPMENT PROG.	34,050	34,050
									<b>OTHER SHIP ELECTRONIC EQUIPMENT</b>		
								049	COOPERATIVE ENGAGEMENT CAPABILITY.	27,881	27,881



SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
003	EXPEDITIONARY FIRE SUPPORT SYSTEM.	2,502	2,502	041	FAMILY OF TACTICAL TRAILERS.	48,160	48,160	015	<b>HELICOPTERS</b> HH-60 LOSS REPLACEMENT/RECAP.	60,596	60,596
004	155MM LIGHTWEIGHT TOWED HOWITZER.	17,913	17,913	042	TRAILERS .....	0	0	016	COMMON VERTICAL LIFT SUPPORT PLATFORM (CVLSP).	0	0
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM.	47,999	47,999	043	OTHER SUPPORT ITEMS LESS THAN \$5 MILLION.	6,705	6,705	017	CV-22 (MYP) .....	294,220	294,220
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION.	17,706	17,706	044	<b>ENGINEER AND OTHER EQUIPMENT</b> ENVIRONMENTAL CONTROL EQUIP ASSORT.	13,576	13,576	018	ADVANCE PROCUREMENT (CY).	15,000	15,000
007	<b>OTHER SUPPORT</b> MODIFICATION KITS .....	48,040	48,040	045	BULK LIQUID EQUIPMENT	16,869	16,869	019	<b>MISSION SUPPORT AIRCRAFT</b> CIVIL AIR PATROL A/C ...	2,498	2,498
008	WEAPONS ENHANCEMENT PROGRAM.	4,537	4,537	046	TACTICAL FUEL SYSTEMS	19,108	19,108	020	LIGHT ATTACK ARMED RECON ACFT.	0	0
009	<b>GUIDED MISSILES</b> GROUND BASED AIR DEFENSE.	11,054	11,054	047	POWER EQUIPMENT ASSORTED.	56,253	56,253	021	RQ-11 .....	0	0
010	JAVELIN .....	0	0	048	AMPHIBIOUS SUPPORT EQUIPMENT.	13,089	13,089	022	STUASLO .....	0	0
011	FOLLOW ON TO SMAW .....	19,650	19,650	049	EOD SYSTEMS .....	73,699	73,699	023	<b>OTHER AIRCRAFT</b> INTERIM GATEWAY .....	0	0
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H).	20,708	20,708	050	<b>MATERIALS HANDLING EQUIPMENT</b> PHYSICAL SECURITY EQUIPMENT.	3,510	3,510	024	TARGET DRONES .....	129,866	129,866
013	<b>OTHER SUPPORT</b> MODIFICATION KITS .....	0	0	051	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE).	11,490	11,490	025	C-37A .....	0	0
014	<b>COMMAND AND CONTROL SYSTEMS</b> UNIT OPERATIONS CENTER.	1,420	1,420	052	MATERIAL HANDLING EQUIP.	20,659	20,659	026	RQ-4 .....	75,000	75,000
015	<b>REPAIR AND TEST EQUIPMENT</b> REPAIR AND TEST EQUIPMENT.	25,127	25,127	053	FIRST DESTINATION TRANSPORTATION.	132	132	027	ADVANCE PROCUREMENT (CY).	0	0
016	<b>OTHER SUPPORT (TEL)</b> COMBAT SUPPORT SYSTEM.	25,822	25,822	054	<b>GENERAL PROPERTY</b> FIELD MEDICAL EQUIPMENT.	31,068	31,068	028	AC-130J .....	163,970	163,970
017	MODIFICATION KITS .....	2,831	2,831	055	TRAINING DEVICES .....	45,895	45,895	029	ADVANCE PROCUREMENT (CY).	0	0
018	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b> ITEMS UNDER \$5 MILLION (COMM & ELEC).	5,498	5,498	056	CONTAINER FAMILY .....	5,801	5,801	030	MQ-9 .....	553,530	553,530
019	AIR OPERATIONS C2 SYSTEMS.	11,290	11,290	057	FAMILY OF CONSTRUCTION EQUIPMENT.	23,939	23,939	031	RQ-4 BLOCK 40 PROC ...	11,654	11,654
020	<b>RADAR + EQUIPMENT (NON-TEL)</b> RADAR SYSTEMS .....	128,079	128,079	058	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV).	0	0	032	<b>STRATEGIC AIRCRAFT</b> B-2A .....	82,296	82,296
021	RQ-21 UAS .....	27,619	27,619	059	BRIDGE BOATS .....	0	0	033	B-1B .....	149,756	149,756
022	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b> FIRE SUPPORT SYSTEM ...	7,319	7,319	060	RAPID DEPLOYABLE KITCHEN.	8,365	8,365	034	B-52 .....	9,781	9,781
023	INTELLIGENCE SUPPORT EQUIPMENT.	7,466	7,466	061	<b>OTHER SUPPORT</b> ITEMS LESS THAN \$5 MILLION.	7,077	7,077	035	LARGE AIRCRAFT INFRARED COUNTERMEASURES.	28,800	28,800
025	RQ-11 UAV .....	2,318	2,318	062	<b>SPARES AND REPAIR PARTS</b> SPARES AND REPAIR PARTS.	3,190	3,190	036	<b>TACTICAL AIRCRAFT</b> A-10 .....	89,919	89,919
026	DCCS-MC .....	18,291	18,291	062A	<b>PRIOR YEAR SAVINGS</b> PRIOR YEAR SAVINGS ....	-135,200	-135,200	037	F-15 .....	148,378	148,378
029	<b>OTHER COMM/ELEC EQUIPMENT (NON-TEL)</b> NIGHT VISION EQUIPMENT	48,084	48,084		LAV procurement acquisition objective change PY.	[-135,200]		038	F-16 .....	6,896	6,896
030	<b>OTHER SUPPORT (NON-TEL)</b> COMMON COMPUTER RESOURCES.	206,708	206,708		<b>TOTAL, PROCUREMENT, MARINE CORPS.</b>	<b>1,622,955</b>	<b>1,347,755</b>	039	F-22A .....	283,871	283,871
031	COMMAND POST SYSTEMS.	35,190	35,190		<b>AIRCRAFT PROCUREMENT, AIR FORCE TACTICAL FORCES</b>			040	F-35 MODIFICATIONS .....	147,995	147,995
032	RADIO SYSTEMS .....	89,059	89,059	001	F-35 .....	3,124,302	3,124,302	041	<b>AIRLIFT AIRCRAFT</b> C-5 .....	6,967	6,967
033	COMM SWITCHING & CONTROL SYSTEMS.	22,500	22,500	002	ADVANCE PROCUREMENT (CY).	293,400	293,400	042	ADVANCE PROCUREMENT (CY).	0	0
034	COMM & ELEC INFRASTRUCTURE SUPPORT.	42,625	42,625	003	F-22A .....	0	0	043	C-5M .....	944,819	944,819
035A	<b>CLASSIFIED PROGRAMS</b> CLASSIFIED PROGRAMS ..	2,290	2,290	004	C-17A (MYP) .....	0	0	044	ADVANCE PROCUREMENT (CY).	175,800	175,800
035	<b>ADMINISTRATIVE VEHICLES</b> COMMERCIAL PASSENGER VEHICLES.	2,877	2,877	005	<b>OTHER AIRLIFT</b> C-130J .....	68,373	68,373	045	C-9C .....	0	0
036	COMMERCIAL CARGO VEHICLES.	13,960	13,960	006	ADVANCE PROCUREMENT (CY).	0	0	046	C-17A .....	205,079	205,079
037	<b>TACTICAL VEHICLES</b> 5/4T TRUCK HMMWV (MYP).	8,052	8,052	007	HC-130J .....	152,212	152,212	047	C-21 .....	199	199
038	MOTOR TRANSPORT MODIFICATIONS.	50,269	50,269	008	ADVANCE PROCUREMENT (CY).	0	0	048	C-32A .....	1,750	1,750
039	MEDIUM TACTICAL VEHICLE REPLACEMENT.	0	0	009	MC-130J .....	374,866	374,866	049	C-37A .....	445	445
040	LOGISTICS VEHICLE SYSTEM REP.	37,262	37,262	010	ADVANCE PROCUREMENT (CY).	0	0	050	C-130 AMP .....	0	0
				011	HC/MC-130 RECAP .....	0	0	051	<b>TRAINER AIRCRAFT</b> GLIDER MODS .....	126	126
				012	C-27J .....	0	0	052	T-6 .....	15,494	15,494
				013	<b>UPT TRAINERS</b> LIGHT MOBILITY AIRCRAFT.	0	0	053	T-1 .....	272	272
				014	USAFA POWERED FLIGHT PROGRAM.	0	0	054	T-38 .....	20,455	20,455
								055	<b>OTHER AIRCRAFT</b> U-2 MODS .....	0	0
								056	U-2 MODS .....	44,477	44,477
								057	KC-10A (ATCA) .....	46,921	46,921
								058	C-12 .....	1,876	1,876
								059	MC-12W .....	17,054	17,054
								060	C-20 MODS .....	243	243
								061	VC-25A MOD .....	11,185	11,185
								062	C-40 .....	243	243
								063	C-130 .....	67,853	67,853
								064	C-130 INTEL .....	0	0
								065	C-130J MODS .....	70,555	70,555
								066	C-135 .....	46,707	46,707
								067	COMPASS CALL MODS ...	50,024	50,024
								068	RC-135 .....	165,237	165,237
								069	E-3 .....	193,099	193,099
								070	E-4 .....	47,616	47,616
								071	E-8 .....	59,320	71,320
									Restart production line for the JSTARS re-engineering program.		[12,000]
								072	H-1 .....	5,449	5,449
								073	H-60 .....	26,227	26,227
								074	RQ-4 MODS .....	9,257	9,257



SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
075	HC/MC-130 MODIFICATIONS.	22,326	22,326	007	INDUSTR'L PREPAREDNS/ POL PREVENTION.	744	744	001	PASSENGER CARRYING VEHICLES.	1,905	1,905
076	OTHER AIRCRAFT .....	18,832	18,832		<b>CLASS IV</b>				<b>CARGO AND UTILITY VE-</b>		
077	MQ-1 MODS .....	30,861	30,861	008	ADVANCED CRUISE MIS-	0	0		<b>HICLES</b>		
078	MQ-9 MODS .....	238,360	238,360		SILE.			002	MEDIUM TACTICAL VEHI-	18,547	18,547
079	MQ-9 UAS PAYLOADS .....	93,461	93,461	009	MM III MODIFICATIONS ....	54,794	54,794		CLE.		
080	CV-22 MODS .....	23,881	23,881	010	AGM-65D MAVERICK .....	271	271	003	CAP VEHICLES .....	932	932
	<b>AIRCRAFT SPARES AND</b>			011	AGM-88A HARM .....	23,240	23,240	004	ITEMS LESS THAN \$5	1,699	1,699
	<b>REPAIR PARTS</b>			012	AIR LAUNCH CRUISE MIS-	13,620	13,620		MILLION.		
081	INITIAL SPARES/REPAIR	729,691	729,691		SILE (ALCM).				<b>SPECIAL PURPOSE VEHI-</b>		
	PARTS.			013	SMALL DIAMETER BOMB	5,000	5,000		<b>CLES</b>		
	<b>COMMON SUPPORT</b>				<b>MISSILE SPARES AND</b>			005	SECURITY AND TACTICAL	10,850	10,850
	<b>EQUIPMENT</b>				<b>REPAIR PARTS</b>				VEHICLES.		
082	AIRCRAFT REPLACEMENT	56,542	56,542	014	INITIAL SPARES/REPAIR	74,373	74,373	006	ITEMS LESS THAN \$5	9,246	9,246
	SUPPORT EQUIP.				PARTS.				MILLION.		
	<b>POST PRODUCTION SUP-</b>				<b>SPACE PROGRAMS</b>				<b>FIRE FIGHTING EQUIP-</b>		
	<b>PORT</b>			015	ADVANCED EHF .....	557,205	557,205		<b>MENT</b>		
083	A-10 .....	5,100	5,100	016	ADVANCE PROCUREMENT	0	0	007	FIRE FIGHTING/CRASH	23,148	23,148
084	B-1 .....	965	965		MENT (CY).				RESCUE VEHICLES.		
085	B-2A .....	0	0	017	WIDEBAND GAPPILLER	36,835	36,835		<b>MATERIALS HANDLING</b>		
086	B-2A .....	47,580	47,580		SATELLITES(SPACE).				<b>EQUIPMENT</b>		
087	C-5 .....	0	0	018	ADVANCE PROCUREMENT	0	0	008	ITEMS LESS THAN \$5	18,323	18,323
088	KC-10A (ATCA) .....	13,100	13,100		MENT (CY).				MILLION.		
089	C-17A .....	181,703	181,703	019	GPS III SPACE SEGMENT	410,294	410,294		<b>BASE MAINTENANCE</b>		
090	C-130 .....	31,830	31,830	020	ADVANCE PROCUREMENT	82,616	82,616		<b>SUPPORT</b>		
091	C-135 .....	13,434	13,434		MENT (CY).			009	RUNWAY SNOW REMOV	1,685	1,685
092	F-15 .....	2,363	2,363	021	SPACEBORNE EQUIP	10,554	10,554		AND CLEANING EQU.		
093	F-16 .....	8,506	8,506		(COMSEC).			010	ITEMS LESS THAN \$5	17,014	17,014
094	HH-60 PPS .....	0	0	022	GLOBAL POSITIONING	58,147	58,147		MILLION.		
095	T-6 .....	0	0		(SPACE).				<b>CANCELLED ACCOUNT</b>		
096	OTHER AIRCRAFT .....	9,522	9,522	023	DEF METEOROLOGICAL	89,022	89,022		<b>ADJUSTMENTS</b>		
	<b>INDUSTRIAL PREPARED-</b>				SAT PROG(SPACE).			011	CANCELLED ACCOUNT	0	0
	<b>NESS</b>			024	EVOLVED EXPENDABLE	1,679,856	1,679,856		ADJUSTMENTS.		
097	INDUSTRIAL RESPONSIVE-	20,731	20,731		LAUNCH VEH(SPACE).				<b>COMM SECURITY EQUIP-</b>		
	NESS.			025	SBIR HIGH (SPACE) .....	454,251	454,251		<b>MENT(COMSEC)</b>		
	<b>WAR CONSUMABLES</b>			026	ADVANCE PROCUREMENT	0	0	012	COMSEC EQUIPMENT .....	166,559	166,559
098	WAR CONSUMABLES .....	89,727	89,727		MENT (CY).			013	MODIFICATIONS	1,133	1,133
	<b>OTHER PRODUCTION</b>				<b>SPECIAL PROGRAMS</b>				(COMSEC).		
	<b>CHARGES</b>			028	DEFENSE SPACE RECONN	0	0		<b>INTELLIGENCE PRO-</b>		
099	OTHER PRODUCTION	842,392	842,392		PROGRAM.			014	<b>GRAMS</b>		
	CHARGES.			030	SPECIAL UPDATE PRO-	138,904	138,904		INTELLIGENCE TRAINING	2,749	2,749
	<b>DARP</b>				GRAMS.			015	EQUIPMENT.		
103	U-2 .....	0	0		<b>CLASSIFIED PROGRAMS</b>				INTELLIGENCE COMM	32,876	32,876
	<b>CLASSIFIED PROGRAMS</b>			030A	CLASSIFIED PROGRAMS ..	1,097,483	1,097,483		EQUIPMENT.		
103A	CLASSIFIED PROGRAMS ..	20,164	20,164		<b>TOTAL, MISSILE PRO-</b>	<b>5,491,846</b>	<b>5,491,846</b>	016	ADVANCE TECH SENSORS	877	877
	<b>PRIOR YEAR SAVINGS</b>				<b>FORCE.</b>			017	MISSION PLANNING SYS-	15,295	15,295
103B	PRIOR YEAR SAVINGS ....		-920,748		<b>PROCUREMENT OF AM-</b>				TEMS.		
	Light attack armed re-		[-115,049]		<b>MUNITION, AIR FORCE</b>			018	<b>ELECTRONICS PROGRAMS</b>		
	connaissance				<b>ROCKETS</b>				AIR TRAFFIC CONTROL &	21,984	21,984
	(LAAR) cancellation.			001	ROCKETS .....	8,927	8,927		LANDING SYS.		
	Light mobility aircraft		[-65,296]		CARTRIDGES			019	NATIONAL AIRSPACE SYS-	30,698	30,698
	cancellation.			002	CARTRIDGES .....	118,075	118,075		TEM.		
	Common vertical lift		[-52,800]		<b>BOMBS</b>			020	BATTLE CONTROL SYS-	17,368	17,368
	support platform			003	PRACTICE BOMBS .....	32,393	32,393		TEM—FIXED.		
	(CVLSP) cancella-			004	GENERAL PURPOSE	163,467	163,467		THEATER AIR CONTROL	23,483	23,483
	tion.				BOMBS.			021	SYS IMPROVEMENTS.		
	C-130 AMP cancella-		[-207,163]	005	JOINT DIRECT ATTACK	101,921	101,921	022	WEATHER OBSERVATION	17,864	17,864
	tion.				MUNITION.				FORECAST.		
	RQ-4 Global Hawk		[-480,440]		<b>FLARE, IR MJU-7B</b>			023	STRATEGIC COMMAND	53,995	53,995
	Block 30 cancella-			006	CAD/PAD .....	43,829	43,829		AND CONTROL.		
	tion.			007	EXPLOSIVE ORDNANCE	7,515	7,515	024	CHEYENNE MOUNTAIN	14,578	14,578
	<b>TOTAL AIRCRAFT PRO-</b>	<b>11,002,999</b>	<b>10,094,251</b>		DISPOSAL (EOD).				COMPLEX.		
	<b>CUREMENT, AIR</b>			008	SPARES AND REPAIR	1,003	1,003	025	TAC SIGINT SPT .....	208	208
	<b>FORCE.</b>				PARTS.			026	DRUG INTERDICTION SPT	0	0
	<b>MISSILE PROCUREMENT,</b>			009	MODIFICATIONS .....	5,321	5,321		<b>SPCL COMM-ELEC-</b>		
	<b>AIR FORCE</b>			010	ITEMS LESS THAN \$5	5,066	5,066		<b>TRONICS PROJECTS</b>		
	<b>MISSILE REPLACEMENT</b>				MILLION.			027	GENERAL INFORMATION	69,743	69,743
	<b>EQUIPMENT—BAL-</b>			011	<b>FUZES</b>				TECHNOLOGY.		
	<b>LISTIC</b>			012	FLARES .....	46,010	46,010	028	AF GLOBAL COMMAND &	15,829	15,829
001	MISSILE REPLACEMENT	56,906	56,906		FUZES .....	36,444	36,444		CONTROL SYS.		
	EQ-BALLISTIC.			013	<b>SMALL ARMS</b>			029	MOBILITY COMMAND AND	11,023	11,023
	<b>TACTICAL</b>				<b>SMALL ARMS</b>				CONTROL.		
002	JASSM .....	240,399	240,399		<b>TOTAL, PROCUREMENT</b>	<b>599,194</b>	<b>599,194</b>	030	AIR FORCE PHYSICAL SE-	64,521	64,521
003	SIDEWINDER (AIM-9X) ....	88,020	88,020		<b>OF AMMUNITION, AIR</b>				CURITY SYSTEM.		
004	AMRAAM .....	229,637	229,637		<b>FORCE.</b>			031	COMBAT TRAINING	18,217	18,217
005	PREDATOR HELLFIRE	47,675	47,675		<b>OTHER PROCUREMENT,</b>				RANGES.		
	MISSILE.				<b>AIR FORCE</b>			032	C3 COUNTERMEASURES ..	11,899	11,899
006	SMALL DIAMETER BOMB	42,000	42,000		<b>PASSENGER CARRYING</b>			033	GCSS-AF FOS .....	13,920	13,920
	<b>INDUSTRIAL FACILITIES</b>				<b>VEHICLES</b>			034	THEATER BATTLE MGT C2	9,365	9,365
								035	AIR & SPACE OPER-	33,907	33,907
									ATIONS CTR-WPN SYS.		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
	<b>AIR FORCE COMMUNICATIONS</b>			003	MAJOR EQUIPMENT .....	2,129	2,129		Transfer to Line 51 at USSOCOM request.		[-62,776]
036	INFORMATION TRANSPORT SYSTEMS.	52,464	52,464	004	EQUIPMENT .....	0	0	050	TANKER RECAPITALIZATION.	0	0
037	BASE INFO INFRASTRUCTURE.	0	0		<b>MAJOR EQUIPMENT, DHRA</b>			051	U-28 .....	7,530	116,906 [62,776]
038	AFNET .....	125,788	125,788	005	PERSONNEL ADMINISTRATION.	6,147	6,147		Transfer from Line 49 at USSOCOM request.		
039	VOICE SYSTEMS .....	16,811	16,811		<b>MAJOR EQUIPMENT, DISA</b>			052	USSOCOM UFR .....		[46,600]
040	USCENTCOM .....	32,138	32,138	012	INFORMATION SYSTEMS SECURITY.	12,708	12,708	053	MH-47 CHINOOK .....	134,785	134,785
	<b>DISA PROGRAMS</b>			013	GLOBAL COMMAND AND CONTROL SYSTEM.	0	0	054	RQ-11 UNMANNED AERIAL VEHICLE.	2,062	2,062
041	SPACE BASED IR SENSOR PGM SPACE.	47,135	47,135	014	GLOBAL COMBAT SUPPORT SYSTEM.	3,002	3,002	055	CV-22 MODIFICATION .....	139,147	139,147
042	NAVSTAR GPS SPACE .....	2,031	2,031	015	TELEPORT PROGRAM .....	46,992	46,992	056	MQ-1 UNMANNED AERIAL VEHICLE.	3,963	26,963
043	NUDET DETECTION SYS SPACE.	5,564	5,564	016	ITEMS LESS THAN \$5 MILLION.	108,462	108,462		USSOCOM UFR .....		[23,000]
044	AF SATELLITE CONTROL NETWORK SPACE.	44,219	44,219	017	NET CENTRIC ENTERPRISE SERVICES (NCS).	2,865	2,865	057	MQ-9 UNMANNED AERIAL VEHICLE.	3,952	39,352
045	SPACELIFT RANGE SYSTEM SPACE.	109,545	109,545	018	DEFENSE INFORMATION SYSTEM NETWORK.	116,906	116,906		USSOCOM UFR .....		[35,400]
046	MILSATCOM SPACE .....	47,592	47,592	019	PUBLIC KEY INFRASTRUCTURE.	1,827	1,827	058	RQ-7 UNMANNED AERIAL VEHICLE.	0	0
047	SPACE MODS SPACE .....	47,121	47,121	020	DRUG INTERDICTION SUPPORT.	0	0	059	STUASLO .....	12,945	12,945
048	COUNTERSPACE SYSTEM	20,961	20,961	021	CYBER SECURITY INITIATIVE.	10,319	10,319	060	PRECISION STRIKE PACKAGE.	73,013	73,013
	<b>ORGANIZATION AND BASE</b>			022	<b>MAJOR EQUIPMENT, DLA</b>			061	AC/MC-130J .....	51,484	51,484
049	TACTICAL C-E EQUIPMENT.	126,131	126,131	023	MAJOR EQUIPMENT .....	15,179	15,179	062	MQ-8 UAV .....	0	0
050	COMBAT SURVIVOR EVADER LOCATER.	23,707	23,707	024	<b>MAJOR EQUIPMENT, DDMAC</b>			063	C-130 MODIFICATIONS ...	25,248	25,248
051	RADIO EQUIPMENT .....	12,757	12,757		<b>MAJOR EQUIPMENT, DDEDA</b>			064	AIRCRAFT SUPPORT .....	5,314	5,314
052	CCTV/AUDIOVISUAL EQUIPMENT.	10,716	10,716	025	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS.	1,458	1,458		<b>SHIPBUILDING</b>		
053	BASE COMM INFRASTRUCTURE.	74,528	74,528		<b>MAJOR EQUIPMENT, DE-FENSE SECURITY CO-OPERATION AGENCY</b>			065	UNDERWATER SYSTEMS ..	23,037	15,037 [-8,000]
	<b>MODIFICATIONS</b>			026	MAJOR EQUIPMENT .....	2,522	2,522		Transfer to RDDW Line 272 at USSOCOM request.		
054	COMM ELECT MODS .....	43,507	43,507	027	<b>MAJOR EQUIPMENT, DODDA</b>			066	SEAL DELIVERY VEHICLE	0	0
055	PERSONAL SAFETY & RESCUE EQUIP			028	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS.	1,458	1,458		<b>AMMUNITION PROGRAMS</b>		
056	NIGHT VISION GOGGLES ..	22,693	22,693		<b>MAJOR EQUIPMENT, DE-FENSE THREAT REDUCTION AGENCY</b>			067	ORDNANCE REPLENISHMENT.	113,183	113,183
	<b>DEPOT PLANT+MTRLS HANDLING EQ</b>			029	VEHICLES .....	50	50	068	ORDNANCE ACQUISITION	36,981	36,981
057	MECHANIZED MATERIAL HANDLING EQUIP.	2,850	2,850		OTHER MAJOR EQUIPMENT.	13,096	13,096		<b>OTHER PROCUREMENT PROGRAMS</b>		
	<b>BASE SUPPORT EQUIPMENT</b>			030	<b>MAJOR EQUIPMENT, DTSA</b>			069	COMMUNICATIONS EQUIPMENT AND ELECTRONICS.	99,838	103,738
058	BASE PROCURED EQUIPMENT.	8,387	8,387	031	MAJOR EQUIPMENT .....	0	0	070	USSOCOM UFR .....		[3,900]
059	CONTINGENCY OPERATIONS.	10,358	10,358	032	MAJOR EQUIPMENT .....	2,522	2,522	071	INTELLIGENCE SYSTEMS	71,428	71,428
060	PRODUCTIVITY CAPITAL INVESTMENT.	3,473	3,473	033	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY			072	SMALL ARMS AND WEAPONS.	27,108	27,108
061	RAPID IMPROVEMENT PROCUREMENT INOVAT.	0	0	034	IRON DOME .....	0	0	073	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	12,767	15,967
062	MOBILITY EQUIPMENT .....	14,471	14,471		<b>MAJOR EQUIPMENT, DTSIA</b>				USSOCOM UFR .....		[3,200]
063	ITEMS LESS THAN \$5 MILLION.	1,894	1,894	035	MAJOR EQUIPMENT .....	460,728	560,728 [100,000]	074	MARITIME EQUIPMENT MODIFICATIONS.	0	0
	<b>SPECIAL SUPPORT PROJECTS</b>			036	THAAD .....			075	COMBATANT CRAFT SYSTEMS.	42,348	42,348
065	DARP RC135 .....	24,176	24,176	037	THAAD Interceptors .....			076	SPARES AND REPAIR PARTS.	600	600
066	DCGS-AF .....	142,928	142,928	038	AEGIS BMD .....	389,626	389,626	077	TACTICAL VEHICLES .....	37,421	37,421
068	SPECIAL UPDATE PROGRAM.	479,446	479,446	039	BMDs AN/TPY-2 RADARS	217,244	217,244	078	MISSION TRAINING AND PREPARATION SYSTEMS.	36,949	41,949
069	DEFENSE SPACE RECONNAISSANCE PROG.	39,155	39,155	040	RADAR SPARES .....	10,177	10,177		USSOCOM UFR .....		[5,000]
	<b>CLASSIFIED PROGRAMS</b>			041	IRON DOME .....	0	0	079	COMBAT MISSION REQUIREMENTS.	20,255	20,255
069A	CLASSIFIED PROGRAMS ..	14,331,312	14,331,312		<b>MAJOR EQUIPMENT, NSA</b>			080	MILCON COLLATERAL EQUIPMENT.	17,590	17,590
	<b>SPARES AND REPAIR PARTS</b>			042	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP).	6,770	6,770	081	AUTOMATION SYSTEMS ...	66,573	66,573
071	SPARES AND REPAIR PARTS.	14,663	14,663	043	<b>MAJOR EQUIPMENT, OSD</b>			082	GLOBAL VIDEO SURVEILLANCE ACTIVITIES.	6,549	6,549
	<b>TOTAL, OTHER PROCUREMENT, AIR FORCE.</b>	<b>16,720,848</b>	<b>16,720,848</b>	044	MAJOR EQUIPMENT, OSD	45,938	45,938	083	OPERATIONAL ENHANCEMENTS INTELLIGENCE.	32,335	32,335
	<b>PROCUREMENT, DEFENSE-WIDE</b>			045	MAJOR EQUIPMENT, IN-TELLIGENCE.	17,582	17,582	084	SOLDIER PROTECTION AND SURVIVAL SYSTEMS.	15,153	15,153
001	MAJOR EQUIPMENT, BTA	0	0	045A	<b>MAJOR EQUIPMENT, TIS</b>			085	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS.	33,920	33,920
	<b>MAJOR EQUIPMENT, DCAA</b>			046	MAJOR EQUIPMENT, TIS ..	21,878	21,878	086	TACTICAL RADIO SYSTEMS.	75,132	75,132
002	ITEMS LESS THAN \$5 MILLION.	1,486	1,486	047	<b>MAJOR EQUIPMENT, WHS</b>			087	MARITIME EQUIPMENT ....	0	0
	<b>MAJOR EQUIPMENT, DCMA</b>			048	MAJOR EQUIPMENT, WHS	26,550	26,550	088	DRUG INTERDICTION .....	0	0
				049	CLASSIFIED PROGRAMS ..	555,787	555,787	090	MISCELLANEOUS EQUIPMENT.	6,667	6,667
					<b>AVIATION PROGRAMS</b>						
					ROTARY WING UPGRADES AND SUSTAINMENT.	74,832	74,832				
					MH-47 SERVICE LIFE EXTENSION PROGRAM.	0	0				
					MH-60 MODERNIZATION PROGRAM.	126,780	126,780				
					NON-STANDARD AVIATION	99,776	37,000				

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
091	OPERATIONAL ENHANCEMENTS.	217,972	243,272		<b>SURFACE-TO-AIR MISSILE SYSTEM</b>				Transfer from OMA OCO at SOUTHCOM request.		[40,000]
	USSOCOM UFR .....		[25,300]	004	HELLFIRE SYS SUMMARY	29,100	29,100		<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
092	MILITARY INFORMATION SUPPORT OPERATIONS.	27,417	27,417	008	GUIDED MLRS ROCKET (GMLRS).	20,553	20,553	069	DCGS-A (MIP) .....	90,355	90,355
	<b>CLASSIFIED PROGRAMS</b>				<b>TOTAL, MISSILE PROCUREMENT, ARMY.</b>	<b>49,653</b>	<b>49,653</b>	073	CI HUMINT AUTO RE-PRINTING AND COLLECTION.	6,516	6,516
092A	CLASSIFIED PROGRAMS ..	0	0		<b>PROCUREMENT OF W&amp;TCV, ARMY</b>				<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
	<b>CBDP</b>				<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>			075	LIGHTWEIGHT COUNTER MORTAR RADAR.	27,646	27,646
093	INSTALLATION FORCE PROTECTION.	24,025	24,025	036	M16 RIFLE MODS .....	15,422	15,422	077	FMLY OF PERSISTENT SURVEILLANCE CAPABILITIES.	52,000	52,000
094	INDIVIDUAL PROTECTION	73,720	73,720		<b>TOTAL, PROCUREMENT OF W&amp;TCV, ARMY.</b>	<b>15,422</b>	<b>15,422</b>	078	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES.	205,209	205,209
095	DECONTAMINATION .....	506	506		<b>PROCUREMENT OF AMMUNITION, ARMY</b>				<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
096	JOINT BIO DEFENSE PROGRAM (MEDICAL).	32,597	32,597	003	CTG, HANDGUN, ALL TYPES.	1,500	1,500	092	MOD OF IN-SVC EQUIP (FIREFINDER RADARS).	14,600	14,600
097	COLLECTIVE PROTECTION	3,144	3,144	007	CTG, .50 CAL, ALL TYPES	10,000	10,000	099	COUNTERFIRE RADARS ...	54,585	54,585
098	CONTAMINATION AVOIDANCE.	164,886	164,886		<b>MORTAR AMMUNITION</b>				<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>		
	<b>TOTAL, PROCUREMENT, DEFENSE-WIDE.</b>	<b>4,187,935</b>	<b>4,422,335</b>	009	60MM MORTAR, ALL TYPES.	14,000	14,000	102	FIRE SUPPORT C2 FAMILY	22,430	22,430
	<b>NATIONAL GUARD &amp; RESERVE EQUIPMENT</b>			010	81MM MORTAR, ALL TYPES.	6,000	6,000	103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM.	2,400	2,400
	<b>ARMY RESERVE</b>			011	120MM MORTAR, ALL TYPES.	56,000	56,000	112	MANEUVER CONTROL SYSTEM (MCS).	6,400	6,400
001	MISCELLANEOUS EQUIPMENT.	0	0	013	<b>ARTILLERY AMMUNITION</b>			113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE).	5,160	5,160
	<b>NAVY RESERVE</b>				<b>ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP.</b>				<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
002	MISCELLANEOUS EQUIPMENT.	0	0	014	ARTILLERY PROJECTILE, 155MM, ALL TYPES.	37,044	37,044	126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE).	15,000	15,000
	<b>MARINE CORPS RESERVE</b>			015	PROJ 155MM EXTENDED RANGE XM982.	12,300	12,300	127	BASE DEFENSE SYSTEMS (BDS).	66,100	66,100
003	MISCELLANEOUS EQUIPMENT.	0	0	016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL.	17,000	17,000		<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
	<b>AIR FORCE RESERVE</b>			017	<b>MINES &amp; CLEARING CHARGES, ALL TYPES.</b>			135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT).	3,565	3,565
004	MISCELLANEOUS EQUIPMENT.	0	0		<b>ROCKETS</b>				<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
	<b>ARMY NATIONAL GUARD</b>			020	ROCKET, HYDRA 70, ALL TYPES.	63,635	63,635	143	FORCE PROVIDER .....	39,700	39,700
005	MISCELLANEOUS EQUIPMENT.	0	0		<b>OTHER AMMUNITION</b>			145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM.	650	650
	<b>AIR NATIONAL GUARD</b>			023	SIGNALS, ALL TYPES .....	16,858	16,858		<b>PETROLEUM EQUIPMENT</b>		
006	MISCELLANEOUS EQUIPMENT.	0	0		<b>MISCELLANEOUS ITEMS LESS THAN \$5 MILLION.</b>			149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER.	2,119	2,119
	<b>NATIONAL GUARD AIRCRAFT</b>			028	ITEMS LESS THAN \$5 MILLION.	1,200	1,200		<b>MAINTENANCE EQUIPMENT</b>		
007	MISCELLANEOUS EQUIPMENT.	0	0		<b>PRODUCTION BASE SUPPORT</b>			152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS.	428	428
	<b>TOTAL, NATIONAL GUARD &amp; RESERVE EQUIPMENT.</b>	<b>0</b>	<b>0</b>		<b>TOTAL, PROCUREMENT OF AMMUNITION, ARMY.</b>	<b>357,493</b>	<b>357,493</b>	153	ITEMS LESS THAN \$5 MILLION (MAINT EQ).	30	30
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>				<b>OTHER PROCUREMENT, ARMY</b>				<b>TRAINING EQUIPMENT</b>		
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>			002	<b>TACTICAL VEHICLES</b>			175	COMBAT TRAINING CENTERS SUPPORT.	7,000	7,000
001	JOINT URGENT OPERATIONAL NEEDS FUND.	99,477	99,477		<b>FAMILY OF MEDIUM TACTICAL VEH (FMTV).</b>			176	TRAINING DEVICES, NON-SYSTEM.	27,250	27,250
	<b>TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND.</b>	<b>99,477</b>	<b>99,477</b>	004	<b>FAMILY OF HEAVY TACTICAL VEHICLES (FHTV).</b>			178	AVIATION COMBINED ARMS TACTICAL TRAINER.	1,000	1,000
	<b>TOTAL, PROCUREMENT ...</b>	<b>97,432,379</b>	<b>96,959,163</b>	011	HMMWV RECAPITALIZATION PROGRAM.	271,000	271,000	179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING.	5,900	5,900
					<b>COMM—INTELLIGENCE COMM</b>				<b>OTHER SUPPORT EQUIPMENT</b>		
				014	RESERVE CA/MISO GPF EQUIPMENT.	927,400	927,400	183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT.	98,167	91,167
					<b>COMM—BASE COMMUNICATIONS</b>				Slow execution of prior years appropriations.		[-37,000]
				052	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM.	25,000	65,000		Solar power units .....		[30,000]

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.**

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	<b>AIRCRAFT PROCUREMENT, ARMY</b>		
	<b>ROTARY</b>		
009	AH-64 APACHE BLOCK IIIB NEW BUILD.	71,000	0
	Funding ahead of need.		[-71,000]
012	KIOWA WARRIOR (OH-58F) WRA.	183,900	183,900
015	CH-47 HELICOPTER .....	231,300	231,300
	<b>TOTAL, AIRCRAFT PROCUREMENT, ARMY.</b>	<b>486,200</b>	<b>415,200</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
	<b>TOTAL, OTHER PROCUREMENT, ARMY.</b>	<b>2,015,907</b>	<b>2,048,907</b>		<b>MARINE CORPS AMMUNITION</b>				<b>OTHER COMM/ELEC EQUIPMENT (NON-TEL)</b>		
	<b>JOINT IMPR EXPLOSIVE DEV DEFEAT FUND NETWORK ATTACK</b>			015	SMALL ARMS AMMUNITION.	10,948	10,948	029	NIGHT VISION EQUIPMENT	652	652
001	ATTACK THE NETWORK ....	950,500	850,500	016	LINEAR CHARGES, ALL TYPES.	9,940	9,940	030	COMMON COMPUTER RE-SOURCES.	19,807	19,807
	Program decrease—under execution.		[-100,000]	020	40MM, ALL TYPES .....	5,963	5,963	032	RADIO SYSTEMS .....	36,482	36,482
002	<b>JIEDDO DEVICE DEFEAT DEFEAT THE DEVICE .....</b>	<b>400,000</b>	<b>350,000</b>	021	CTG 25MM, ALL TYPES ...	2,831	2,831	033	COMM SWITCHING & CONTROL SYSTEMS.	41,295	41,295
	Program decrease—under execution & program delays.		[-50,000]	022	GRENADES, ALL TYPES ...	2,359	2,359		<b>TACTICAL VEHICLES</b>		
	<b>FORCE TRAINING</b>			023	ROCKETS, ALL TYPES .....	3,051	3,051	039	MEDIUM TACTICAL VEHICLE REPLACEMENT.	10,466	10,466
003	TRAIN THE FORCE .....	149,500	128,500	024	ARTILLERY, ALL TYPES ....	54,886	54,886	041	FAMILY OF TACTICAL TRAILERS.	7,642	7,642
	Program decrease—under execution & program delays.		[-21,000]	025	DEMOLITION MUNITIONS, ALL TYPES.	1,391	1,391		<b>ENGINEER AND OTHER EQUIPMENT</b>		
	<b>STAFF AND INFRASTRUCTURE</b>			026	FUZE, ALL TYPES .....	30,945	30,945	045	BULK LIQUID EQUIPMENT	18,239	18,239
004	OPERATIONS .....	175,400	373,814	027	NON LETHALS .....	8	8	046	TACTICAL FUEL SYSTEMS	51,359	51,359
	Transfer from Base ....		[227,414]	029	ITEMS LESS THAN \$5 MILLION.	12	12	047	POWER EQUIPMENT ASSORTED.	20,247	20,247
	Program decrease—excessive contractor service support.		[-29,000]		<b>TOTAL, PROCUREMENT OF AMMO, NAVY &amp; MC.</b>	<b>285,747</b>	<b>285,747</b>	049	EOD SYSTEMS .....	362,658	362,658
	<b>TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.</b>	<b>1,675,400</b>	<b>1,702,814</b>		<b>OTHER PROCUREMENT, NAVY</b>				<b>MATERIALS HANDLING EQUIPMENT</b>		
	<b>AIRCRAFT PROCUREMENT, NAVY COMBAT AIRCRAFT</b>			070	TACTICAL/MOBILE C4I SYSTEMS.	3,603	3,603	050	PHYSICAL SECURITY EQUIPMENT.	55,500	55,500
011	H-1 UPGRADES (UH-1Y/AH-1Z).	29,800	29,800		<b>AIRCRAFT SUPPORT EQUIPMENT</b>			052	MATERIAL HANDLING EQUIP.	19,100	19,100
	<b>MODIFICATION OF AIRCRAFT</b>			097	EXPEDITIONARY AIRFIELDS.	58,200	58,200	054	<b>GENERAL PROPERTY</b>		
030	AV-8 SERIES .....	42,238	42,238		<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>			055	FIELD MEDICAL EQUIPMENT.	15,751	15,751
032	F-18 SERIES .....	41,243	41,243	127	PASSENGER CARRYING VEHICLES.	3,901	3,901	057	TRAINING DEVICES .....	3,602	3,602
035	H-53 SERIES .....	15,870	15,870	128	GENERAL PURPOSE TRUCKS.	852	852		FAMILY OF CONSTRUCTION EQUIPMENT.	15,900	15,900
038	EP-3 SERIES .....	13,030	13,030	129	CONSTRUCTION & MAINTENANCE EQUIP.	2,436	2,436		<b>TOTAL, PROCUREMENT, MARINE CORPS.</b>	<b>943,683</b>	<b>943,683</b>
043	C-130 SERIES .....	16,737	16,737	130	FIRE FIGHTING EQUIPMENT.	3,798	3,798	035	LARGE AIRCRAFT INFRARED COUNTER-MEASURES.	139,800	139,800
048	SPECIAL PROJECT AIRCRAFT.	2,714	2,714	131	TACTICAL VEHICLES .....	13,394	13,394		<b>OTHER AIRCRAFT</b>		
054	COMMON AVIONICS CHANGES.	570	570	134	ITEMS UNDER \$5 MILLION.	375	375	055	U-2 MODS .....	46,800	46,800
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>				<b>COMMAND SUPPORT EQUIPMENT</b>			063	C-130 .....	11,400	11,400
062	COMMON GROUND EQUIPMENT.	2,380	2,380	149	C4ISR EQUIPMENT .....	3,000	3,000	067	COMPASS CALL MODS ....	14,000	14,000
	<b>TOTAL, AIRCRAFT PROCUREMENT, NAVY.</b>	<b>164,582</b>	<b>164,582</b>	151	PHYSICAL SECURITY EQUIPMENT.	9,323	9,323	068	RC-135 .....	8,000	8,000
	<b>WEAPONS PROCUREMENT, NAVY TACTICAL MISSILES</b>				<b>TOTAL, OTHER PROCUREMENT, NAVY.</b>	<b>98,882</b>	<b>98,882</b>	075	HC/MC-130 MODIFICATIONS.	4,700	4,700
009	HELLFIRE .....	17,000	17,000		<b>PROCUREMENT, MARINE CORPS</b>				<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM).	6,500	6,500	002	TRACKED COMBAT VEHICLES			081	INITIAL SPARES/REPAIR PARTS.	21,900	21,900
	<b>TOTAL, WEAPONS PROCUREMENT, NAVY.</b>	<b>23,500</b>	<b>23,500</b>		<b>ARTILLERY AND OTHER WEAPONS</b>				<b>OTHER PRODUCTION CHARGES</b>		
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC NAVY AMMUNITION</b>			005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM.	108,860	108,860	099	OTHER PRODUCTION CHARGES.	59,000	59,000
001	GENERAL PURPOSE BOMBS.	18,000	18,000		<b>GUIDED MISSILES</b>				<b>TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE.</b>	<b>305,600</b>	<b>305,600</b>
002	AIRBORNE ROCKETS, ALL TYPES.	80,200	80,200	010	JAVELIN .....	29,158	29,158		<b>MISSILE PROCUREMENT, AIR FORCE</b>		
003	MACHINE GUN AMMUNITION.	21,500	21,500		<b>OTHER SUPPORT</b>			005	TACTICAL PREDATOR HELLFIRE MISSILE.	34,350	34,350
006	AIR EXPENDABLE COUNTERMEASURES.	20,303	20,303	013	MODIFICATION KITS .....	41,602	41,602		<b>TOTAL, MISSILE PROCUREMENT, AIR FORCE.</b>	<b>34,350</b>	<b>34,350</b>
011	OTHER SHIP GUN AMMUNITION.	532	532		<b>REPAIR AND TEST EQUIPMENT</b>				<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
012	SMALL ARMS & LANDING PARTY AMMO.	2,643	2,643	015	REPAIR AND TEST EQUIPMENT.	13,632	13,632	002	CARTRIDGES .....	13,592	13,592
013	PYROTECHNIC AND DEMOLITION.	2,322	2,322		<b>OTHER SUPPORT (TEL)</b>			004	GENERAL PURPOSE BOMBS.	23,211	23,211
014	AMMUNITION LESS THAN \$5 MILLION.	6,308	6,308	017	MODIFICATION KITS .....	2,831	2,831	005	JOINT DIRECT ATTACK MUNITION.	53,923	53,923
					<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>				<b>FLARE, IR MJU-7B CAD/PAD .....</b>	<b>2,638</b>	<b>2,638</b>
				019	AIR OPERATIONS C2 SYSTEMS.	15,575	15,575				
					<b>RADAR + EQUIPMENT (NON-TEL)</b>						
				020	RADAR SYSTEMS .....	8,015	8,015				
					<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>						
				023	INTELLIGENCE SUPPORT EQUIPMENT.	35,310	35,310				

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
010	ITEMS LESS THAN \$5 MILLION.	2,600	2,600								
	<b>FUZES</b>			027	<b>SPCL COMM-ELECTRONICS PROJECTS</b>			045A	<b>CLASSIFIED PROGRAMS</b>		
011	FLARES .....	11,726	11,726		GENERAL INFORMATION TECHNOLOGY.	11,157	11,157		CLASSIFIED PROGRAMS ..	126,201	126,201
012	FUZES .....	8,513	8,513		<b>ORGANIZATION AND BASE</b>			061	<b>AVIATION PROGRAMS</b>		
	<b>TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE.</b>	<b>116,203</b>	<b>116,203</b>	049	TACTICAL C-E EQUIPMENT.	7,000	7,000		MQ-8 UAV .....	16,500	16,500
	<b>OTHER PROCUREMENT, AIR FORCE</b>			053	BASE COMM INFRA-STRUCTURE.	10,654	10,654	068	<b>OTHER PROCUREMENT PROGRAMS</b>		
	<b>CARGO AND UTILITY VEHICLES</b>				<b>MODIFICATIONS</b>				COMMUNICATIONS EQUIPMENT AND ELECTRONICS.	151	151
002	MEDIUM TACTICAL VEHICLE.	2,010	2,010	054	COMM ELECT MODS .....	8,000	8,000	069	INTELLIGENCE SYSTEMS	30,528	30,528
004	ITEMS LESS THAN \$5 MILLION.	2,675	2,675		<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>			077	TACTICAL VEHICLES .....	1,843	1,843
	<b>SPECIAL PURPOSE VEHICLES</b>			055	NIGHT VISION GOGGLES ..	902	902	082	AUTOMATION SYSTEMS ...	1,000	1,000
006	ITEMS LESS THAN \$5 MILLION.	2,557	2,557		<b>BASE SUPPORT EQUIPMENT</b>			086	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS.	108	108
	<b>MATERIALS HANDLING EQUIPMENT</b>			059	CONTINGENCY OPERATIONS.	60,090	60,090	091	OPERATIONAL ENHANCEMENTS.	14,758	14,758
008	ITEMS LESS THAN \$5 MILLION.	4,329	4,329	062	MOBILITY EQUIPMENT .....	9,400	9,400		<b>TOTAL, PROCUREMENT, DEFENSE-WIDE.</b>	<b>196,349</b>	<b>196,349</b>
	<b>BASE MAINTENANCE SUPPORT</b>			063	ITEMS LESS THAN \$5 MILLION.	9,175	9,175		<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
009	RUNWAY SNOW REMOV AND CLEANING EQU.	984	984	069A	<b>CLASSIFIED PROGRAMS</b>	2,672,317	2,672,317	001	JOINT URGENT OPERATIONAL NEEDS FUND.	100,000	100,000
010	ITEMS LESS THAN \$5 MILLION.	9,120	9,120		<b>SPARES AND REPAIR PARTS</b>				<b>TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND.</b>	<b>100,000</b>	<b>100,000</b>
	<b>ELECTRONICS PROGRAMS</b>			071	SPARES AND REPAIR PARTS.	2,300	2,300		<b>TOTAL, PROCUREMENT ...</b>	<b>9,687,241</b>	<b>9,676,655</b>
022	WEATHER OBSERVATION FORECAST.	5,600	5,600		<b>TOTAL, OTHER PROCUREMENT, AIR FORCE.</b>	<b>2,818,270</b>	<b>2,818,270</b>				
					<b>PROCUREMENT, DEFENSE-WIDE</b>						
				015	MAJOR EQUIPMENT, DISA TELEPORT PROGRAM .....	5,260	5,260				

**TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2013 Request	Senate Authorized
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>				
<b>BASIC RESEARCH</b>				
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	20,860	20,860
002	0601102A	DEFENSE RESEARCH SCIENCES .....	219,180	219,180
003	0601103A	UNIVERSITY RESEARCH INITIATIVES .....	80,986	80,986
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....	123,045	123,045
		<b>SUBTOTAL, BASIC RESEARCH .....</b>	<b>444,071</b>	<b>444,071</b>
<b>APPLIED RESEARCH</b>				
005	0602105A	MATERIALS TECHNOLOGY .....	29,041	29,041
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY .....	45,260	45,260
007	0602122A	TRACTOR HIP .....	22,439	22,439
008	0602211A	AVIATION TECHNOLOGY .....	51,607	51,607
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY .....	15,068	15,068
010	0602303A	MISSILE TECHNOLOGY .....	49,383	49,383
011	0602307A	ADVANCED WEAPONS TECHNOLOGY .....	25,999	25,999
012	0602308A	ADVANCED CONCEPTS AND SIMULATION .....	23,507	23,507
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY .....	69,062	69,062
014	0602618A	BALLISTICS TECHNOLOGY .....	60,823	60,823
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY .....	4,465	4,465
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM .....	7,169	7,169
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY .....	35,218	35,218
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES .....	60,300	60,300
019	0602709A	NIGHT VISION TECHNOLOGY .....	53,244	53,244
020	0602712A	COUNTERMINE SYSTEMS .....	18,850	18,850
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY .....	19,872	19,872
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY .....	20,095	20,095
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY .....	28,852	28,852
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY .....	9,830	9,830
025	0602784A	MILITARY ENGINEERING TECHNOLOGY .....	70,693	70,693
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY .....	17,781	17,781
027	0602786A	WARFIGHTER TECHNOLOGY .....	28,281	28,281
028	0602787A	MEDICAL TECHNOLOGY .....	107,891	107,891
		<b>SUBTOTAL, APPLIED RESEARCH .....</b>	<b>874,730</b>	<b>874,730</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY .....	39,359	39,359
030	0603002A	MEDICAL ADVANCED TECHNOLOGY .....	69,580	69,580
031	0603003A	AVIATION ADVANCED TECHNOLOGY .....	64,215	64,215
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY .....	67,613	67,613
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY .....	104,359	104,359

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued  
 SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
 (In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
034	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY .....	4,157	4,157
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY .....	9,856	9,856
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY .....	50,661	50,661
037	0603009A	TRACTOR HIKE .....	9,126	9,126
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS .....	17,257	17,257
039	0603020A	TRACTOR ROSE .....	9,925	9,925
040	0603105A	MILITARY HIV RESEARCH .....	6,984	6,984
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT .....	9,716	9,716
042	0603130A	TRACTOR NAIL .....	3,487	3,487
043	0603131A	TRACTOR EGGS .....	2,323	2,323
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY .....	21,683	21,683
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY .....	71,111	71,111
046	0603322A	TRACTOR CAGE .....	10,902	10,902
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM .....	180,582	180,582
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY .....	27,204	27,204
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM .....	6,095	6,095
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY .....	37,217	37,217
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS .....	13,626	13,626
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY .....	28,458	28,458
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY .....	25,226	25,226
		<b>SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>890,722</b>	<b>890,722</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION .....	14,505	14,505
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION .....	9,876	9,876
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV .....	5,054	5,054
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ADV DEV .....	2,725	2,725
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION .....	30,560	30,560
059	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS) .....	14,347	14,347
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	10,073	10,073
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV .....	8,660	8,660
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT .....	10,715	10,715
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL .....	4,631	4,631
064	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL .....	278,018	278,018
065	0603790A	NATO RESEARCH AND DEVELOPMENT .....	4,961	4,961
066	0603801A	AVIATION—ADV DEV .....	8,602	8,602
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV .....	14,605	14,605
068	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS .....	5,054	5,054
069	0603807A	MEDICAL SYSTEMS—ADV DEV .....	24,384	24,384
070	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT .....	32,050	32,050
071	0603850A	INTEGRATED BROADCAST SERVICE .....	96	96
072	0604115A	TECHNOLOGY MATURATION INITIATIVES .....	24,868	24,868
073	0604131A	TRACTOR JUTE .....	59	59
074	0604284A	JOINT COOPERATIVE TARGET IDENTIFICATION—GROUND (JCTI-G)/TECHNOLOGY DEV .....	0	0
075	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2) .....	76,039	76,039
076	0604775A	DEFENSE RAPID INNOVATION PROGRAM .....	0	0
077	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4) .....	4,043	4,043
078	0305205A	ENDURANCE UAVS .....	26,196	26,196
		<b>SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>610,121</b>	<b>610,121</b>
<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
079	0604201A	AIRCRAFT AVIONICS .....	78,538	78,538
080	0604220A	ARMED, DEPLOYABLE HELOS .....	90,494	90,494
081	0604270A	ELECTRONIC WARFARE DEVELOPMENT .....	181,347	181,347
082	0604280A	JOINT TACTICAL RADIO .....	0	0
083	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVr) .....	12,636	12,636
084	0604321A	ALL SOURCE ANALYSIS SYSTEM .....	5,694	5,694
085	0604328A	TRACTOR CAGE .....	32,095	32,095
086	0604601A	INFANTRY SUPPORT WEAPONS .....	96,478	96,478
087	0604604A	MEDIUM TACTICAL VEHICLES .....	3,006	3,006
088	0604609A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ENG DEV .....	0	0
089	0604611A	JAVELIN .....	5,040	5,040
090	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES .....	3,077	3,077
091	0604633A	AIR TRAFFIC CONTROL .....	9,769	9,769
092	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV) .....	13,141	25,141
		Transfer from OPA line 191 at Army request .....		[12,000]
093	0604642A	LIGHT TACTICAL WHEELED VEHICLES .....	0	0
094	0604661A	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT .....	0	0
095	0604662A	FCS RECONNAISSANCE (UAV) PLATFORMS .....	0	0
096	0604663A	FCS UNMANNED GROUND VEHICLES .....	0	0
097	0604664A	FCS UNATTENDED GROUND SENSORS .....	0	0
098	0604665A	FCS SUSTAINMENT & TRAINING R&D .....	0	0
099	0604710A	NIGHT VISION SYSTEMS—ENG DEV .....	32,621	32,621
100	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT .....	2,132	2,132
101	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV .....	44,787	44,787
102	0604716A	TERRAIN INFORMATION—ENG DEV .....	1,008	1,008
103	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV .....	73,333	73,333
104	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT .....	28,937	28,937
105	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT .....	10,815	10,815
106	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV .....	13,926	13,926



## TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
107	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE .....	17,797	17,797
108	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION .....	214,270	214,270
109	0604802A	WEAPONS AND MUNITIONS—ENG DEV .....	14,581	14,581
110	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV .....	43,706	43,706
111	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV .....	20,776	20,776
112	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV .....	43,395	43,395
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV .....	104,983	104,983
114	0604814A	ARTILLERY MUNITIONS—EMD .....	4,346	4,346
115	0604817A	COMBAT IDENTIFICATION .....	0	0
116	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE .....	77,223	77,223
117	0604820A	RADAR DEVELOPMENT .....	3,486	3,486
118	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEB) .....	9,963	27,163
		GFEBs realignment per Army request .....		[17,200]
119	0604823A	FIREFINDER .....	20,517	20,517
120	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL .....	51,851	51,851
121	0604854A	ARTILLERY SYSTEMS—EMD .....	167,797	167,797
122	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP) .....	400,861	0
		No funds authorized .....		[-400,861]
123	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK .....	7,922	7,922
124	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT .....	51,463	51,463
125	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) .....	158,646	158,646
126	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	10,000	10,000
127	0605455A	SLAMRAAM .....	0	0
128	0605456A	PAC-3/MSE MISSILE .....	69,029	69,029
129	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) .....	277,374	277,374
130	0605625A	MANNED GROUND VEHICLE .....	639,874	639,874
131	0605626A	AERIAL COMMON SENSOR .....	47,426	47,426
132	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH .....	72,295	72,295
133	0303032A	TROJAN—RH12 .....	4,232	4,232
134	0304270A	ELECTRONIC WARFARE DEVELOPMENT .....	13,942	13,942
		<b>SUBTOTAL, SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>3,286,629</b>	<b>2,914,968</b>
		<b>RD&amp;E MANAGEMENT SUPPORT</b>		
135	0604256A	THREAT SIMULATOR DEVELOPMENT .....	18,090	18,090
136	0604258A	TARGET SYSTEMS DEVELOPMENT .....	14,034	14,034
137	0604759A	MAJOR T&E INVESTMENT .....	37,394	37,394
138	0605103A	RAND ARROYO CENTER .....	21,026	21,026
139	0605301A	ARMY KWAJALEIN ATOLL .....	176,816	176,816
140	0605326A	CONCEPTS EXPERIMENTATION PROGRAM .....	27,902	27,902
141	0605502A	SMALL BUSINESS INNOVATIVE RESEARCH .....	0	0
142	0605601A	ARMY TEST RANGES AND FACILITIES .....	369,900	369,900
143	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS .....	69,183	69,183
144	0605604A	SURVIVABILITY/LETHALITY ANALYSIS .....	44,753	44,753
145	0605605A	DOD HIGH ENERGY LASER TEST FACILITY .....	0	0
146	0605606A	AIRCRAFT CERTIFICATION .....	5,762	5,762
147	0605702A	METEOROLOGICAL SUPPORT TO RD&E ACTIVITIES .....	7,402	7,402
148	0605706A	MATERIEL SYSTEMS ANALYSIS .....	19,954	19,954
149	0605709A	EXPLOITATION OF FOREIGN ITEMS .....	5,535	5,535
150	0605712A	SUPPORT OF OPERATIONAL TESTING .....	67,789	67,789
151	0605716A	ARMY EVALUATION CENTER .....	62,765	62,765
152	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG .....	1,545	1,545
153	0605801A	PROGRAMWIDE ACTIVITIES .....	83,422	83,422
154	0605803A	TECHNICAL INFORMATION ACTIVITIES .....	50,820	50,820
155	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY .....	46,763	46,763
156	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT .....	4,601	4,601
157	0605898A	MANAGEMENT HQ—R&D .....	18,524	18,524
158	0909999A	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS .....	0	0
		<b>SUBTOTAL, RD&amp;E MANAGEMENT SUPPORT .....</b>	<b>1,153,980</b>	<b>1,153,980</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
159	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM .....	143,005	143,005
160	0607665A	FAMILY OF BIOMETRICS .....	0	0
161	0607865A	PATRIOT PRODUCT IMPROVEMENT .....	109,978	109,978
162	0102419A	AEROSTAT JOINT PROJECT OFFICE .....	190,422	190,422
163	0203347A	INTELLIGENCE SUPPORT TO CYBER (ISC) MIP .....	0	0
164	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM .....	32,556	32,556
165	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS .....	253,959	253,959
166	0203740A	MANEUVER CONTROL SYSTEM .....	68,325	68,325
167	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS .....	280,247	226,247
		Improved turbine engine program delay .....		[-54,000]
168	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	898	898
169	0203758A	DIGITIZATION .....	35,180	35,180
170	0203759A	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2) .....	0	0
171	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM .....	20,733	20,733
172	0203808A	TRACTOR CARD .....	63,243	63,243
173	0208053A	JOINT TACTICAL GROUND SYSTEM .....	31,738	31,738
174	0208058A	JOINT HIGH SPEED VESSEL (JHSV) .....	35	35
176	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES .....	7,591	7,591
177	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM .....	15,961	15,961
178	0303141A	GLOBAL COMBAT SUPPORT SYSTEM .....	120,927	120,927

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued  
SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
179	0303142A	SATCOM GROUND ENVIRONMENT (SPACE) .....	15,756	15,756
180	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM .....	14,443	14,443
182	0305204A	TACTICAL UNMANNED AERIAL VEHICLES .....	31,303	31,303
183	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	40,876	40,876
184	0305219A	MQ-1 SKY WARRIOR A UAV .....	74,618	74,618
185	0305232A	RQ-11 UAV .....	4,039	4,039
186	0305233A	RQ-7 UAV .....	31,158	31,158
187	0305235A	VERTICAL UAS .....	2,387	2,387
188	0307665A	BIOMETRICS ENABLED INTELLIGENCE .....	15,248	15,248
189	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES .....	59,908	59,908
189A	9999999999	CLASSIFIED PROGRAMS .....	4,628	4,628
		<b>SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>1,669,162</b>	<b>1,615,162</b>
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY .....</b>	<b>8,929,415</b>	<b>8,503,754</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>				
<b>BASIC RESEARCH</b>				
001	0601103N	UNIVERSITY RESEARCH INITIATIVES .....	113,690	113,690
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	18,261	18,261
003	0601153N	DEFENSE RESEARCH SCIENCES .....	473,070	473,070
		<b>SUBTOTAL, BASIC RESEARCH .....</b>	<b>605,021</b>	<b>605,021</b>
<b>APPLIED RESEARCH</b>				
004	0602114N	POWER PROJECTION APPLIED RESEARCH .....	89,189	89,189
005	0602123N	FORCE PROTECTION APPLIED RESEARCH .....	143,301	143,301
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY .....	46,528	46,528
007	0602235N	COMMON PICTURE APPLIED RESEARCH .....	41,696	41,696
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH .....	44,127	44,127
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH .....	78,228	78,228
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH .....	49,635	49,635
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH .....	5,973	5,973
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH .....	96,814	96,814
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH .....	162,417	162,417
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH .....	32,394	32,394
		<b>SUBTOTAL, APPLIED RESEARCH .....</b>	<b>790,302</b>	<b>790,302</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY .....	56,543	56,543
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY .....	18,616	18,616
017	0603235N	COMMON PICTURE ADVANCED TECHNOLOGY .....	0	0
018	0603236N	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY .....	0	0
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY .....	54,858	54,858
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) .....	130,598	130,598
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT .....	11,706	11,706
022	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT .....	256,382	256,382
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY .....	3,880	3,880
024	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY .....	0	0
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS .....	51,819	51,819
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY .....	0	0
		<b>SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>584,402</b>	<b>584,402</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
027	0603128N	UNMANNED AERIAL SYSTEM .....	0	0
028	0603207N	AIR/OCEAN TACTICAL APPLICATIONS .....	34,085	34,085
029	0603216N	AVIATION SURVIVABILITY .....	8,783	8,783
030	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL .....	3,773	3,773
031	0603251N	AIRCRAFT SYSTEMS .....	24,512	24,512
032	0603254N	ASW SYSTEMS DEVELOPMENT .....	8,090	8,090
033	0603261N	TACTICAL AIRBORNE RECONNAISSANCE .....	5,301	5,301
034	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY .....	1,506	1,506
035	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES .....	190,622	190,622
036	0603506N	SURFACE SHIP TORPEDO DEFENSE .....	93,346	93,346
037	0603512N	CARRIER SYSTEMS DEVELOPMENT .....	108,871	108,871
038	0603513N	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT .....	0	0
039	0603525N	PILOT FISH .....	101,169	101,169
040	0603527N	RETRACT LARCH .....	74,312	74,312
041	0603536N	RETRACT JUNIPER .....	90,730	90,730
042	0603542N	RADIOLOGICAL CONTROL .....	777	777
043	0603553N	SURFACE ASW .....	6,704	6,704
044	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT .....	555,123	555,123
045	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS .....	9,368	9,368
046	0603563N	SHIP CONCEPT ADVANCED DESIGN .....	24,609	24,609
047	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES .....	13,710	13,710
048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS .....	249,748	249,748
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS .....	29,897	29,897
050	0603576N	CHALK EAGLE .....	509,988	509,988
051	0603581N	LITTORAL COMBAT SHIP (LCS) .....	429,420	429,420
052	0603582N	COMBAT SYSTEM INTEGRATION .....	56,551	56,551
053	0603609N	CONVENTIONAL MUNITIONS .....	7,342	7,342
054	0603611M	MARINE CORPS ASSAULT VEHICLES .....	95,182	95,182
055	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM .....	10,496	10,496

## TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	52,331	52,331
057	0603658N	COOPERATIVE ENGAGEMENT .....	56,512	56,512
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT .....	7,029	7,029
059	0603721N	ENVIRONMENTAL PROTECTION .....	21,080	21,080
060	0603724N	NAVY ENERGY PROGRAM .....	55,324	55,324
061	0603725N	FACILITIES IMPROVEMENT .....	3,401	3,401
062	0603734N	CHALK CORAL .....	45,966	45,966
063	0603739N	NAVY LOGISTIC PRODUCTIVITY .....	3,811	3,811
064	0603746N	RETRACT MAPLE .....	341,305	341,305
065	0603748N	LINK PLUMERIA .....	181,220	181,220
066	0603751N	RETRACT ELM .....	174,014	174,014
067	0603755N	SHIP SELF DEFENSE—DEM/VAL .....	0	0
068	0603764N	LINK EVERGREEN .....	68,654	68,654
069	0603787N	SPECIAL PROCESSES .....	44,487	44,487
070	0603790N	NATO RESEARCH AND DEVELOPMENT .....	9,389	9,389
071	0603795N	LAND ATTACK TECHNOLOGY .....	16,132	16,132
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING .....	44,994	44,994
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL .....	137,369	137,369
074	0603889N	COUNTERDRUG RDT&E PROJECTS .....	0	0
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS .....	0	0
076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) .....	73,934	73,934
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION .....	711	711
078	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW) .....	71,300	71,300
079	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM .....	5,654	5,654
080	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT .....	31,549	31,549
081	0604775N	DEFENSE RAPID INNOVATION PROGRAM .....	0	0
082	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT .....	86,801	86,801
083	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH .....	44,500	44,500
084	0303354N	ASW SYSTEMS DEVELOPMENT—MIP .....	13,172	13,172
085	0303562N	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP .....	0	0
086	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP .....	643	643
		<b>SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>4,335,297</b>	<b>4,335,297</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
087	0604212N	OTHER HELO DEVELOPMENT .....	33,978	33,978
088	0604214N	AV-8B AIRCRAFT—ENG DEV .....	32,789	32,789
089	0604215N	STANDARDS DEVELOPMENT .....	84,988	84,988
090	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT .....	6,866	6,866
091	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING .....	4,060	4,060
092	0604221N	P-3 MODERNIZATION PROGRAM .....	3,451	3,451
093	0604230N	WARFARE SUPPORT SYSTEM .....	13,071	13,071
094	0604231N	TACTICAL COMMAND SYSTEM .....	71,645	71,645
095	0604234N	ADVANCED HAWKEYE .....	119,065	119,065
096	0604245N	H-1 UPGRADES .....	31,105	31,105
097	0604261N	ACOUSTIC SEARCH SENSORS .....	34,299	34,299
098	0604262N	V-22A .....	54,412	54,412
099	0604264N	AIR CREW SYSTEMS DEVELOPMENT .....	2,717	2,717
100	0604269N	EA-18 .....	13,009	13,009
101	0604270N	ELECTRONIC WARFARE DEVELOPMENT .....	51,304	51,304
102	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT .....	61,163	61,163
103	0604274N	NEXT GENERATION JAMMER (NGJ) .....	187,024	187,024
104	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) .....	337,480	337,480
105	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING .....	260,616	260,616
106	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION .....	824	824
107	0604329N	SMALL DIAMETER BOMB (SDB) .....	31,064	31,064
108	0604366N	STANDARD MISSILE IMPROVEMENTS .....	63,891	63,891
109	0604373N	AIRBORNE MCM .....	73,246	73,246
110	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION .....	10,568	10,568
111	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING .....	39,974	39,974
112	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM .....	122,481	122,481
113	0604501N	ADVANCED ABOVE WATER SENSORS .....	255,516	255,516
114	0604503N	SSN-688 AND TRIDENT MODERNIZATION .....	82,620	82,620
115	0604504N	AIR CONTROL .....	5,633	5,633
116	0604512N	SHIPBOARD AVIATION SYSTEMS .....	55,826	55,826
117	0604518N	COMBAT INFORMATION CENTER CONVERSION .....	918	918
118	0604558N	NEW DESIGN SSN .....	165,230	165,230
119	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM .....	49,141	49,141
120	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E .....	196,737	196,737
121	0604574N	NAVY TACTICAL COMPUTER RESOURCES .....	3,889	3,889
122	0604601N	MINE DEVELOPMENT .....	8,335	8,335
123	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT .....	49,818	49,818
124	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	10,099	10,099
125	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS .....	7,348	7,348
126	0604727N	JOINT STANDOFF WEAPON SYSTEMS .....	5,518	5,518
127	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	87,662	87,662
128	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL) .....	64,079	64,079
129	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) .....	151,489	151,489
130	0604761N	INTELLIGENCE ENGINEERING .....	0	0
131	0604771N	MEDICAL DEVELOPMENT .....	12,707	12,707
132	0604777N	NAVIGATION/ID SYSTEM .....	47,764	47,764

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued  
SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
133	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD .....	737,149	737,149
134	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD .....	743,926	743,926
135	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT .....	12,143	12,143
136	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT .....	72,209	72,209
137	0605018N	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (N-IMHRS) .....	0	0
138	0605212N	CH-53K RDTE .....	606,204	606,204
139	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	0	0
140	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA) .....	421,102	421,102
141	0204202N	DDG-1000 .....	124,655	124,655
142	0304231N	TACTICAL COMMAND SYSTEM—MIP .....	1,170	1,170
143	0304503N	SSN-688 AND TRIDENT MODERNIZATION—MIP .....	0	0
144	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS .....	23,255	23,255
145	0305124N	SPECIAL APPLICATIONS PROGRAM .....	0	0
		<b>SUBTOTAL, SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>5,747,232</b>	<b>5,747,232</b>
		<b>RTD&amp;E MANAGEMENT SUPPORT</b>		
146	0604256N	THREAT SIMULATOR DEVELOPMENT .....	30,790	30,790
147	0604258N	TARGET SYSTEMS DEVELOPMENT .....	59,221	59,221
148	0604759N	MAJOR T&E INVESTMENT .....	35,894	35,894
149	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION .....	7,573	7,573
150	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY .....	20,963	20,963
151	0605154N	CENTER FOR NAVAL ANALYSES .....	46,856	46,856
152	0605502N	SMALL BUSINESS INNOVATIVE RESEARCH .....	0	0
153	0605804N	TECHNICAL INFORMATION SERVICES .....	796	796
154	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT .....	32,782	32,782
155	0605856N	STRATEGIC TECHNICAL SUPPORT .....	3,306	3,306
156	0605861N	RTD&E SCIENCE AND TECHNOLOGY MANAGEMENT .....	70,302	70,302
157	0605863N	RTD&E SHIP AND AIRCRAFT SUPPORT .....	144,033	144,033
158	0605864N	TEST AND EVALUATION SUPPORT .....	342,298	342,298
159	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY .....	16,399	16,399
160	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT .....	4,579	4,579
161	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT .....	8,000	8,000
162	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT .....	18,490	18,490
163	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES .....	2,795	2,795
164	0804758N	SERVICE SUPPORT TO JFCOM, JNTC .....	0	0
165	0909999N	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS .....	0	0
		<b>SUBTOTAL, RTD&amp;E MANAGEMENT SUPPORT .....</b>	<b>845,077</b>	<b>845,077</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
167	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT .....	142,282	142,282
168	0604717M	MARINE CORPS COMBAT SERVICES SUPPORT .....	0	0
169	0604766M	MARINE CORPS DATA SYSTEMS .....	0	0
170	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT .....	105,892	105,892
171	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM .....	34,729	34,729
172	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT .....	1,434	1,434
173	0101402N	NAVY STRATEGIC COMMUNICATIONS .....	19,208	19,208
174	0203761N	RAPID TECHNOLOGY TRANSITION (RTT) .....	25,566	25,566
175	0204136N	F/A-18 SQUADRONS .....	188,299	188,299
176	0204152N	E-2 SQUADRONS .....	8,610	8,610
177	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL) .....	15,695	15,695
178	0204228N	SURFACE SUPPORT .....	4,171	4,171
179	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) .....	11,265	11,265
180	0204311N	INTEGRATED SURVEILLANCE SYSTEM .....	45,922	45,922
181	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) .....	8,435	8,435
182	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	75,088	75,088
183	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT .....	20,229	20,229
184	0204574N	CRYPTOLOGIC DIRECT SUPPORT .....	1,756	1,756
185	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT .....	19,843	19,843
186	0205601N	HARM IMPROVEMENT .....	11,477	11,477
187	0205604N	TACTICAL DATA LINKS .....	118,818	118,818
188	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION .....	27,342	27,342
189	0205632N	MK-48 ADCAP .....	28,717	28,717
190	0205633N	AVIATION IMPROVEMENTS .....	89,157	89,157
191	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM .....	3,450	3,450
192	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS .....	86,435	86,435
193	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS .....	219,054	219,054
194	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS .....	181,693	181,693
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT .....	58,393	58,393
196	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) .....	22,966	22,966
197	0207161N	TACTICAL AIM MISSILES .....	21,107	21,107
198	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	2,857	2,857
199	0208058N	JOINT HIGH SPEED VESSEL (JHSV) .....	1,932	1,932
204	0303109N	SATELLITE COMMUNICATIONS (SPACE) .....	188,482	188,482
205	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES) .....	16,749	16,749
206	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM .....	26,307	26,307
207	0303150M	WWWCCS/GLOBAL COMMAND AND CONTROL SYSTEM .....	500	500
208	0303238N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)—MIP .....	0	0
210	0305149N	COBRA JUDY .....	17,091	17,091
211	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC) .....	810	810
212	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES .....	8,617	8,617

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
213	0305204N	TACTICAL UNMANNED AERIAL VEHICLES .....	9,066	9,066
214	0305206N	AIRBORNE RECONNAISSANCE SYSTEMS .....	0	0
215	0305207N	MANNED RECONNAISSANCE SYSTEMS .....	30,654	30,654
216	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	25,917	25,917
217	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	14,676	14,676
218	0305220N	RQ-4 UAV .....	657,483	657,483
219	0305231N	MQ-8 UAV .....	99,600	99,600
220	0305232M	RQ-11 UAV .....	495	495
221	0305233N	RQ-7 UAV .....	863	863
222	0305234M	SMALL (LEVEL 0) TACTICAL UAS (STUASLO) .....	0	0
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO) .....	9,734	9,734
224	0305237N	MEDIUM RANGE MARITIME UAS .....	0	0
225	0305239M	RQ-21A .....	22,343	22,343
226	0308601N	MODELING AND SIMULATION SUPPORT .....	5,908	5,908
227	0702207N	DEPOT MAINTENANCE (NON-IF) .....	27,391	27,391
228	0702239N	AVIONICS COMPONENT IMPROVEMENT PROGRAM .....	0	0
229	0708011N	INDUSTRIAL PREPAREDNESS .....	54,879	54,879
230	0708730N	MARITIME TECHNOLOGY (MARITECH) .....	5,000	5,000
230A	9999999999	CLASSIFIED PROGRAMS .....	1,151,159	1,151,159
		<b>SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>3,975,546</b>	<b>3,975,546</b>
230B		PRIOR YEAR SAVINGS .....		-8,832
		Medium range maritime UAS cancellation .....		[-8,832]
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY .....</b>	<b>16,882,877</b>	<b>16,874,045</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>		
		<b>BASIC RESEARCH</b>		
001	0601102F	DEFENSE RESEARCH SCIENCES .....	361,787	361,787
002	0601103F	UNIVERSITY RESEARCH INITIATIVES .....	141,153	141,153
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES .....	13,094	13,094
		<b>SUBTOTAL, BASIC RESEARCH .....</b>	<b>516,034</b>	<b>516,034</b>
		<b>APPLIED RESEARCH</b>		
004	0602102F	MATERIALS .....	114,166	114,166
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES .....	120,719	120,719
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH .....	89,319	89,319
007	0602203F	AEROSPACE PROPULSION .....	232,547	232,547
008	0602204F	AEROSPACE SENSORS .....	127,637	127,637
009	0602601F	SPACE TECHNOLOGY .....	98,375	98,375
010	0602602F	CONVENTIONAL MUNITIONS .....	77,175	77,175
011	0602605F	DIRECTED ENERGY TECHNOLOGY .....	106,196	106,196
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS .....	104,362	104,362
013	0602890F	HIGH ENERGY LASER RESEARCH .....	38,557	38,557
		<b>SUBTOTAL, APPLIED RESEARCH .....</b>	<b>1,109,053</b>	<b>1,109,053</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS .....	47,890	47,890
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) .....	6,565	6,565
016	0603203F	ADVANCED AEROSPACE SENSORS .....	37,657	37,657
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO .....	81,376	81,376
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY .....	151,152	151,152
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY .....	32,941	32,941
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY .....	64,557	64,557
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS) .....	29,256	29,256
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT .....	21,523	21,523
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY .....	36,352	36,352
024	0603605F	ADVANCED WEAPONS TECHNOLOGY .....	19,004	19,004
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM .....	37,045	37,045
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION .....	31,419	31,419
027	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM .....	0	0
		<b>SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>596,737</b>	<b>596,737</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT .....	3,866	3,866
029	0603287F	PHYSICAL SECURITY EQUIPMENT .....	3,704	3,704
030	0603430F	ADVANCED EHF MILSATCOM (SPACE) .....	229,171	227,671
		Excess funding .....		[-1,500]
031	0603432F	POLAR MILSATCOM (SPACE) .....	120,676	120,676
032	0603438F	SPACE CONTROL TECHNOLOGY .....	25,144	23,144
		Excess funding .....		[-2,000]
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY .....	32,243	32,243
034	0603790F	NATO RESEARCH AND DEVELOPMENT .....	4,507	4,507
035	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D .....	652	652
036	0603830F	SPACE PROTECTION PROGRAM (SPP) .....	10,429	10,429
037	0603850F	INTEGRATED BROADCAST SERVICE—DEM/VAL .....	19,938	19,938
038	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL .....	71,181	71,181
039	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE) .....	12,027	12,027
040	0603859F	POLLUTION PREVENTION—DEM/VAL .....	2,054	2,054
041	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL .....	57,975	57,975

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued  
 SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
 (In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
042	0604015F	LONG RANGE STRIKE .....	291,742	291,742
043	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT .....	114,417	114,417
044	0604317F	TECHNOLOGY TRANSFER .....	2,576	2,576
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM .....	16,711	16,711
046	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE .....	0	0
047	0604337F	REQUIREMENTS ANALYSIS AND MATURATION .....	16,343	16,343
048	0604422F	WEATHER SATELLITE FOLLOW-ON .....	2,000	2,000
049	0604436F	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT .....	0	0
050	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT .....	9,423	9,423
051	0604775F	DEFENSE RAPID INNOVATION PROGRAM .....	0	0
052	0604796F	ALTERNATIVE FUELS .....	0	0
053	0604830F	AUTOMATED AIR-TO-AIR REFUELING .....	0	0
054	0604857F	OPERATIONALLY RESPONSIVE SPACE .....	0	45,000
		Restore Operationally Responsive Space .....		[45,000]
055	0604858F	TECH TRANSITION PROGRAM .....	37,558	34,558
		Excess funding .....		[-3,000]
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) .....	96,840	96,840
057	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS) .....	0	0
		<b>SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>1,181,177</b>	<b>1,219,677</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
058	0603840F	GLOBAL BROADCAST SERVICE (GBS) .....	14,652	14,652
059	0604222F	NUCLEAR WEAPONS SUPPORT .....	25,713	25,713
060	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING .....	6,583	6,583
061	0604270F	ELECTRONIC WARFARE DEVELOPMENT .....	1,975	1,975
062	0604280F	JOINT TACTICAL RADIO .....	2,594	2,594
063	0604281F	TACTICAL DATA NETWORKS ENTERPRISE .....	24,534	24,534
064	0604287F	PHYSICAL SECURITY EQUIPMENT .....	51	51
065	0604329F	SMALL DIAMETER BOMB (SDB)—EMD .....	143,000	143,000
066	0604421F	COUNTERSPACE SYSTEMS .....	28,797	28,797
067	0604425F	SPACE SITUATION AWARENESS SYSTEMS .....	267,252	247,252
		Excess funding .....		[-20,000]
068	0604429F	AIRBORNE ELECTRONIC ATTACK .....	4,118	4,118
069	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD .....	448,594	446,594
		Excess funding .....		[-2,000]
070	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT .....	9,951	9,951
071	0604604F	SUBMUNITIONS .....	2,567	2,567
072	0604617F	AGILE COMBAT SUPPORT .....	13,059	13,059
073	0604706F	LIFE SUPPORT SYSTEMS .....	9,720	9,720
074	0604735F	COMBAT TRAINING RANGES .....	9,222	9,222
075	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A) .....	0	0
076	0604750F	INTELLIGENCE EQUIPMENT .....	803	803
077	0604800F	F-35—EMD .....	1,210,306	1,210,306
078	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD .....	135,437	135,437
079	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD .....	7,980	7,980
080	0604932F	LONG RANGE STANDOFF WEAPON .....	2,004	2,004
081	0604933F	ICBM FUZE MODERNIZATION .....	73,512	73,512
082	0605213F	F-22 MODERNIZATION INCREMENT 3.2B .....	140,100	140,100
083	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT .....	1,815,588	1,728,458
		Excess prior year funds .....		[-87,130]
084	0605229F	CSAR HH-60 RECAPITALIZATION .....	123,210	123,210
085	0605278F	HC/MC-130 RECAP RDT&E .....	19,039	19,039
086	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM .....	281,056	281,056
087	0101125F	NUCLEAR WEAPONS MODERNIZATION .....	80,200	80,200
088	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS .....	0	0
089	0207604F	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE .....	310	310
090	0207701F	FULL COMBAT MISSION TRAINING .....	14,861	14,861
091	0305230F	MC-12 .....	19,949	19,949
092	0401138F	C-27J AIRLIFT SQUADRONS .....	0	0
093	0401318F	CV-22 .....	28,027	28,027
094	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S) .....	1,960	1,960
		<b>SUBTOTAL, SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>4,966,724</b>	<b>4,857,594</b>
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
095	0604256F	THREAT SIMULATOR DEVELOPMENT .....	22,812	22,812
096	0604759F	MAJOR T&E INVESTMENT .....	42,236	42,236
097	0605101F	RAND PROJECT AIR FORCE .....	25,579	25,579
098	0605502F	SMALL BUSINESS INNOVATION RESEARCH .....	0	0
099	0605712F	INITIAL OPERATIONAL TEST & EVALUATION .....	16,197	16,197
100	0605807F	TEST AND EVALUATION SUPPORT .....	722,071	722,071
101	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) .....	16,200	16,200
102	0605864F	SPACE TEST PROGRAM (STP) .....	10,051	45,051
		Restore Space Test Program .....		[35,000]
103	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT .....	42,597	42,597
104	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT .....	27,301	27,301
105	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE .....	13,964	13,964
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE .....	203,766	203,766
107	0702806F	ACQUISITION AND MANAGEMENT SUPPORT .....	42,430	42,430
108	0804731F	GENERAL SKILL TRAINING .....	1,294	1,294
109	0909980F	JUDGMENT FUND REIMBURSEMENT .....	0	0



## TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
110	0909999F	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS .....	0	0
111	1001004F	INTERNATIONAL ACTIVITIES .....	3,851	3,851
		<b>SUBTOTAL, RDT&amp;E MANAGEMENT SUPPORT .....</b>	<b>1,190,349</b>	<b>1,225,349</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT .....	371,595	370,095
		Excess funding .....		[-1,500]
113	0604263F	COMMON VERTICAL LIFT SUPPORT PLATFORM .....	0	0
114	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) .....	91,697	91,697
115	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY .....	17,037	17,037
117	0101113F	B-52 SQUADRONS .....	53,208	53,208
118	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM) .....	431	431
119	0101126F	B-1B SQUADRONS .....	16,265	16,265
120	0101127F	B-2 SQUADRONS .....	35,970	20,970
		Efficiencies .....		[-15,000]
121	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM .....	30,889	30,889
122	0101314F	NIGHT FIST—USSTRATCOM .....	10	10
124	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM .....	5,609	5,609
125	0102823F	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES .....	0	0
126	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND .....	15,098	15,098
127	0205219F	MQ-9 UAV .....	147,971	147,971
128	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT .....	49,848	49,848
129	0207131F	A-10 SQUADRONS .....	13,538	13,538
130	0207133F	F-16 SQUADRONS .....	190,257	190,257
131	0207134F	F-15E SQUADRONS .....	192,677	192,677
132	0207136F	MANNED DESTRUCTIVE SUPPRESSION .....	13,683	13,683
133	0207138F	F-22A SQUADRONS .....	371,667	371,667
134	0207142F	F-35 SQUADRONS .....	8,117	8,117
135	0207161F	TACTICAL AIM MISSILES .....	8,234	8,234
136	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	87,041	87,041
137	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS) .....	1,472	1,472
138	0207224F	COMBAT RESCUE AND RECOVERY .....	2,095	2,095
139	0207227F	COMBAT RESCUE—PARARESCUE .....	1,119	1,119
140	0207247F	AF TENCAP .....	63,853	63,853
141	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT .....	1,063	1,063
142	0207253F	COMPASS CALL .....	12,094	12,094
143	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	187,984	187,984
144	0207277F	ISR INNOVATIONS .....	0	0
145	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) .....	7,950	7,950
146	0207410F	AIR & SPACE OPERATIONS CENTER (AOC) .....	76,315	76,315
147	0207412F	CONTROL AND REPORTING CENTER (CRC) .....	8,653	8,653
148	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) .....	65,200	65,200
149	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS .....	5,767	5,767
150	0207423F	ADVANCED COMMUNICATIONS SYSTEMS .....	0	0
152	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES .....	5,756	5,756
153	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I .....	0	0
154	0207444F	TACTICAL AIR CONTROL PARTY-MOD .....	16,226	16,226
155	0207445F	FIGHTER TACTICAL DATA LINK .....	0	0
156	0207448F	C2ISR TACTICAL DATA LINK .....	1,633	1,633
157	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION .....	18,086	18,086
158	0207452F	DCAPES .....	15,690	15,690
159	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS) .....	24,241	24,241
160	0207590F	SEEK EAGLE .....	22,654	22,654
161	0207601F	USAF MODELING AND SIMULATION .....	15,501	15,501
162	0207605F	WARGAMING AND SIMULATION CENTERS .....	5,699	5,699
163	0207697F	DISTRIBUTED TRAINING AND EXERCISES .....	4,425	4,425
164	0208006F	MISSION PLANNING SYSTEMS .....	69,377	69,377
165	0208021F	INFORMATION WARFARE SUPPORT .....	7,159	7,159
166	0208059F	CYBER COMMAND ACTIVITIES .....	66,888	66,888
174	0301400F	SPACE SUPERIORITY INTELLIGENCE .....	12,056	12,056
175	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) .....	4,159	4,159
176	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	20,124	20,124
177	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM .....	69,133	69,133
178	0303141F	GLOBAL COMBAT SUPPORT SYSTEM .....	6,512	6,512
179	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM .....	4,316	4,316
180	0303601F	MILSATCOM TERMINALS .....	107,237	107,237
182	0304260F	AIRBORNE SIGINT ENTERPRISE .....	129,106	129,106
185	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM) .....	4,461	4,461
186	0305103F	CYBER SECURITY INITIATIVE .....	2,055	2,055
187	0305105F	DOD CYBER CRIME CENTER .....	285	285
188	0305110F	SATELLITE CONTROL NETWORK (SPACE) .....	33,773	33,773
189	0305111F	WEATHER SERVICE .....	29,048	29,048
190	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL) .....	43,187	43,187
191	0305116F	AERIAL TARGETS .....	50,496	50,496
194	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES .....	354	354
195	0305145F	ARMS CONTROL IMPLEMENTATION .....	4,000	4,000
196	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....	342	342
198	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) .....	29,621	29,621
199	0305165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS) .....	14,335	14,335
201	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER .....	3,680	3,680

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued  
SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
202	0305174F	SPACE INNOVATION AND DEVELOPMENT CENTER .....	2,430	2,430
203	0305182F	SPACELIFT RANGE SYSTEM (SPACE) .....	8,760	8,760
204	0305193F	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) .....	0	0
205	0305202F	DRAGON U-2 .....	23,644	23,644
206	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES .....	21,000	21,000
207	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS .....	96,735	96,735
208	0305207F	MANNED RECONNAISSANCE SYSTEMS .....	13,316	13,316
209	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	63,501	63,501
210	0305219F	MQ-1 PREDATOR A UAV .....	9,122	9,122
211	0305220F	RQ-4 UAV .....	236,265	236,265
212	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING .....	7,367	7,367
213	0305236F	COMMON DATA LINK (CDL) .....	38,094	38,094
214	0305238F	NATO AGS .....	210,109	210,109
215	0305240F	SUPPORT TO DCGS ENTERPRISE .....	24,500	24,500
216	0305265F	GPS III SPACE SEGMENT .....	318,992	318,992
217	0305614F	JSPOC MISSION SYSTEM .....	54,645	54,645
218	0305881F	RAPID CYBER ACQUISITION .....	4,007	4,007
219	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE .....	13,357	13,357
220	0305913F	NUDET DETECTION SYSTEM (SPACE) .....	64,965	64,965
221	0305940F	SPACE SITUATION AWARENESS OPERATIONS .....	19,586	19,586
222	0307141F	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT .....	0	0
223	0308699F	SHARED EARLY WARNING (SEW) .....	1,175	1,175
224	0401115F	C-130 AIRLIFT SQUADRON .....	5,000	5,000
225	0401119F	C-5 AIRLIFT SQUADRONS (IF) .....	35,115	35,115
226	0401130F	C-17 AIRCRAFT (IF) .....	99,225	99,225
227	0401132F	C-130J PROGRAM .....	30,652	30,652
228	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) .....	7,758	7,758
229	0401139F	LIGHT MOBILITY AIRCRAFT (LIMA) .....	100	100
230	0401218F	KC-135S .....	0	0
231	0401219F	KC-10S .....	24,022	24,022
232	0401314F	OPERATIONAL SUPPORT AIRLIFT .....	7,471	7,471
233	0401315F	C-STOL AIRCRAFT .....	0	0
234	0408011F	SPECIAL TACTICS / COMBAT CONTROL .....	4,984	4,984
235	0702207F	DEPOT MAINTENANCE (NON-IF) .....	1,588	1,588
236	0708012F	LOGISTICS SUPPORT ACTIVITIES .....	577	577
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT) .....	119,327	119,327
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT .....	15,873	15,873
239	0801711F	RECRUITING ACTIVITIES .....	0	0
240	0804743F	OTHER FLIGHT TRAINING .....	349	349
241	0804757F	JOINT NATIONAL TRAINING CENTER .....	0	0
242	0808716F	OTHER PERSONNEL ACTIVITIES .....	117	117
243	0901202F	JOINT PERSONNEL RECOVERY AGENCY .....	2,018	2,018
244	0901218F	CIVILIAN COMPENSATION PROGRAM .....	1,561	1,561
245	0901220F	PERSONNEL ADMINISTRATION .....	7,634	7,634
246	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY .....	1,175	1,175
247	0901279F	FACILITIES OPERATION—ADMINISTRATIVE .....	3,491	3,491
248	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT .....	100,160	100,160
249	0902998F	MANAGEMENT HQ—ADP SUPPORT (AF) .....	0	0
249A	9999999999	CLASSIFIED PROGRAMS .....	11,172,183	11,149,583
		Classified reduction .....		[-4,600]
		Classified reduction .....		[-18,000]
		<b>SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>15,867,972</b>	<b>15,828,872</b>
249B		PRIOR YEAR SAVINGS .....		-78,426
		C-130 AMP cancellation .....		[-6,509]
		MALD II Cancellation .....		[-7,917]
		Global Hawk Block 30 cancellation .....		[-64,000]
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF .....</b>	<b>25,428,046</b>	<b>25,274,890</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>BASIC RESEARCH</b>		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE .....	45,071	45,071
002	0601101E	DEFENSE RESEARCH SCIENCES .....	309,051	309,051
003	0601110D8Z	BASIC RESEARCH INITIATIVES .....	19,405	19,405
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE .....	39,676	39,676
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM .....	87,979	87,979
006	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	50,566	50,566
		<b>SUBTOTAL, BASIC RESEARCH .....</b>	<b>551,748</b>	<b>551,748</b>
		<b>APPLIED RESEARCH</b>		
007	0602000D8Z	JOINT MUNITIONS TECHNOLOGY .....	20,615	20,615
008	0602115E	BIOMEDICAL TECHNOLOGY .....	110,900	110,900
009	0602280D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE .....	0	0
010	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM .....	36,826	36,826
011	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH .....	7,898	7,898
012	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY .....	392,421	392,421
013	0602304E	COGNITIVE COMPUTING SYSTEMS .....	30,424	30,424
014	0602305E	MACHINE INTELLIGENCE .....	0	0
015	0602383E	BIOLOGICAL WARFARE DEFENSE .....	19,236	19,236

## TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
016	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	223,269	223,269
017	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH .....	13,753	13,753
018	0602668D8Z	CYBER SECURITY RESEARCH .....	18,985	18,985
019	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH .....	6,771	6,771
020	0602702E	TACTICAL TECHNOLOGY .....	233,209	233,209
021	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY .....	166,067	166,067
022	0602716E	ELECTRONICS TECHNOLOGY .....	222,416	222,416
023	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES .....	172,352	172,352
024	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT .....	28,739	28,739
		<b>SUBTOTAL, APPLIED RESEARCH .....</b>	<b>1,703,881</b>	<b>1,703,881</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT (ATD)</b>		
025	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY .....	25,612	25,612
026	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT .....	26,324	26,324
027	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	77,144	65,844
		Reduction due to duplication of effort .....		[-11,300]
028	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT .....	275,022	275,022
029	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY .....	79,975	79,975
030	0603200D8Z	JOINT ADVANCED CONCEPTS .....	0	0
031	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT .....	20,032	20,032
032	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY .....	3,892	3,892
033	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY .....	36,685	36,685
034	0603286E	ADVANCED AEROSPACE SYSTEMS .....	174,316	174,316
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY .....	159,704	159,704
036	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT .....	234,280	234,280
037	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY .....	6,983	6,983
038	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS .....	158,263	158,263
039	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES .....	25,393	25,393
040	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT .....	13,754	13,754
041	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY .....	0	0
042	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH .....	19,935	19,935
043	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT .....	8,235	8,235
044	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM .....	21,966	51,966
		Industrial Base Innovation Fund .....		[30,000]
045	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT .....	24,662	24,662
046	0603711D8Z	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS .....	0	0
047	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS .....	24,605	24,605
048	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY .....	30,678	30,678
049	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM .....	65,282	65,282
050	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT .....	72,234	69,234
		DMEA upgrade reduction .....		[-3,000]
051	0603727D8Z	JOINT WARFIGHTING PROGRAM .....	8,403	8,403
052	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES .....	111,008	111,008
053	0603755D8Z	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM .....	0	0
054	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS .....	237,859	237,859
055	0603765E	CLASSIFIED DARPA PROGRAMS .....	3,000	3,000
056	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY .....	236,883	236,883
057	0603767E	SENSOR TECHNOLOGY .....	299,438	299,438
058	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT .....	12,195	12,195
059	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE .....	30,036	30,036
060	0603826D8Z	QUICK REACTION SPECIAL PROJECTS .....	107,002	107,002
061	0603828D8Z	JOINT EXPERIMENTATION .....	0	0
062	0603828J	JOINT EXPERIMENTATION .....	21,230	21,230
063	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE .....	47,433	47,433
064	0603901C	DIRECTED ENERGY RESEARCH .....	46,944	46,944
065	0603902C	NEXT GENERATION AEGIS MISSILE .....	224,077	224,077
066	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY .....	92,602	92,602
067	0603942D8Z	TECHNOLOGY TRANSFER .....	0	0
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .....	26,244	26,244
069	0303310D8Z	CWMD SYSTEMS .....	53,946	53,946
070	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT .....	45,317	45,317
071	1160422BB	AVIATION ENGINEERING ANALYSIS .....	861	861
072	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY .....	4,959	4,959
		<b>SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT (ATD) .....</b>	<b>3,194,413</b>	<b>3,210,113</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>3,194,413</b>	<b>3,210,113</b>
073	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P .....	33,234	33,234
074	0603527D8Z	RETRACT LARCH .....	21,023	21,023
075	0603600D8Z	WALKOFF .....	94,624	94,624
076	0603709D8Z	JOINT ROBOTICS PROGRAM .....	0	0
077	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM .....	16,958	18,958
		Reverse cuts to testing .....		[2,000]
078	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM .....	75,941	75,941
079	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT .....	316,929	316,929
080	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT .....	903,172	903,172
081	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL .....	179,023	179,023
082	0603884C	BALLISTIC MISSILE DEFENSE SENSORS .....	347,012	347,012
083	0603888C	BALLISTIC MISSILE DEFENSE TEST & TARGETS .....	0	0
084	0603890C	BMD ENABLING PROGRAMS .....	362,711	362,711
085	0603891C	SPECIAL PROGRAMS—MDA .....	272,387	272,387

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
086	0603892C	AEGIS BMD .....	992,407	992,407
087	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM .....	51,313	51,313
088	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS .....	6,912	6,912
089	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT & COMMUNICATION .....	366,552	366,552
090	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT .....	55,550	55,550
091	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) .....	63,043	63,043
092	0603906C	REGARDING TRENCH .....	11,371	11,371
093	0603907C	SEA BASED X-BAND RADAR (SBX) .....	9,730	9,730
094	0603913C	ISRAELI COOPERATIVE PROGRAMS .....	99,836	409,836
		Arrow Weapon System improvements .....		[20,000]
		Arrow-3 interceptor .....		[20,000]
		David's Sling short-range BMD .....		[60,000]
		Iron Dome short-range rocket defense .....		[210,000]
095	0603914C	BALLISTIC MISSILE DEFENSE TEST .....	454,400	454,400
096	0603915C	BALLISTIC MISSILE DEFENSE TARGETS .....	435,747	435,747
097	0603920D8Z	HUMANITARIAN DEMINING .....	13,231	13,231
098	0603923D8Z	COALITION WARFARE .....	11,398	11,398
099	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM .....	3,283	24,083
		Increase for requirements shortfall .....		[20,800]
100	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT .....	12,368	12,368
101	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING .....	5,131	5,131
102	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM .....	0	200,000
		Rapid Innovation Program .....		[200,000]
103	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC) .....	0	0
104	0604787J	JOINT SYSTEMS INTEGRATION .....	3,273	3,273
105	0604828D8Z	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM .....	0	0
106	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM .....	7,364	7,364
107	0604880C	LAND-BASED SM-3 (LBSM3) .....	276,338	276,338
108	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT .....	420,630	420,630
109	0604883C	PRECISION TRACKING SPACE SENSOR RDT&E .....	297,375	297,375
110	0604884C	AIRBORNE INFRARED (ABIR) .....	0	0
111	0604886C	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST) .....	58,742	58,742
112	0605017D8Z	REDUCTION OF TOTAL OWNERSHIP COST .....	0	0
113	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM .....	3,158	3,158
		<b>SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>6,282,166</b>	<b>6,814,966</b>
		<b>SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)</b>		
114	0604051D8Z	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP) .....	0	0
115	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD .....	6,817	6,817
116	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT .....	110,383	110,383
117	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD .....	311,071	311,071
118	0604709D8Z	JOINT ROBOTICS PROGRAM—EMD .....	0	0
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO) .....	25,787	25,787
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS) .....	20,688	20,688
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES .....	5,749	5,749
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT .....	12,699	12,699
123	0605018BTA	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS) .....	0	0
124	0605020BTA	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES .....	0	0
125	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE .....	387	387
126	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM .....	1,859	1,859
127	0605027D8Z	OUS(D/C) IT DEVELOPMENT INITIATIVES .....	7,010	7,010
128	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION .....	133,104	133,104
129	0605075D8Z	DCMO POLICY AND INTEGRATION .....	25,269	25,269
130	0605140D8Z	TRUSTED FOUNDRY .....	0	0
131	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES .....	10,238	10,238
132	0303141K	GLOBAL COMBAT SUPPORT SYSTEM .....	19,670	19,670
133	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM) .....	3,556	3,556
134	0807708D8Z	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE .....	0	0
		<b>SUBTOTAL, SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD) .....</b>	<b>694,287</b>	<b>694,287</b>
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
135	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS) .....	6,383	6,383
136	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT .....	3,845	3,845
137	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP) .....	144,109	144,109
138	0604942D8Z	ASSESSMENTS AND EVALUATIONS .....	2,419	2,419
139	0604943D8Z	THERMAL VICAR .....	8,214	8,214
140	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETS) .....	19,380	19,380
141	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS .....	32,266	32,266
142	0605110D8Z	USD(A&T)--CRITICAL TECHNOLOGY SUPPORT .....	840	840
143	0605117D8Z	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION .....	56,012	56,012
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO) .....	55,508	55,508
145	0605128D8Z	CLASSIFIED PROGRAM USD(P) .....	0	0
146	0605130D8Z	FOREIGN COMPARATIVE TESTING .....	18,174	18,174
147	0605142D8Z	SYSTEMS ENGINEERING .....	43,195	43,195
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD .....	6,457	6,457
149	0605161D8Z	NUCLEAR MATTERS—PHYSICAL SECURITY .....	4,901	4,901
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION .....	6,307	6,307
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE) .....	6,601	6,601
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	92,849	92,849
153	0605502BR	SMALL BUSINESS INNOVATION RESEARCH .....	0	0

## TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
154	0605502C	SMALL BUSINESS INNOVATIVE RESEARCH—MDA .....	0	0
155	0605502D8W	SMALL BUSINESS INNOVATIVE RESEARCH .....	0	0
156	0605502D8Z	SMALL BUSINESS INNOVATIVE RESEARCH .....	0	0
157	0605502E	SMALL BUSINESS INNOVATIVE RESEARCH .....	0	0
158	0605502S	SMALL BUSINESS INNOVATIVE RESEARCH .....	0	0
159	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S) .....	1,857	1,857
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS .....	12,056	12,056
161	0605799D8Z	EMERGING CAPABILITIES .....	0	0
162	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	55,454	55,454
163	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION .....	16,364	16,364
164	0605804D8Z	DEVELOPMENT TEST AND EVALUATION .....	15,110	20,110
		DT&E increase .....		[5,000]
165	0605897E	DARPA AGENCY RELOCATION .....	0	0
166	0605898E	MANAGEMENT HQ—R&D .....	69,767	69,767
167	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS .....	4,454	4,454
168	0606301D8Z	AVIATION SAFETY TECHNOLOGIES .....	0	0
169	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) .....	2,637	2,637
170	0204571J	JOINT STAFF ANALYTICAL SUPPORT .....	0	0
173	0303166D8Z	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES .....	0	0
174	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES .....	8,238	8,238
175	0303169D8Z	INFORMATION TECHNOLOGY RAPID ACQUISITION .....	0	0
176	0305103E	CYBER SECURITY INITIATIVE .....	1,801	1,801
177	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) .....	16,041	16,041
179	0305400D8Z	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT .....	0	0
180	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2) .....	77,475	77,475
181	0901585C	PENTAGON RESERVATION .....	0	0
182	0901598C	MANAGEMENT HQ—MDA .....	34,855	34,855
183	0901598D8W	MANAGEMENT HEADQUARTERS WHS .....	104	104
184	0909999D8Z	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS .....	0	0
184A	9999999999	CLASSIFIED PROGRAMS .....	64,255	64,255
		<b>SUBTOTAL, RDT&amp;E MANAGEMENT SUPPORT .....</b>	<b>887,928</b>	<b>892,928</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
185	0604130V	ENTERPRISE SECURITY SYSTEM (ESS) .....	8,866	8,866
186	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MGMT .....	3,238	3,238
187	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHAIS) .....	288	288
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) .....	14,745	14,745
189	0607828D8Z	JOINT INTEGRATION AND INTEROPERABILITY .....	0	0
190	0607828J	JOINT INTEGRATION AND INTEROPERABILITY .....	5,013	5,013
191	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS) .....	3,922	3,922
192	0208045K	C4I INTEROPERABILITY .....	72,574	72,574
194	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING .....	6,214	6,214
201	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT .....	499	499
202	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION .....	14,498	14,498
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS .....	26,164	26,164
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	12,931	12,931
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI) .....	6,296	6,296
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI) .....	30,948	30,948
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM .....	11,780	11,780
208	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM .....	191,452	191,452
209	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM .....	0	0
210	0303149J	C4I FOR THE WARRIOR .....	0	0
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM .....	36,575	36,575
212	0303153K	DEFENSE SPECTRUM ORGANIZATION .....	24,278	24,278
213	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES) .....	2,924	2,924
214	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO) .....	1,294	1,294
215	0303610K	TELEPORT PROGRAM .....	6,050	6,050
217	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES .....	17,058	17,058
220	0305103D8Z	CYBER SECURITY INITIATIVE .....	0	0
222	0305103K	CYBER SECURITY INITIATIVE .....	4,189	4,189
223	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP) .....	10,462	10,462
227	0305186D8Z	POLICY R&D PROGRAMS .....	6,360	6,360
229	0305199D8Z	NET CENTRICITY .....	21,190	21,190
232	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	7,114	7,114
		USSOCOM UFR .....		[600]
235	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	3,247	3,247
237	0305219BB	MQ-1 PREDATOR A UAV .....	1,355	1,355
239	0305231BB	MQ-8 UAV .....	0	0
240	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM .....	2,303	2,303
241	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES .....	1,478	1,478
249	0708011S	INDUSTRIAL PREPAREDNESS .....	27,044	27,044
250	0708012S	LOGISTICS SUPPORT ACTIVITIES .....	4,711	4,711
251	0902298J	MANAGEMENT HQ—OJCS .....	4,100	4,100
252	1001018D8Z	NATO AGS .....	0	0
253	1105219BB	MQ-9 UAV .....	3,002	3,002
254	1105232BB	RQ-11 UAV .....	0	0
255	1105233BB	RQ-7 UAV .....	0	0
256	1160279BB	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG .....	0	0
257	1160403BB	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT .....	97,267	97,267
258	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT .....	821	821

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION—Continued

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
259	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT .....	25,935	25,935
260	1160408BB	SOF OPERATIONAL ENHANCEMENTS .....	51,700	51,700
261	1160421BB	SPECIAL OPERATIONS CV-22 DEVELOPMENT .....	1,822	1,822
262	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS) .....	10,131	10,131
263	1160429BB	AC/MC-130J .....	19,647	19,647
264	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS .....	2,225	2,225
265	1160476BB	SOF TACTICAL RADIO SYSTEMS .....	3,036	3,036
266	1160477BB	SOF WEAPONS SYSTEMS .....	1,511	1,511
267	1160478BB	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS .....	4,263	4,263
268	1160479BB	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS .....	4,448	4,448
269	1160480BB	SOF TACTICAL VEHICLES .....	11,325	11,325
270	1160481BB	SOF MUNITIONS .....	1,515	1,515
271	1160482BB	SOF ROTARY WING AVIATION .....	24,430	24,430
272	1160483BB	SOF UNDERWATER SYSTEMS .....	26,405	34,405
		Transfer from PDW Line 64 at USSOCOM request .....		[8,000]
273	1160484BB	SOF SURFACE CRAFT .....	8,573	8,573
274	1160488BB	SOF MILITARY INFORMATION SUPPORT OPERATIONS .....	0	0
275	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	7,620	7,620
276	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	16,386	16,386
276A	9999999999	CLASSIFIED PROGRAMS .....	3,754,516	3,754,516
		<b>SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>4,667,738</b>	<b>4,676,338</b>
		<b>UNDISTRIBUTED</b>		
		<b>UNDISTRIBUTED .....</b>		<b>-100,000</b>
		DARPA undistributed reduction .....		[-75,000]
		DARPA classified programs reduction .....		[-25,000]
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW .....</b>	<b>17,982,161</b>	<b>18,444,261</b>
		<b>OPERATIONAL TEST &amp; EVAL, DEFENSE</b>		
		<b>RD&amp;E MANAGEMENT SUPPORT</b>		
001	06051180TE	OPERATIONAL TEST AND EVALUATION .....	72,501	76,501
		NCR transition .....		[4,000]
002	06051310TE	LIVE FIRE TEST AND EVALUATION .....	49,201	49,201
003	06058140TE	OPERATIONAL TEST ACTIVITIES AND ANALYSES .....	63,566	63,566
		<b>TOTAL, OPERATIONAL TEST &amp; EVAL, DEFENSE .....</b>	<b>185,268</b>	<b>189,268</b>
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL .....</b>	<b>69,407,767</b>	<b>69,286,218</b>

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>		
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	19,860	19,860
		<b>SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>19,860</b>	<b>19,860</b>
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY .....</b>	<b>19,860</b>	<b>19,860</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	4,600	4,600
		<b>SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>4,600</b>	<b>4,600</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
131	0604771N	MEDICAL DEVELOPMENT .....	2,173	2,173
		<b>SUBTOTAL, SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>2,173</b>	<b>2,173</b>
		<b>RD&amp;E MANAGEMENT SUPPORT</b>		
160	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT .....	5,200	5,200
		<b>SUBTOTAL, RD&amp;E MANAGEMENT SUPPORT .....</b>	<b>5,200</b>	<b>5,200</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT .....	6,762	6,762
221	0305233N	RQ-7 UAV .....	7,600	7,600
230A	9999999999	CLASSIFIED PROGRAMS .....	33,784	33,784
		<b>SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>48,146</b>	<b>48,146</b>
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY .....</b>	<b>60,119</b>	<b>60,119</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>		
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
249A	9999999999	CLASSIFIED PROGRAMS .....	53,150	53,150
		<b>SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>53,150</b>	<b>53,150</b>
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF .....</b>	<b>53,150</b>	<b>53,150</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
239	0305231BB	MQ-8 UAV .....	5,000	5,000
276A	999999999	CLASSIFIED PROGRAMS .....	107,387	107,387
		<b>SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>112,387</b>	<b>112,387</b>
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW .....</b>	<b>112,387</b>	<b>112,387</b>
		<b>TOTAL, RESEARCH, DEVELOPMENT, TEST &amp; EVAL .....</b>	<b>245,516</b>	<b>245,516</b>

**TITLE XLIII—OPERATION AND MAINTENANCE**

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	1,223,087	1,223,087
020	MODULAR SUPPORT BRIGADES .....	80,574	80,574
030	ECHELONS ABOVE BRIGADE .....	723,039	723,039
040	THEATER LEVEL ASSETS .....	706,974	706,974
050	LAND FORCES OPERATIONS SUPPORT .....	1,226,650	1,226,650
060	AVIATION ASSETS .....	1,319,832	1,319,832
070	FORCE READINESS OPERATIONS SUPPORT .....	3,447,174	3,447,174
080	LAND FORCES SYSTEMS READINESS .....	454,774	454,774
090	LAND FORCES DEPOT MAINTENANCE .....	1,762,757	1,762,757
100	BASE OPERATIONS SUPPORT .....	7,401,613	7,401,613
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	3,041,074	3,041,074
120	MANAGEMENT AND OPERATIONAL HQ'S .....	410,171	410,171
130	COMBATANT COMMANDERS CORE OPERATIONS .....	177,819	177,819
140	ADDITIONAL ACTIVITIES .....	0	0
150	COMMANDERS EMERGENCY RESPONSE PROGRAM .....	0	0
160	RESET .....	0	0
170	COMBATANT COMMANDERS ANCILLARY MISSIONS .....	461,333	461,333
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>22,436,871</b>	<b>22,436,871</b>
	<b>MOBILIZATION</b>		
180	STRATEGIC MOBILITY .....	405,496	405,496
190	ARMY PREPOSITIONING STOCKS .....	195,349	195,349
200	INDUSTRIAL PREPAREDNESS .....	6,379	6,379
	<b>SUBTOTAL, MOBILIZATION .....</b>	<b>607,224</b>	<b>607,224</b>
	<b>TRAINING AND RECRUITING</b>		
210	OFFICER ACQUISITION .....	112,866	112,866
220	RECRUIT TRAINING .....	73,265	73,265
230	ONE STATION UNIT TRAINING .....	51,227	51,227
240	SENIOR RESERVE OFFICERS TRAINING CORPS .....	443,306	443,306
250	SPECIALIZED SKILL TRAINING .....	1,099,556	1,099,556
260	FLIGHT TRAINING .....	1,130,627	1,130,627
270	PROFESSIONAL DEVELOPMENT EDUCATION .....	191,683	191,683
280	TRAINING SUPPORT .....	652,095	652,095
290	RECRUITING AND ADVERTISING .....	507,510	507,510
300	EXAMINING .....	156,964	156,964
310	OFF-DUTY AND VOLUNTARY EDUCATION .....	244,343	244,343
320	CIVILIAN EDUCATION AND TRAINING .....	212,477	212,477
330	JUNIOR ROTC .....	182,691	182,691
	<b>SUBTOTAL, TRAINING AND RECRUITING .....</b>	<b>5,058,610</b>	<b>5,058,610</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
350	SERVICEWIDE TRANSPORTATION .....	601,331	601,331
360	CENTRAL SUPPLY ACTIVITIES .....	741,324	741,324
370	LOGISTIC SUPPORT ACTIVITIES .....	610,136	610,136
380	AMMUNITION MANAGEMENT .....	478,707	478,707
390	ADMINISTRATION .....	556,307	539,107
	GFEBs realignment per Army request .....		[-17,200]
400	SERVICEWIDE COMMUNICATIONS .....	1,547,925	1,547,925
410	MANPOWER MANAGEMENT .....	362,205	362,205
420	OTHER PERSONNEL SUPPORT .....	220,754	220,754
430	OTHER SERVICE SUPPORT .....	1,153,556	1,145,456
	Decrease for ahead of need request .....		[-8,100]
440	ARMY CLAIMS ACTIVITIES .....	250,970	250,970
450	REAL ESTATE MANAGEMENT .....	222,351	222,351
460	BASE OPERATIONS SUPPORT .....	222,379	222,379



TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
470	SUPPORT OF NATO OPERATIONS .....	459,710	459,710
480	MISC. SUPPORT OF OTHER NATIONS .....	25,637	25,637
490	CLASSIFIED PROGRAMS .....	1,052,595	1,052,595
	<b>SUBTOTAL, ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>8,505,887</b>	<b>8,480,587</b>
	<b>UNDISTRIBUTED</b>		
	<b>UNDISTRIBUTED .....</b>		<b>-120,000</b>
	Unobligated balances .....		[-120,000]
	<b>TOTAL, OPERATION &amp; MAINTENANCE, ARMY .....</b>	<b>36,608,592</b>	<b>36,463,292</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY</b>		
	<b>OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	4,918,144	4,918,144
020	FLEET AIR TRAINING .....	1,886,825	1,886,825
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....	44,032	44,032
040	AIR OPERATIONS AND SAFETY SUPPORT .....	101,565	101,565
050	AIR SYSTEMS SUPPORT .....	374,827	374,827
060	AIRCRAFT DEPOT MAINTENANCE .....	960,802	960,802
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	37,545	37,545
080	AVIATION LOGISTICS .....	328,805	328,805
090	MISSION AND OTHER SHIP OPERATIONS .....	4,686,535	4,686,535
100	SHIP OPERATIONS SUPPORT & TRAINING .....	769,204	769,204
110	SHIP DEPOT MAINTENANCE .....	5,089,981	5,089,981
120	SHIP DEPOT OPERATIONS SUPPORT .....	1,315,366	1,315,366
130	COMBAT COMMUNICATIONS .....	619,909	619,909
140	ELECTRONIC WARFARE .....	92,364	92,364
150	SPACE SYSTEMS AND SURVEILLANCE .....	174,437	174,437
160	WARFARE TACTICS .....	441,035	441,035
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	333,554	333,554
180	COMBAT SUPPORT FORCES .....	910,087	910,087
190	EQUIPMENT MAINTENANCE .....	167,158	167,158
200	DEPOT OPERATIONS SUPPORT .....	4,183	4,183
210	COMBATANT COMMANDERS CORE OPERATIONS .....	95,528	95,528
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	204,569	204,569
230	CRUISE MISSILE .....	111,884	111,884
240	FLEET BALLISTIC MISSILE .....	1,181,038	1,181,038
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT .....	87,606	87,606
260	WEAPONS MAINTENANCE .....	519,583	519,583
270	OTHER WEAPON SYSTEMS SUPPORT .....	300,435	300,435
280	ENTERPRISE INFORMATION .....	1,077,924	1,077,924
290	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	2,101,279	2,101,279
300	BASE OPERATING SUPPORT .....	4,822,093	4,822,093
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>33,758,297</b>	<b>33,758,297</b>
	<b>MOBILIZATION</b>		
310	SHIP PREPOSITIONING AND SURGE .....	334,659	334,659
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS .....	6,562	6,562
330	SHIP ACTIVATIONS/INACTIVATIONS .....	1,066,329	1,066,329
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	83,901	83,901
350	INDUSTRIAL READINESS .....	2,695	2,695
360	COAST GUARD SUPPORT .....	23,502	23,502
	<b>SUBTOTAL, MOBILIZATION .....</b>	<b>1,517,648</b>	<b>1,517,648</b>
	<b>TRAINING AND RECRUITING</b>		
370	OFFICER ACQUISITION .....	147,807	147,807
380	RECRUIT TRAINING .....	10,473	10,473
390	RESERVE OFFICERS TRAINING CORPS .....	139,220	139,220
400	SPECIALIZED SKILL TRAINING .....	582,177	582,177
410	FLIGHT TRAINING .....	5,456	5,456
420	PROFESSIONAL DEVELOPMENT EDUCATION .....	170,746	170,746
430	TRAINING SUPPORT .....	153,403	153,403
440	RECRUITING AND ADVERTISING .....	241,329	241,329
450	OFF-DUTY AND VOLUNTARY EDUCATION .....	108,226	108,226
460	CIVILIAN EDUCATION AND TRAINING .....	105,776	105,776
470	JUNIOR ROTC .....	51,817	51,817
	<b>SUBTOTAL, TRAINING AND RECRUITING .....</b>	<b>1,716,430</b>	<b>1,716,430</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
480	ADMINISTRATION .....	797,177	797,177
490	EXTERNAL RELATIONS .....	12,872	12,872

## TITLE XLIII—OPERATION AND MAINTENANCE—Continued

## SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT .....	120,181	120,181
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	235,753	235,753
520	OTHER PERSONNEL SUPPORT .....	263,060	263,060
530	SERVICEWIDE COMMUNICATIONS .....	363,213	363,213
540	MEDICAL ACTIVITIES .....	0	0
550	SERVICEWIDE TRANSPORTATION .....	182,343	182,343
560	ENVIRONMENTAL PROGRAMS .....	0	0
570	PLANNING, ENGINEERING AND DESIGN .....	282,464	282,464
580	ACQUISITION AND PROGRAM MANAGEMENT .....	1,092,123	1,092,123
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT .....	53,560	53,560
600	COMBAT/WEAPONS SYSTEMS .....	25,299	25,299
610	SPACE AND ELECTRONIC WARFARE SYSTEMS .....	64,418	64,418
620	NAVAL INVESTIGATIVE SERVICE .....	580,042	580,042
680	INTERNATIONAL HEADQUARTERS AND AGENCIES .....	4,984	4,984
690	CANCELLED ACCOUNT ADJUSTMENTS .....	0	0
700	JUDGEMENT FUND .....	0	0
710	CLASSIFIED PROGRAMS .....	537,079	537,079
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>4,614,568</b>	<b>4,614,568</b>
	<b>UNDISTRIBUTED</b>		
	<b>UNDISTRIBUTED .....</b>		<b>-23,000</b>
	Unobligated balances .....		[-23,000]
	<b>TOTAL, OPERATION &amp; MAINTENANCE, NAVY .....</b>	<b>41,606,943</b>	<b>41,583,943</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>		
	<b>OPERATING FORCES</b>		
010	OPERATIONAL FORCES .....	788,055	788,055
020	FIELD LOGISTICS .....	762,614	762,614
030	DEPOT MAINTENANCE .....	168,447	168,447
040	MARITIME PREPOSITIONING .....	100,374	100,374
050	SUSTAINMENT, RESTORATION & MODERNIZATION .....	825,039	825,039
060	BASE OPERATING SUPPORT .....	2,188,883	2,188,883
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>4,833,412</b>	<b>4,833,412</b>
	<b>TRAINING AND RECRUITING</b>		
070	RECRUIT TRAINING .....	18,251	18,251
080	OFFICER ACQUISITION .....	869	869
090	SPECIALIZED SKILL TRAINING .....	80,914	80,914
100	PROFESSIONAL DEVELOPMENT EDUCATION .....	42,744	42,744
110	TRAINING SUPPORT .....	292,150	292,150
120	RECRUITING AND ADVERTISING .....	168,609	168,609
130	OFF-DUTY AND VOLUNTARY EDUCATION .....	56,865	56,865
140	JUNIOR ROTC .....	19,912	19,912
	<b>SUBTOTAL, TRAINING AND RECRUITING .....</b>	<b>680,314</b>	<b>680,314</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE TRANSPORTATION .....	39,962	39,962
170	ACQUISITION AND PROGRAM MANAGEMENT .....	83,404	83,404
180	CANCELLED ACCOUNT ADJUSTMENT .....	0	0
190	CLASSIFIED PROGRAMS .....	346,071	346,071
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>469,437</b>	<b>469,437</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b>	<b>5,983,163</b>	<b>5,983,163</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	2,973,141	2,973,141
020	COMBAT ENHANCEMENT FORCES .....	1,611,032	1,611,032
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	1,472,806	1,472,806
040	DEPOT MAINTENANCE .....	5,545,470	5,545,470
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	1,353,987	1,353,987
060	BASE SUPPORT .....	2,595,032	2,595,032
070	GLOBAL C3I AND EARLY WARNING .....	957,040	957,040
080	OTHER COMBAT OPS SPT PROGRAMS .....	916,200	916,200
090	JCS EXERCISES .....	0	0
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES .....	733,716	733,716
110	LAUNCH FACILITIES .....	314,490	314,490
120	SPACE CONTROL SYSTEMS .....	488,762	488,762
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	862,979	862,979
140	COMBATANT COMMANDERS CORE OPERATIONS .....	222,429	222,429

TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	<b>SUBTOTAL, OPERATING FORCES</b>	<b>20,047,084</b>	<b>20,047,084</b>
	<b>MOBILIZATION</b>		
150	AIRLIFT OPERATIONS	1,785,379	1,785,379
160	MOBILIZATION PREPAREDNESS	154,049	154,049
170	DEPOT MAINTENANCE	1,477,396	1,477,396
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	309,699	309,699
190	BASE SUPPORT	707,574	707,574
	<b>SUBTOTAL, MOBILIZATION</b>	<b>4,434,097</b>	<b>4,434,097</b>
	<b>TRAINING AND RECRUITING</b>		
200	OFFICER ACQUISITION	115,427	115,427
210	RECRUIT TRAINING	17,619	17,619
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	92,949	92,949
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	336,433	336,433
240	BASE SUPPORT	842,441	842,441
250	SPECIALIZED SKILL TRAINING	482,634	482,634
260	FLIGHT TRAINING	750,609	750,609
270	PROFESSIONAL DEVELOPMENT EDUCATION	235,114	235,114
280	TRAINING SUPPORT	101,231	101,231
290	DEPOT MAINTENANCE	233,330	233,330
300	JUDGEMENT FUND	0	0
310	RECRUITING AND ADVERTISING	130,217	130,217
320	EXAMINING	2,738	2,738
330	OFF-DUTY AND VOLUNTARY EDUCATION	155,170	155,170
340	CIVILIAN EDUCATION AND TRAINING	175,147	175,147
350	JUNIOR ROTC	74,809	74,809
	<b>SUBTOTAL, TRAINING AND RECRUITING</b>	<b>3,745,868</b>	<b>3,745,868</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
360	LOGISTICS OPERATIONS	1,029,734	1,029,734
370	TECHNICAL SUPPORT ACTIVITIES	913,843	913,843
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	303,610	303,610
400	BASE SUPPORT	1,266,800	1,266,800
410	ADMINISTRATION	587,654	587,654
420	SERVICEWIDE COMMUNICATIONS	667,910	667,910
430	OTHER SERVICEWIDE ACTIVITIES	1,094,509	1,094,509
440	CIVIL AIR PATROL	23,904	23,904
450	JUDGEMENT FUND REIMBURSEMENT	0	0
470	INTERNATIONAL SUPPORT	81,307	81,307
480	CLASSIFIED PROGRAMS	1,239,040	1,239,040
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES</b>	<b>7,208,311</b>	<b>7,208,311</b>
	<b>UNDISTRIBUTED</b>		
	<b>UNDISTRIBUTED</b>		<b>-32,000</b>
	Unobligated balances		[-32,000]
	<b>TOTAL, OPERATION &amp; MAINTENANCE, AIR FORCE</b>	<b>35,435,360</b>	<b>35,403,360</b>
	<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</b>		
	<b>OPERATING FORCES</b>		
010	JOINT CHIEFS OF STAFF	485,708	485,708
020	SPECIAL OPERATIONS COMMAND	0	5,107,501
	Transfer from Line 025		[5,091,001]
	USSOCOM UFR		[16,500]
025	CLASSIFIED PROGRAMS	5,091,001	0
	Transfer to Line 020		[-5,091,001]
	<b>SUBTOTAL, OPERATING FORCES</b>	<b>5,576,709</b>	<b>5,593,209</b>
	<b>TRAINING AND RECRUITING</b>		
030	DEFENSE ACQUISITION UNIVERSITY	147,210	147,210
040	NATIONAL DEFENSE UNIVERSITY	84,999	84,999
	<b>SUBTOTAL, TRAINING AND RECRUITING</b>	<b>232,209</b>	<b>232,209</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
050	CIVIL MILITARY PROGRAMS	161,294	161,294
070	DEFENSE BUSINESS TRANSFORMATION AGENCY	0	0
080	DEFENSE CONTRACT AUDIT AGENCY	573,973	573,973
090	DEFENSE CONTRACT MANAGEMENT AGENCY	1,293,196	1,293,196
100	DEFENSE FINANCE AND ACCOUNTING SERVICE	17,513	17,513
110	DEFENSE HUMAN RESOURCES ACTIVITY	676,186	676,186

TITLE XLIII—OPERATION AND MAINTENANCE—Continued  
 SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE  
 (In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
120	DEFENSE INFORMATION SYSTEMS AGENCY .....	1,346,847	1,346,847
140	DEFENSE LEGAL SERVICES AGENCY .....	35,137	35,137
150	DEFENSE LOGISTICS AGENCY .....	431,893	431,893
160	DEFENSE MEDIA ACTIVITY .....	224,013	224,013
170	DEFENSE POW/MIA OFFICE .....	21,964	21,964
180	DEFENSE SECURITY COOPERATION AGENCY .....	557,917	540,317
	Program decrease—Defense Security Assessment .....		[-2,600]
	Program decrease—Global Train and Equip .....		[-15,000]
190	DEFENSE SECURITY SERVICE .....		506,662
	Transfer from Line 280 .....		[506,662]
200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION .....	35,319	35,319
210	DEFENSE THREAT REDUCTION AGENCY .....		443,382
	Transfer from Line 280 .....		[443,382]
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	2,744,971	2,744,971
230	MISSILE DEFENSE AGENCY .....	259,975	259,975
250	OFFICE OF ECONOMIC ADJUSTMENT .....	253,437	114,037
	Decrease for ahead of need request .....		[-139,400]
260	OFFICE OF THE SECRETARY OF DEFENSE .....	2,095,362	2,095,362
270	WASHINGTON HEADQUARTERS SERVICE .....	521,297	521,297
280	CLASSIFIED PROGRAMS .....	14,933,801	14,158,757
	Transfer to Line 190 .....		[-506,662]
	Transfer to Line 210 .....		[-443,382]
	Commercial imagery service level agreement .....		[125,000]
	Additional ISR Support to Operation Observant Compass .....		[50,000]
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>26,184,095</b>	<b>26,202,095</b>
	<b>UNDISTRIBUTED</b>		
	<b>UNDISTRIBUTED .....</b>		<b>5,000</b>
	Unobligated balances .....		[-25,000]
	Impact aid for schools with military dependent students .....		[25,000]
	Impact aid for children with severe disabilities .....		[5,000]
	<b>TOTAL, OPERATION &amp; MAINTENANCE, DEFENSE-WIDE .....</b>	<b>31,993,013</b>	<b>32,032,513</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	1,391	1,391
020	MODULAR SUPPORT BRIGADES .....	20,889	20,889
030	ECHELONS ABOVE BRIGADE .....	592,724	592,724
040	THEATER LEVEL ASSETS .....	114,983	114,983
050	LAND FORCES OPERATIONS SUPPORT .....	633,091	633,091
060	AVIATION ASSETS .....	76,823	76,823
070	FORCE READINESS OPERATIONS SUPPORT .....	481,997	481,997
080	LAND FORCES SYSTEMS READINESS .....	70,118	70,118
090	LAND FORCES DEPOT MAINTENANCE .....	141,205	141,205
100	BASE OPERATIONS SUPPORT .....	561,878	561,878
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	287,399	287,399
120	MANAGEMENT AND OPERATIONAL HQ'S .....	52,431	52,431
130	ADDITIONAL ACTIVITIES .....	0	0
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>3,034,929</b>	<b>3,034,929</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
140	SERVICEWIDE TRANSPORTATION .....	12,995	12,995
150	ADMINISTRATION .....	32,432	32,432
160	SERVICEWIDE COMMUNICATIONS .....	4,895	4,895
170	MANPOWER MANAGEMENT .....	16,074	16,074
180	RECRUITING AND ADVERTISING .....	60,683	60,683
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>127,079</b>	<b>127,079</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>3,162,008</b>	<b>3,162,008</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>		
	<b>OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	616,776	616,776
020	INTERMEDIATE MAINTENANCE .....	15,076	15,076
030	AIR OPERATIONS AND SAFETY SUPPORT .....	1,479	1,479
040	AIRCRAFT DEPOT MAINTENANCE .....	107,251	107,251
050	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	355	355
060	MISSION AND OTHER SHIP OPERATIONS .....	82,186	82,186
070	SHIP OPERATIONS SUPPORT & TRAINING .....	589	589
080	SHIP DEPOT MAINTENANCE .....	48,593	48,593
090	COMBAT COMMUNICATIONS .....	15,274	15,274

TITLE XLIII—OPERATION AND MAINTENANCE—Continued

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
100	COMBAT SUPPORT FORCES .....	124,917	124,917
110	WEAPONS MAINTENANCE .....	1,978	1,978
120	ENTERPRISE INFORMATION .....	43,699	43,699
130	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	60,646	60,646
140	BASE OPERATING SUPPORT .....	105,227	105,227
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>1,224,046</b>	<b>1,224,046</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	ADMINISTRATION .....	3,117	3,117
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	14,337	14,337
170	SERVICEWIDE COMMUNICATIONS .....	2,392	2,392
180	ACQUISITION AND PROGRAM MANAGEMENT .....	3,090	3,090
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>22,936</b>	<b>22,936</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, NAVY RES .....</b>	<b>1,246,982</b>	<b>1,246,982</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	OPERATING FORCES .....	89,690	89,690
020	DEPOT MAINTENANCE .....	16,735	16,735
030	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	37,913	37,913
040	BASE OPERATING SUPPORT .....	103,746	103,746
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>248,084</b>	<b>248,084</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
050	SERVICEWIDE TRANSPORTATION .....	873	873
060	ADMINISTRATION .....	14,330	14,330
070	RECRUITING AND ADVERTISING .....	8,998	8,998
080	CANCELLED ACCOUNT ADJUSTMENT .....	0	0
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>24,201</b>	<b>24,201</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, MC RESERVE .....</b>	<b>272,285</b>	<b>272,285</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	2,089,326	2,089,326
020	MISSION SUPPORT OPERATIONS .....	112,992	112,992
030	DEPOT MAINTENANCE .....	406,101	406,101
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	71,564	71,564
050	BASE SUPPORT .....	364,862	364,862
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>3,044,845</b>	<b>3,044,845</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
060	ADMINISTRATION .....	78,824	78,824
070	RECRUITING AND ADVERTISING .....	16,020	16,020
080	MILITARY MANPOWER AND PERS MGMT (ARPC) .....	19,496	19,496
090	OTHER PERS SUPPORT (DISABILITY COMP) .....	6,489	6,489
100	AUDIOVISUAL .....	808	808
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>121,637</b>	<b>121,637</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, AF RESERVE .....</b>	<b>3,166,482</b>	<b>3,166,482</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	680,206	680,206
020	MODULAR SUPPORT BRIGADES .....	186,408	186,408
030	ECHELONS ABOVE BRIGADE .....	865,628	865,628
040	THEATER LEVEL ASSETS .....	112,651	112,651
050	LAND FORCES OPERATIONS SUPPORT .....	36,091	36,091
060	AVIATION ASSETS .....	907,011	907,011
070	FORCE READINESS OPERATIONS SUPPORT .....	751,606	751,606
080	LAND FORCES SYSTEMS READINESS .....	60,043	60,043
090	LAND FORCES DEPOT MAINTENANCE .....	411,940	411,940
100	BASE OPERATIONS SUPPORT .....	995,423	995,423
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	688,189	688,189
120	MANAGEMENT AND OPERATIONAL HQ'S .....	953,716	953,716
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>6,648,912</b>	<b>6,648,912</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
130	SERVICEWIDE TRANSPORTATION .....	11,806	11,806
140	REAL ESTATE MANAGEMENT .....	1,656	1,656
150	ADMINISTRATION .....	89,358	89,358
160	SERVICEWIDE COMMUNICATIONS .....	39,513	39,513
170	MANPOWER MANAGEMENT .....	7,224	7,224

## TITLE XLIII—OPERATION AND MAINTENANCE—Continued

## SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
180	RECRUITING AND ADVERTISING .....	310,143	310,143
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>459,700</b>	<b>459,700</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, ARNG .....</b>	<b>7,108,612</b>	<b>7,108,612</b>
	<b>OPERATION &amp; MAINTENANCE, ANG</b>		
	<b>OPERATING FORCES</b>		
010	AIRCRAFT OPERATIONS .....	3,559,824	3,559,824
020	MISSION SUPPORT OPERATIONS .....	721,225	721,225
030	DEPOT MAINTENANCE .....	774,875	774,875
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	270,709	270,709
050	BASE SUPPORT .....	624,443	624,443
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>5,951,076</b>	<b>5,951,076</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
060	ADMINISTRATION .....	32,358	32,358
070	RECRUITING AND ADVERTISING .....	32,021	32,021
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>64,379</b>	<b>64,379</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, ANG .....</b>	<b>6,015,455</b>	<b>6,015,455</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE .....	13,516	13,516
040	ACQ WORKFORCE DEV FD .....	274,198	274,198
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID .....	108,759	108,759
030	COOPERATIVE THREAT REDUCTION .....	519,111	519,111
050	ENVIRONMENTAL RESTORATION, ARMY .....	335,921	335,921
060	ENVIRONMENTAL RESTORATION, NAVY .....	310,594	310,594
070	ENVIRONMENTAL RESTORATION, AIR FORCE .....	529,263	529,263
080	ENVIRONMENTAL RESTORATION, DEFENSE .....	11,133	11,133
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES .....	237,543	237,543
	<b>TOTAL, MISCELLANEOUS APPROPRIATIONS .....</b>	<b>2,340,038</b>	<b>2,340,038</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE .....</b>	<b>174,938,933</b>	<b>174,778,133</b>

## SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
040	THEATER LEVEL ASSETS .....	2,758,162	2,758,162
050	LAND FORCES OPERATIONS SUPPORT .....	991,396	991,396
060	AVIATION ASSETS .....	40,300	40,300
070	FORCE READINESS OPERATIONS SUPPORT .....	1,755,445	1,755,445
080	LAND FORCES SYSTEMS READINESS .....	307,244	307,244
100	BASE OPERATIONS SUPPORT .....	393,165	393,165
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	250,000	250,000
140	ADDITIONAL ACTIVITIES .....	12,524,137	12,524,137
150	COMMANDERS EMERGENCY RESPONSE PROGRAM .....	400,000	200,000
	Program decrease .....		[-200,000]
160	RESET .....	3,687,973	3,687,973
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>23,107,822</b>	<b>22,907,822</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
350	SERVICEWIDE TRANSPORTATION .....	3,238,310	3,238,310
360	CENTRAL SUPPLY ACTIVITIES .....	129,000	129,000
380	AMMUNITION MANAGEMENT .....	78,022	78,022
420	OTHER PERSONNEL SUPPORT .....	137,277	97,277
	Transfer to OPA OCO Line 061 at SOUTHCOM request .....		[-40,000]
430	OTHER SERVICE SUPPORT .....	72,293	72,293
490	CLASSIFIED PROGRAMS .....	1,828,717	1,828,717
	<b>SUBTOTAL, ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>5,483,619</b>	<b>5,443,619</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, ARMY .....</b>	<b>28,591,441</b>	<b>28,351,441</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY</b>		
	<b>OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	937,098	937,098
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....	1,000	1,000
040	AIR OPERATIONS AND SAFETY SUPPORT .....	15,794	15,794
050	AIR SYSTEMS SUPPORT .....	19,013	19,013

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
060	AIRCRAFT DEPOT MAINTENANCE .....	201,912	201,912
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	3,000	3,000
080	AVIATION LOGISTICS .....	44,150	44,150
090	MISSION AND OTHER SHIP OPERATIONS .....	463,738	463,738
100	SHIP OPERATIONS SUPPORT & TRAINING .....	24,774	24,774
110	SHIP DEPOT MAINTENANCE .....	1,310,010	1,310,010
130	COMBAT COMMUNICATIONS .....	42,965	42,965
160	WARFARE TACTICS .....	25,970	25,970
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	19,226	19,226
180	COMBAT SUPPORT FORCES .....	1,668,359	1,668,359
190	EQUIPMENT MAINTENANCE .....	7,954	7,954
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT .....	94,655	94,655
260	WEAPONS MAINTENANCE .....	303,087	303,087
290	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	3,218	3,218
300	BASE OPERATING SUPPORT .....	143,442	143,442
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>5,329,365</b>	<b>5,329,365</b>
	<b>MOBILIZATION</b>		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	31,395	31,395
360	COAST GUARD SUPPORT .....	254,461	254,461
	<b>SUBTOTAL, MOBILIZATION .....</b>	<b>285,856</b>	<b>285,856</b>
	<b>TRAINING AND RECRUITING</b>		
400	SPECIALIZED SKILL TRAINING .....	50,903	50,903
	<b>SUBTOTAL, TRAINING AND RECRUITING .....</b>	<b>50,903</b>	<b>50,903</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
480	ADMINISTRATION .....	1,377	1,377
490	EXTERNAL RELATIONS .....	487	487
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	6,022	6,022
520	OTHER PERSONNEL SUPPORT .....	3,514	3,514
550	SERVICEWIDE TRANSPORTATION .....	184,864	184,864
580	ACQUISITION AND PROGRAM MANAGEMENT .....	2,026	2,026
620	NAVAL INVESTIGATIVE SERVICE .....	1,425	1,425
710	CLASSIFIED PROGRAMS .....	14,556	14,556
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>214,271</b>	<b>214,271</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, NAVY .....</b>	<b>5,880,395</b>	<b>5,880,395</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>		
	<b>OPERATING FORCES</b>		
010	OPERATIONAL FORCES .....	1,921,258	1,921,258
020	FIELD LOGISTICS .....	1,094,028	1,094,028
030	DEPOT MAINTENANCE .....	222,824	222,824
060	BASE OPERATING SUPPORT .....	88,690	88,690
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>3,326,800</b>	<b>3,326,800</b>
	<b>TRAINING AND RECRUITING</b>		
110	TRAINING SUPPORT .....	215,212	215,212
	<b>SUBTOTAL, TRAINING AND RECRUITING .....</b>	<b>215,212</b>	<b>215,212</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE TRANSPORTATION .....	512,627	512,627
190	CLASSIFIED PROGRAMS .....	11,701	11,701
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>524,328</b>	<b>524,328</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b>	<b>4,066,340</b>	<b>4,066,340</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	1,494,144	1,494,144
020	COMBAT ENHANCEMENT FORCES .....	809,531	809,531
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	13,095	13,095
040	DEPOT MAINTENANCE .....	1,403,238	1,403,238
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	155,954	155,954
060	BASE SUPPORT .....	342,226	342,226
070	GLOBAL C3I AND EARLY WARNING .....	15,108	15,108
080	OTHER COMBAT OPS SPT PROGRAMS .....	271,390	271,390
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES .....	25,400	25,400
120	SPACE CONTROL SYSTEMS .....	5,110	5,110
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	52,173	52,173
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>4,587,369</b>	<b>4,587,369</b>
	<b>MOBILIZATION</b>		



SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
150	AIRLIFT OPERATIONS .....	3,187,211	3,187,211
160	MOBILIZATION PREPAREDNESS .....	43,509	43,509
170	DEPOT MAINTENANCE .....	554,943	554,943
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	4,431	4,431
190	BASE SUPPORT .....	9,256	9,256
	<b>SUBTOTAL, MOBILIZATION .....</b>	<b>3,799,350</b>	<b>3,799,350</b>
	<b>TRAINING AND RECRUITING</b>		
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	424	424
240	BASE SUPPORT .....	1,036	1,036
250	SPECIALIZED SKILL TRAINING .....	10,923	10,923
260	FLIGHT TRAINING .....	72	72
270	PROFESSIONAL DEVELOPMENT EDUCATION .....	323	323
280	TRAINING SUPPORT .....	352	352
	<b>SUBTOTAL, TRAINING AND RECRUITING .....</b>	<b>13,130</b>	<b>13,130</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
360	LOGISTICS OPERATIONS .....	100,429	100,429
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	47,200	47,200
400	BASE SUPPORT .....	7,242	7,242
410	ADMINISTRATION .....	1,552	1,552
420	SERVICEMEN COMMUNICATIONS .....	82,094	82,094
430	OTHER SERVICEMEN ACTIVITIES .....	582,977	582,977
480	CLASSIFIED PROGRAMS .....	20,270	20,270
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>841,764</b>	<b>841,764</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, AIR FORCE .....</b>	<b>9,241,613</b>	<b>9,241,613</b>
	<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</b>		
	<b>OPERATING FORCES</b>		
010	JOINT CHIEFS OF STAFF .....	2,000	2,000
020	SPECIAL OPERATIONS COMMAND .....	2,503,060	2,503,060
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>2,505,060</b>	<b>2,505,060</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
080	DEFENSE CONTRACT AUDIT AGENCY .....	30,674	30,674
090	DEFENSE CONTRACT MANAGEMENT AGENCY .....	69,803	69,803
110	DEFENSE HUMAN RESOURCES ACTIVITY .....	3,334	3,334
120	DEFENSE INFORMATION SYSTEMS AGENCY .....	152,925	152,925
140	DEFENSE LEGAL SERVICES AGENCY .....	102,322	102,322
160	DEFENSE MEDIA ACTIVITY .....	10,823	10,823
180	DEFENSE SECURITY COOPERATION AGENCY .....	2,200,000	2,200,000
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	139,830	139,830
260	OFFICE OF THE SECRETARY OF DEFENSE .....	87,805	87,805
280	CLASSIFIED PROGRAMS .....	2,522,003	2,522,003
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>5,319,519</b>	<b>5,319,519</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, DEFENSE-WIDE .....</b>	<b>7,824,579</b>	<b>7,824,579</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES</b>		
	<b>OPERATING FORCES</b>		
030	ECHELONS ABOVE BRIGADE .....	78,600	78,600
050	LAND FORCES OPERATIONS SUPPORT .....	20,811	20,811
070	FORCE READINESS OPERATIONS SUPPORT .....	20,726	20,726
100	BASE OPERATIONS SUPPORT .....	34,400	34,400
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>154,537</b>	<b>154,537</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>154,537</b>	<b>154,537</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>		
	<b>OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	24,834	24,834
020	INTERMEDIATE MAINTENANCE .....	300	300
040	AIRCRAFT DEPOT MAINTENANCE .....	13,364	13,364
060	MISSION AND OTHER SHIP OPERATIONS .....	8,213	8,213
080	SHIP DEPOT MAINTENANCE .....	929	929
100	COMBAT SUPPORT FORCES .....	8,244	8,244
140	BASE OPERATING SUPPORT .....	40	40
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>55,924</b>	<b>55,924</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, NAVY RES .....</b>	<b>55,924</b>	<b>55,924</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	OPERATING FORCES .....	22,657	22,657

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
040	BASE OPERATING SUPPORT .....	2,820	2,820
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>25,477</b>	<b>25,477</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, MC RESERVE .....</b>	<b>25,477</b>	<b>25,477</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	7,600	7,600
030	DEPOT MAINTENANCE .....	106,768	106,768
050	BASE SUPPORT .....	6,250	6,250
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>120,618</b>	<b>120,618</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, AF RESERVE .....</b>	<b>120,618</b>	<b>120,618</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	38,485	38,485
020	MODULAR SUPPORT BRIGADES .....	1,959	1,959
030	ECHELONS ABOVE BRIGADE .....	20,076	20,076
040	THEATER LEVEL ASSETS .....	2,028	2,028
060	AVIATION ASSETS .....	183,811	183,811
070	FORCE READINESS OPERATIONS SUPPORT .....	43,780	43,780
100	BASE OPERATIONS SUPPORT .....	70,237	70,237
120	MANAGEMENT AND OPERATIONAL HQ'S .....	20,072	20,072
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>380,448</b>	<b>380,448</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
160	SERVICEWIDE COMMUNICATIONS .....	2,000	2,000
	<b>SUBTOTAL, ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>2,000</b>	<b>2,000</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, ARNG .....</b>	<b>382,448</b>	<b>382,448</b>
	<b>OPERATION &amp; MAINTENANCE, ANG</b>		
	<b>OPERATING FORCES</b>		
020	MISSION SUPPORT OPERATIONS .....	19,975	19,975
	<b>SUBTOTAL, OPERATING FORCES .....</b>	<b>19,975</b>	<b>19,975</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE, ANG .....</b>	<b>19,975</b>	<b>19,975</b>
	<b>AFGHANISTAN SECURITY FORCES FUND</b>		
	<b>MINISTRY OF DEFENSE</b>		
010	SUSTAINMENT .....	2,523,825	2,523,825
020	INFRASTRUCTURE .....	190,000	190,000
030	EQUIPMENT AND TRANSPORTATION .....	241,521	241,521
040	TRAINING AND OPERATIONS .....	758,380	758,380
	<b>SUBTOTAL, MINISTRY OF DEFENSE .....</b>	<b>3,713,726</b>	<b>3,713,726</b>
	<b>MINISTRY OF INTERIOR</b>		
050	SUSTAINMENT .....	1,305,950	1,305,950
060	INFRASTRUCTURE .....	50,000	50,000
070	EQUIPMENT AND TRANSPORTATION .....	84,859	84,859
080	TRAINING AND OPERATIONS .....	569,868	569,868
	<b>SUBTOTAL, MINISTRY OF INTERIOR .....</b>	<b>2,010,677</b>	<b>2,010,677</b>
	<b>RELATED ACTIVITIES</b>		
090	SUSTAINMENT .....	18,325	18,325
100	INFRASTRUCTURE .....	1,200	1,200
110	EQUIPMENT & TRANSPORTATION .....	1,239	1,239
120	TRAINING AND OPERATIONS .....	4,000	4,000
	<b>SUBTOTAL, RELATED ACTIVITIES .....</b>	<b>24,764</b>	<b>24,764</b>
	<b>TOTAL, AFGHANISTAN SECURITY FORCES FUND .....</b>	<b>5,749,167</b>	<b>5,749,167</b>
	<b>AFGHANISTAN INFRASTRUCTURE FUND</b>		
010	POWER .....	400,000	350,000
	Program decrease .....		[-50,000]
	<b>TOTAL, AFGHANISTAN INFRASTRUCTURE FUND .....</b>	<b>400,000</b>	<b>350,000</b>
	<b>TOTAL, OPERATION &amp; MAINTENANCE .....</b>	<b>62,512,514</b>	<b>62,222,514</b>

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
	Item	FY 2013 Request	Senate Authorized
MILITARY PERSONNEL .....		135,111,799	135,117,799
	BAH for Full-time Guard Transition to Active Duty .....		[6,000]
<b>TOTAL, MILITARY PERSONNEL .....</b>		<b>135,111,799</b>	<b>135,117,799</b>

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
	Item	FY 2013 Request	Senate Authorized
MILITARY PERSONNEL .....		14,060,094	14,060,094
<b>TOTAL, MILITARY PERSONNEL .....</b>		<b>14,060,094</b>	<b>14,060,094</b>

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

TITLE XLV—OTHER AUTHORIZATIONS—Continued

SEC. 4501. OTHER AUTHORIZATIONS.

TITLE XLV—OTHER AUTHORIZATIONS—Continued

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)				SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)				SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized	Line	Item	FY 2013 Request	Senate Authorized
	<b>WORKING CAPITAL FUND, ARMY</b>			070	TAH MAINTENANCE .....	29,199	29,199				
010	PREPOSITIONED WAR RESERVE STOCKS .....	60,037	60,037	080	RESEARCH AND DEVELOPMENT .....	42,811	42,811		<b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>		
	<b>TOTAL, WORKING CAPITAL FUND, ARMY .....</b>	<b>60,037</b>	<b>60,037</b>	090	READY RESERVE FORCE ...	303,323	303,323	001	OPERATION & MAINTENANCE .....	635,843	635,843
	<b>WORKING CAPITAL FUND, AIR FORCE</b>			100	MARAD SHIP FINANCING GUARANTEE PROGRAM	0	0	002	RD&E .....	647,351	647,351
010	C-17 CLS ENGINE REPAIR	0	0		<b>TOTAL, NATIONAL DEFENSE SEALIFT FUND ..</b>	<b>608,136</b>	<b>608,136</b>	003	PROCUREMENT .....	18,592	18,592
020	TRANSPORTATION FALLEN HEROES .....	0	0		<b>DEFENSE HEALTH PROGRAM</b>				<b>TOTAL, CHEM AGENTS &amp; MUNITIONS DESTRUCTION .....</b>	<b>1,301,786</b>	<b>1,301,786</b>
040	SUPPLIES AND MATERIALS (MEDICAL/DENTAL) .....	45,452	45,452		<b>DHP, OPERATION &amp; MAINTENANCE</b>				<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
	<b>TOTAL, WORKING CAPITAL FUND, AIR FORCE .....</b>	<b>45,452</b>	<b>45,452</b>	010	IN-HOUSE CARE .....	8,625,507	8,625,507	010	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF .....	889,545	863,645
	<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>			020	PRIVATE SECTOR CARE ...	16,148,263	16,148,263		Transfer to Demand Reduction Program ..		[–25,900]
010	DEFENSE LOGISTICS AGENCY (DLA) .....	39,135	39,135	030	CONSOLIDATED HEALTH SUPPORT .....	2,309,185	2,309,185	020	DRUG DEMAND REDUCTION PROGRAM .....	109,818	135,718
	<b>TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE .....</b>	<b>39,135</b>	<b>39,135</b>	040	INFORMATION MANAGEMENT .....	1,465,328	1,465,328		Expanded drug testing		[25,900]
	<b>WORKING CAPITAL FUND, DECA</b>			050	MANAGEMENT ACTIVITIES	332,121	332,121		<b>TOTAL, DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF .....</b>	<b>999,363</b>	<b>999,363</b>
010	WORKING CAPITAL FUND, DECA .....	1,371,560	1,371,560	060	EDUCATION AND TRAINING	722,081	722,081		<b>OFFICE OF THE INSPECTOR GENERAL</b>		
	<b>TOTAL, WORKING CAPITAL FUND, DECA .....</b>	<b>1,371,560</b>	<b>1,371,560</b>	070	BASE OPERATIONS/COMMUNICATIONS .....	1,746,794	1,746,794	010	OPERATION & MAINTENANCE .....	272,821	331,921
	<b>NATIONAL DEFENSE SEALIFT FUND</b>			070A	UNDISTRIBUTED .....		452,000		DoD IG growth plan ....		[59,100]
010	T-AKE .....	0	0		Restore DOD assumed Savings for TRICARE Proposals .....		[452,000]	020	RD&E .....	0	0
020	MPF MLP .....	38,000	38,000		<b>SUBTOTAL, DHP, OPERATION &amp; MAINTENANCE</b>	<b>31,349,279</b>	<b>31,801,279</b>	030	PROCUREMENT .....	1,000	1,000
030	POST DELIVERY AND OUTFITTING .....	39,386	39,386		<b>DHP, RD&amp;E</b>				<b>TOTAL, OFFICE OF THE INSPECTOR GENERAL ...</b>	<b>273,821</b>	<b>332,921</b>
040	NATIONAL DEF SEALIFT VESSEL .....	0	0	080	DEFENSE HEALTH PROGRAM .....	672,977	672,977		<b>TOTAL, OTHER AUTHORIZATIONS .....</b>	<b>37,228,008</b>	<b>37,739,108</b>
050	LG MED SPD RO/RO MAINTENANCE .....	128,819	128,819		<b>SUBTOTAL, DHP, PROCUREMENT</b>						
060	DOD MOBILIZATION ALTERATIONS .....	26,598	26,598		<b>TOTAL, DEFENSE HEALTH PROGRAM .....</b>	<b>32,528,718</b>	<b>32,980,718</b>				

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS  
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
<b>WORKING CAPITAL FUND, ARMY</b>			
010	PREPOSITIONED WAR RESERVE STOCKS ....	42,600	42,600
	<b>TOTAL, WORKING CAPITAL FUND, ARMY ....</b>	<b>42,600</b>	<b>42,600</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>			
010	C-17 CLS ENGINE REPAIR .....	230,400	230,400
020	TRANSPORTATION FALL-EN HEROES .....	10,000	10,000
	<b>TOTAL, WORKING CAPITAL FUND, AIR FORCE .....</b>	<b>240,400</b>	<b>240,400</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>			
010	DEFENSE LOGISTICS AGENCY (DLA) .....	220,364	220,364

Line	Item	FY 2013 Request	Senate Authorized
	<b>TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE .....</b>	<b>220,364</b>	<b>220,364</b>
<b>DEFENSE HEALTH PROGRAM</b>			
	<b>DHP, OPERATION &amp; MAINTENANCE</b>		
010	IN-HOUSE CARE .....	483,326	483,326
020	PRIVATE SECTOR CARE .....	376,982	376,982
030	CONSOLIDATED HEALTH SUPPORT .....	111,675	111,675
040	INFORMATION MANAGEMENT .....	4,773	4,773
050	MANAGEMENT ACTIVITIES .....	660	660
060	EDUCATION AND TRAINING .....	15,370	15,370
070	BASE OPERATIONS/COMMUNICATIONS ...	1,112	1,112
	<b>SUBTOTAL, DHP, OPERATION &amp; MAINTENANCE</b>		
	<b>TOTAL, DEFENSE HEALTH PROGRAM ...</b>	<b>993,898</b>	<b>993,898</b>

Line	Item	FY 2013 Request	Senate Authorized
	<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
010	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF .....	469,025	469,025
	<b>TOTAL, DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF .....</b>	<b>469,025</b>	<b>469,025</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>			
010	OPERATION & MAINTENANCE .....	10,766	10,766
	<b>TOTAL, OFFICE OF THE INSPECTOR GENERAL</b>	<b>10,766</b>	<b>10,766</b>
	<b>TOTAL, OTHER AUTHORIZATIONS .....</b>	<b>1,977,053</b>	<b>1,977,053</b>

**TITLE XLVI—MILITARY CONSTRUCTION**

**SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
<b>ARMY Milcon</b>				
	Alaska			
ARMY	Fort Wainwright	Modified Record Fire Range .....	10,400	10,400
ARMY	Joint Base Elmendorf-Richardson	Modified Record Fire Range .....	7,900	7,900
	California			
ARMY	Concord	Lightning Protection System .....	5,800	5,800
ARMY	Concord	Engineering/Housing Maintenance Shop .....	3,100	3,100
	Colorado			
ARMY	Fort Carson, Colorado	Digital Multipurpose Training Range .....	18,000	18,000
	District of Columbia			
ARMY	Fort McNair	Vehicle Storage Building, Installation .....	7,200	7,200
	Georgia			
ARMY	Fort Benning	Ground Source Heat Transfer System .....	16,000	16,000
ARMY	Fort Gordon	Modified Record Fire Range .....	4,000	4,000
ARMY	Fort Gordon	Multipurpose Machine Gun Range .....	7,100	7,100
ARMY	Fort Gordon	Ground Source Heat Transfer System .....	12,200	12,200
ARMY	Fort Stewart, Georgia	Digital Multipurpose Training Range .....	22,000	22,000
ARMY	Fort Stewart, Georgia	Automated Combat Pistol Qual Crse .....	3,650	3,650
ARMY	Fort Stewart, Georgia	Unmanned Aerial Vehicle Complex .....	24,000	24,000
	Hawaii			
ARMY	Pohakuloa Training Area	Automated Infantry Platoon Battle Course .....	29,000	29,000
ARMY	Schofield Barracks	Barracks .....	41,000	41,000
ARMY	Schofield Barracks	Barracks .....	55,000	55,000
ARMY	Wheeler Army Air Field	Combat Aviation Brigade Barracks .....	85,000	85,000
	Kansas			
ARMY	Fort Riley, Kansas	Unmanned Aerial Vehicle Complex .....	12,200	12,200
	Kentucky			
ARMY	Fort Campbell, Kentucky	Battalion Headquarters Complex .....	55,000	55,000
ARMY	Fort Campbell, Kentucky	Live Fire Exercise Shoothouse .....	3,800	3,800
ARMY	Fort Campbell, Kentucky	Unmanned Aerial Vehicle Complex .....	23,000	23,000
ARMY	Fort Knox	Automated Infantry Squad Battle Course .....	6,000	6,000
	Missouri			
ARMY	Fort Leonard Wood	Trainee Barracks Complex 3, Ph 2 .....	58,000	58,000
ARMY	Fort Leonard Wood	Vehicle Maintenance Shop .....	39,000	39,000
ARMY	Fort Leonard Wood	Battalion Complex Facilities .....	26,000	26,000
	New Jersey			
ARMY	Picatinny Arsenal	Ballistic Evaluation Center .....	10,200	10,200
ARMY	Joint Base McGuire-Dix-Lakehurst	Flight Equipment Complex .....	47,000	47,000
	New York			
ARMY	Fort Drum, New York	Aircraft Maintenance Hangar .....	95,000	95,000
ARMY	U.S. Military Academy	Cadet Barracks .....	192,000	0
	North Carolina			
ARMY	Fort Bragg	Aerial Gunnery Range .....	42,000	42,000
ARMY	Fort Bragg	Infrastructure .....	30,000	0
ARMY	Fort Bragg	Unmanned Aerial Vehicle Complex .....	26,000	26,000
	Oklahoma			
ARMY	Fort Sill	Modified Record Fire Range .....	4,900	4,900
	South Carolina			

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY	Fort Jackson Texas	Trainee Barracks Complex 2, Ph 2 .....	24,000	24,000
ARMY	Corpus Christi	Aircraft Component Maintenance Shop .....	13,200	13,200
ARMY	Corpus Christi	Aircraft Paint Shop .....	24,000	24,000
ARMY	Fort Bliss	Multipurpose Machine Gun Range .....	7,200	7,200
ARMY	Fort Hood, Texas	Modified Record Fire Range .....	4,200	4,200
ARMY	Fort Hood, Texas	Training Aids Center .....	25,000	25,000
ARMY	Fort Hood, Texas	Unmanned Aerial Vehicle Complex .....	22,000	22,000
ARMY	Joint Base San Antonio	Barracks .....	21,000	21,000
ARMY	Virginia			
ARMY	Arlington	Cemetery Expansion Millennium Site .....	84,000	0
ARMY	Fort Belvoir	Secure Admin/Operations Facility .....	94,000	94,000
ARMY	Fort Lee	Adv Individual Training Barracks Cplx, Ph2 .....	81,000	81,000
ARMY	Washington			
ARMY	Yakima	Convoy Live Fire Range .....	5,100	5,100
ARMY	Joint Base Lewis-McChord	Battalion Complex .....	73,000	73,000
ARMY	Joint Base Lewis-McChord	Waste Water Treatment Plant .....	91,000	91,000
ARMY	Italy			
ARMY	Camp Ederle	Barracks .....	36,000	36,000
ARMY	Vicenza	Simulations Center .....	32,000	32,000
ARMY	Japan			
ARMY	Okinawa	Satellite Communications Facility .....	78,000	78,000
ARMY	Sagami	Vehicle Maintenance Shop .....	18,000	18,000
ARMY	Korea			
ARMY	Camp Humphreys	Battalion Headquarters Complex .....	45,000	45,000
ARMY	Worldwide Unspec			
ARMY	Unspecified Worldwide Locations	Minor Construction FY 13 .....	25,000	25,000
ARMY	Unspecified Worldwide Locations	Host Nation Support FY 13 .....	34,000	34,000
ARMY	Unspecified Worldwide Locations	Planning and Design FY13 .....	65,173	46,173
<b>Milcon, A—SUBTOTAL .....</b>			<b>1,923,323</b>	<b>1,598,323</b>
<b>NAVY Milcon</b>				
NAVY	Arizona			
NAVY	Yuma	Security Operations Complex .....	13,300	13,300
NAVY	Yuma	Combat Aircraft Loading Apron .....	15,985	15,985
NAVY	California			
NAVY	Camp Pendleton, California	Comm. Information Systems Ops Complex .....	78,897	78,897
NAVY	Camp Pendleton, California	San Jacinto Road Extension .....	5,074	5,074
NAVY	Camp Pendleton, California	MV22 Aviation Simulator Building .....	4,139	4,139
NAVY	Ventura County	BAMS Maintenance Training Facility .....	14,843	12,790
NAVY	Miramar	Hangar 5 Renovations & Addition .....	27,897	27,897
NAVY	San Diego	Entry Control Point (Gate Five) .....	11,752	11,752
NAVY	San Diego	LCS Training Facility .....	59,436	59,436
NAVY	Seal Beach	Strategic Systems Weapons Eval. Test Lab .....	30,594	30,594
NAVY	Twentynine Palms, California	Land Expansion Phase 2 .....	47,270	47,270
NAVY	Coronado	Bachelor Quarters .....	76,063	76,063
NAVY	Coronado	H-60S Simulator Training Facility .....	2,478	2,478
NAVY	Florida			
NAVY	Jacksonville	BAMS Mission Control Complex .....	21,980	21,980
NAVY	Hawaii			
NAVY	Kaneohe Bay	MV-22 Hangar and Infrastructure .....	82,630	82,630
NAVY	Kaneohe Bay	Aircraft Staging Area .....	14,680	14,680
NAVY	Mississippi			
NAVY	Meridian	Dining Facility .....	10,926	10,926
NAVY	New Jersey			
NAVY	Earle	Combat System Engineering Building Addition .....	33,498	33,498
NAVY	North Carolina			
NAVY	Camp Lejeune, North Carolina	Staff NCO Academy Facilities .....	28,986	28,986
NAVY	Camp Lejeune, North Carolina	Base Access and Road—Phase 3 .....	40,904	40,904
NAVY	Cherry Point Marine Corps Air Station	Marine Air Support Squadron Compound .....	34,310	34,310
NAVY	Cherry Point Marine Corps Air Station	Armory .....	11,581	11,581
NAVY	New River	Personnel Administration Center .....	8,525	8,525
NAVY	South Carolina			
NAVY	Beaufort	Ground Support Equipment Shop .....	9,465	9,465
NAVY	Beaufort	Simulated LHD Flight Deck .....	12,887	12,887
NAVY	Beaufort	Recycling/Hazardous Waste Facility .....	3,743	3,743
NAVY	Beaufort	Aircraft Maintenance Hangar .....	42,010	42,010
NAVY	Beaufort	Airfield Security Upgrades .....	13,675	13,675
NAVY	Parris Island	Front Gate ATPF Improvements .....	10,135	10,135
NAVY	Virginia			
NAVY	Dahlgren	Cruiser/Destroyer Upgrade Training Facility .....	16,494	16,494
NAVY	Dahlgren	Physical Fitness Center .....	11,734	11,734
NAVY	Oceana Naval Air Station	A School Barracks .....	39,086	39,086
NAVY	Portsmouth	Drydock 8 Electrical Distribution Upgrade .....	32,706	32,706
NAVY	Quantico	The Basic School Student Quarters—Phase 7 .....	31,012	31,012
NAVY	Quantico	Infrastructure—Widen Russell Road .....	14,826	14,826
NAVY	Quantico	Weapons Training Battalion Mess Hall .....	12,876	12,876
NAVY	Yorktown	Regimental Headquarters .....	11,015	11,015
NAVY	Yorktown	Bachelor Enlisted Quarters .....	18,422	18,422
NAVY	Yorktown	Motor Transportation Facility .....	6,188	6,188
NAVY	Yorktown	Supply Warehouse Facility .....	8,939	8,939
NAVY	Yorktown	Armory .....	4,259	4,259

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
NAVY	Washington			
NAVY	Whidbey Island	EA-18G Flight Simulator Facility .....	6,272	6,272
NAVY	Kitsap	Explosives Handling Wharf #2 (INC) .....	280,041	254,241
NAVY	Bahrain Island			
NAVY	SW Asia	Transient Quarters .....	41,529	41,529
NAVY	SW Asia	Combined Dining Facility .....	9,819	9,819
NAVY	Diego Garcia			
NAVY	Diego Garcia	Communications Infrastructure .....	1,691	1,691
NAVY	Greece			
NAVY	Souda Bay	Aircraft Parking Apron Expansion .....	20,493	20,493
NAVY	Souda Bay	Intermodal Access Road .....	4,630	4,630
NAVY	Guam			
NAVY	Joint Region Marianas	North Ramp Parking (Andersen AFB)—INC 2 .....	25,904	0
NAVY	Japan			
NAVY	Iwakuni	Maintenance Hangar Improvements .....	5,722	5,722
NAVY	Iwakuni	Vertical Take-Off and Landing Pad North .....	7,416	7,416
NAVY	Okinawa	Bachelor Quarters .....	8,206	8,206
NAVY	Romania			
NAVY	Deveselu, Romania	AEGIS Ashore Missile Defense Complex .....	45,205	45,205
NAVY	Spain			
NAVY	Rota	General Purpose Warehouse .....	3,378	3,378
NAVY	Rota	High Explosive Magazine .....	13,837	13,837
NAVY	Worldwide Unspec			
NAVY	Various Worldwide Locations	BAMS Operational Facilities .....	34,048	34,048
NAVY	Djibouti			
NAVY	Camp Lemonier, Djibouti	Containerized Living and Work Units .....	7,510	7,510
NAVY	Camp Lemonier, Djibouti	Galley Addition and Warehouse .....	22,220	22,220
NAVY	Camp Lemonier, Djibouti	Joint HQ/Joint Operations Center Facility .....	42,730	42,730
NAVY	Camp Lemonier, Djibouti	Fitness Center .....	26,960	26,960
NAVY	Worldwide Unspec			
NAVY	Unspecified Worldwide Locations	Unspecified Minor Construction .....	16,535	16,535
NAVY	Unspecified Worldwide Locations	MCON Design Funds .....	102,619	102,619
<b>Milcon, N—SUBTOTAL .....</b>			<b>1,701,985</b>	<b>1,648,228</b>
<b>AF Milcon</b>				
AF	Arkansas			
AF	Little Rock AFB	C-130J Fuel Systems Maintenance Hangar .....	26,000	26,000
AF	Little Rock AFB	C-130J Flight Simulator Addition .....	4,178	4,178
AF	Florida			
AF	Tyndall AFB	F-22 ADAL Hangar for Low Observable/Composite .....	14,750	14,750
AF	Georgia			
AF	Fort Stewart, Georgia	Air Support Operations Center (ASOC) .....	7,250	7,250
AF	Moody AFB	HC-130J Simulator Facility .....	8,500	8,500
AF	Nebraska			
AF	Offutt AFB	US STRATCOM Replacement Facility, Incr 2 .....	161,000	128,000
AF	New Mexico			
AF	Holloman AFB	MQ-9 Maintenance Hangar .....	25,000	25,000
AF	North Dakota			
AF	Minot AFB	B-52 Add/Alter Munitions AGE Facility .....	4,600	4,600
AF	Texas			
AF	Joint Base San Antonio	Dormitory (144 Rm) .....	18,000	18,000
AF	Utah			
AF	Hill AFB	F-35 ADAL Hangar 45W/AMU .....	7,250	7,250
AF	Hill AFB	F-35 Modular Storage Magazines .....	2,280	2,280
AF	Hill AFB	F-35 ADAL Building 118 for Flight Simulator .....	4,000	4,000
AF	Greenland			
AF	Thule Ab	Dormitory (48 PN) .....	24,500	24,500
AF	Italy			
AF	Aviano Ab	F-16 Mission Training Center .....	9,400	9,400
AF	Worldwide Unspec			
AF	Unspecified Worldwide Locations	Transient Contingency Dormitory—100 Rm .....	17,625	0
AF	Unspecified Worldwide Locations	Transient Aircraft Hangars .....	15,032	0
AF	Unspecified Worldwide Locations	Sanitary Sewer Lift/Pump Station .....	2,000	2,000
AF	Various Worldwide Locations	Unspecified Minor Construction .....	18,200	18,200
AF	Unspecified Worldwide Locations	Planning and Design .....	18,635	18,635
<b>Milcon, AF—SUBTOTAL .....</b>			<b>388,200</b>	<b>322,543</b>
<b>DEF-WIDE Milcon</b>				
DEFW	Belgium			
DEFW	Brussels	NATO Headquarters Facility .....	26,969	26,969
DEFW	Worldwide Unspec			
DEFW	Unspecified Worldwide Locations	Energy Conservation Investment Program .....	150,000	150,000
DEFW	Unspecified Worldwide Locations	Contingency Construction .....	10,000	10,000
DFAS	Texas			
DFAS	Red River Army Depot	DFAS Facility .....	16,715	16,715
DISA	Illinois			
DISA	Scott AFB	DISA Facility Upgrades .....	84,111	84,111
DISA	Germany			
DISA	Stuttgart-Patch Barracks	DISA Europe Facility Upgrades .....	2,413	2,413
DLA	Arizona			
DLA	Yuma	Truck Unload Facility .....	1,300	1,300

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	California			
DLA	Def Fuel Support Point—San Diego	Replace Fuel Pier .....	91,563	91,563
DLA	Edwards Air Force Base	Replace Fuel Storage .....	27,500	27,500
	Delaware			
DLA	Dover AFB	Replace Truck Off-Load Facility .....	2,000	2,000
	Florida			
DLA	Hurlburt Field	Construct Fuel Storage Facility .....	16,000	16,000
	Indiana			
DLA	Grissom ARB	Replace Hydrant Fuel System .....	26,800	26,800
	Louisiana			
DLA	Barksdale AFB	Upgrade Pumphouse .....	11,700	11,700
	North Carolina			
DLA	Seymour Johnson AFB	Replace Pipeline .....	1,850	1,850
	Pennsylvania			
DLA	Def Dist Depot New Cumberland	Replace Sewage Treatment Plant .....	6,300	6,300
DLA	Def Dist Depot New Cumberland	Replace Communications Building .....	6,800	6,800
DLA	Def Dist Depot New Cumberland	Replace Reservoir .....	4,300	4,300
	Guam			
DLA	Andersen AFB	Upgrade Fuel Pipeline .....	67,500	0
	Guantanamo Bay, Cuba			
DLA	Guantanamo Bay	Replace Truck Load Facility .....	2,600	2,600
DLA	Guantanamo Bay	Replace Fuel Pier .....	37,600	37,600
	Kentucky			
DODEA	Fort Campbell, Kentucky	Replace Barkley Elementary School .....	41,767	41,767
	Germany			
DODEA	Vogelweh	Replace Vogelweh Elementary School .....	61,415	61,415
DODEA	Weisbaden	Weisbaden High School Addition .....	52,178	52,178
	Japan			
DODEA	Camp Zama	Renovate Zama High School .....	13,273	13,273
DODEA	Kadena AB	Replace Elementary School .....	71,772	71,772
DODEA	Kadena AB	Replace Stearley Heights Elementary School .....	71,773	71,773
DODEA	Zukeran	Replace Zukeran Elementary School .....	79,036	79,036
DODEA	Sasebo	Replace Sasebo Elementary School .....	35,733	35,733
	Korea			
DODEA	Osan AFB	Replace Osan Elementary School .....	42,692	42,692
	United Kingdom			
DODEA	RAF Feltwell	Feltwell Elementary School Addition .....	30,811	30,811
DODEA	Menwith Hill Station	Replace Menwith Hill Elementary/High School .....	46,488	46,488
	New York			
MDA	Fort Drum, New York	IDT Complex .....	25,900	25,900
	Romania			
MDA	Deveselu, Romania	Aegis Ashore Missile Defense System Complex .....	157,900	157,900
	Colorado			
NSA	Buckley Air Force Base	Denver Power House .....	30,000	30,000
	Maryland			
NSA	Fort Meade	NSAW Recapitalize Building #1/Site M Inc 1 .....	25,000	25,000
NSA	Fort Meade	High Performance Computing Center Inc 2 .....	300,521	225,521
	Utah			
NSA	Camp Williams	IC CNCI Data Center 1 Inc 4 .....	191,414	191,414
	United Kingdom			
NSA	Menwith Hill Station	MHS Utilities and Roads .....	3,795	3,795
	California			
SOCOM	Coronado	SOF Indoor Dynamic Shooting Facility .....	31,170	31,170
SOCOM	Coronado	SOF Close Quarters Combat/Dynamic Shoot Fac .....	13,969	13,969
SOCOM	Coronado	SOF Mobile Comm Detachment Support Facility .....	10,120	10,120
	Colorado			
SOCOM	Fort Carson, Colorado	SOF Battalion Operations Complex .....	56,673	56,673
	Florida			
SOCOM	Eglin AFB	SOF AVFID Ops and Maintenance Facilities .....	41,695	41,695
SOCOM	Macdill AFB	SOF Joint Special Ops University Fac (JSOU) .....	34,409	34,409
	Hawaii			
SOCOM	Joint Base Pearl Harbor-Hickam	SOF SDVT-1 Waterfront Operations Facility .....	24,289	24,289
	Kentucky			
SOCOM	Fort Campbell, Kentucky	SOF Landgraf Hangar Extension .....	3,559	3,559
SOCOM	Fort Campbell, Kentucky	SOF Ground Support Battalion .....	26,313	26,313
	New Mexico			
SOCOM	Cannon AFB	SOF AC-130J Combat Parking Apron .....	22,062	22,062
	North Carolina			
SOCOM	Camp Lejeune, North Carolina	SOF Marine Battalion Company/Team Facilities .....	53,399	53,399
SOCOM	Camp Lejeune, North Carolina	SOF Survival Evasion Resist. Escape Tng Fac .....	5,465	5,465
SOCOM	Fort Bragg	SOF Support Addition .....	3,875	3,875
SOCOM	Fort Bragg	SOF Battalion Operations Facility .....	40,481	50,481
SOCOM	Fort Bragg	SOF Civil Affairs Battalion Complex .....	31,373	41,373
SOCOM	Fort Bragg	SOF Sustainment Brigade Complex .....	24,693	34,693
	Virginia			
SOCOM	Joint Exp Base Little Creek—Story	SOF Combat Services Support Facility—East .....	11,132	11,132
	Washington			
SOCOM	Fort Lewis	SOF Military Working Dog Kennel .....	3,967	3,967
SOCOM	Fort Lewis	SOF Battalion Operations Facility .....	46,553	46,553
	Conus Classified			
SOCOM	Classified Location	SOF Parachute Training Facility .....	6,477	6,477
	United Kingdom			
SOCOM	RAF Mildenhall	SOF CV-22 Simulator Facility .....	6,490	6,490



SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
TMA	California Twentynine Palms, California	Medical Clinic Replacement .....	27,400	27,400
TMA	Colorado Pikes Peak	High Altitude Medical Research Lab .....	3,600	3,600
TMA	Illinois Great Lakes	Drug Laboratory Replacement .....	28,700	28,700
TMA	Scott AFB	Medical Logistics Warehouse .....	2,600	2,600
TMA	Maryland Annapolis	Health Clinic Replacement .....	66,500	66,500
TMA	Bethesda Naval Hospital	Temporary Medical Facilities .....	26,600	26,600
TMA	Bethesda Naval Hospital	Base Installation Access/Appearance Plan .....	7,000	0
TMA	Bethesda Naval Hospital	Electrical Capacity and Cooling Towers .....	35,600	35,600
TMA	Fort Detrick	USAMRIID Stage I, Incr 7 .....	19,000	19,000
TMA	Missouri Fort Leonard Wood	Dental Clinic .....	18,100	18,100
TMA	New Mexico Cannon AFB	Medical/Dental Clinic Replacement .....	71,023	71,023
TMA	New York Fort Drum, New York	Soldier Specialty Care Clinic .....	17,300	17,300
TMA	North Carolina Camp Lejeune, North Carolina	Medical Clinic Replacement .....	21,200	21,200
TMA	Seymour Johnson AFB	Medical Clinic Replacement .....	53,600	53,600
TMA	South Carolina Shaw AFB	Medical Clinic Replacement .....	57,200	57,200
TMA	Texas Fort Bliss	Hospital Replacement Incr 4 .....	207,400	107,400
TMA	Joint Base San Antonio	Ambulatory Care Center Phase 3 Incr .....	80,700	80,700
TMA	Virginia Norfolk	Veterinary Facility Replacement .....	8,500	8,500
TMA	Germany Rhine Ordnance Barracks	Medical Center Replacement Incr 2 .....	127,000	127,000
TMA	Korea Kunsan Air Base	Medical/Dental Clinic Addition .....	13,000	13,000
TMA	Osan AFB	Hospital Addition/Alteration .....	34,600	34,600
DEFW	Worldwide Unspec Unspecified Worldwide Locations	Unspecified Minor Construction .....	3,000	3,000
DLA	Unspecified Worldwide Locations	Unspecified Minor Construction .....	7,254	7,254
DODEA	Unspecified Worldwide Locations	Unspecified Minor Construction .....	4,091	4,091
NSA	Unspecified Worldwide Locations	Unspecified Minor Milcon .....	3,000	3,000
SOCOM	Unspecified Worldwide Locations	Unspecified Minor Const .....	10,000	10,000
TJS	Unspecified Worldwide Locations	Exercise Related Minor Construction .....	6,440	6,440
TMA	Unspecified Worldwide Locations	Minor Construction .....	5,000	5,000
DEFW	Unspecified Worldwide Locations	Planning and Design .....	47,978	47,978
DIA	Unspecified Worldwide Locations	Planning and Design .....	2,919	2,919
DLA	Unspecified Worldwide Locations	Planning & Design .....	5,000	5,000
DODEA	Unspecified Worldwide Locations	Planning and Design .....	105,569	105,569
MDA	Unspecified Worldwide Locations	Planning and Design .....	4,548	4,548
NSA	Unspecified Worldwide Locations	Planning and Design .....	8,300	8,300
SOCOM	Unspecified Worldwide Locations	Planning and Design .....	27,620	27,620
TMA	Unspecified Worldwide Locations	Planning and Design .....	105,700	105,700
WHS	Unspecified Worldwide Locations	Planning and Design .....	7,928	7,928
<b>Milcon,Def-Wide—SUBTOTAL .....</b>			<b>3,654,623</b>	<b>3,435,123</b>
<b>Services MILCON—TOTAL .....</b>			<b>7,668,131</b>	<b>7,004,217</b>
<b>MCon,Army NG</b>				
ARMY, NG	Alabama Fort McClellan	Live Fire Shoot House .....	5,400	5,400
ARMY, NG	Arkansas Searcy	Field Maintenance Shop .....	6,800	6,800
ARMY, NG	California Fort Irwin	Maneuver Area Training & Equipment Site Ph3 .....	25,000	25,000
ARMY, NG	Connecticut Camp Hartell	Combined Support Maintenance Shop .....	32,000	32,000
ARMY, NG	Delaware Bethany Beach	Regional Training Institute Ph1 .....	5,500	5,500
ARMY, NG	Florida Camp Blanding	Combined Arms Collective Training Fac .....	9,000	9,000
ARMY, NG	Miramar	Readiness Center .....	20,000	20,000
ARMY, NG	Hawaii Kapolei	Army Aviation Support Facility Ph1 .....	28,000	28,000
ARMY, NG	Idaho Orchard Training Area	ORTC(Barracks)Ph2 .....	40,000	40,000
ARMY, NG	Indiana South Bend	Armed Forces Reserve Center Add/Ait .....	21,000	21,000
ARMY, NG	Terre Haute	Field Maintenance Shop .....	9,000	9,000
ARMY, NG	Iowa Camp Dodge	Urban Assault Course .....	3,000	3,000
ARMY, NG	Kansas Topeka	Taxiway, Ramp & Hangar Alterations .....	9,500	9,500
ARMY, NG	Kentucky Frankfort	Army Aviation Support Facility .....	32,000	32,000
ARMY, NG	Massachusetts			

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY, NG	Camp Edwards Minnesota	Unit Training Equipment Site .....	22,000	22,000
ARMY, NG	Camp Ripley	Scout Reconnaissance Range .....	17,000	17,000
ARMY, NG	St Paul Missouri	Readiness Center .....	17,000	17,000
ARMY, NG	Fort Leonard Wood	Regional Training Institute .....	18,000	18,000
ARMY, NG	Kansas City	Readiness Center Add/Alt .....	1,900	1,900
ARMY, NG	Monett	Readiness Center Add/Alt .....	820	820
ARMY, NG	Perryville Montana	Readiness Center Add/Alt .....	700	700
ARMY, NG	Miles City New Jersey	Readiness Center .....	11,000	11,000
ARMY, NG	Sea Girt New York	Regional Training Institute .....	34,000	34,000
ARMY, NG	Stormville Ohio	Combined Support Maint Shop Ph1 .....	24,000	24,000
ARMY, NG	Chillicothe	Field Maintenance Shop Add/Alt .....	3,100	3,100
ARMY, NG	Delaware	Readiness Center .....	12,000	12,000
ARMY, NG	Oklahoma Camp Gruber	Operations Readiness Training Complex .....	25,000	25,000
ARMY, NG	Utah Camp Williams	BEQ Facility (Regional Training Institute) .....	15,000	15,000
ARMY, NG	Camp Williams Washington	Regional Training Institute Ph2 .....	21,000	21,000
ARMY, NG	Fort Lewis West Virginia	Readiness Center .....	35,000	35,000
ARMY, NG	Logan Wisconsin	Readiness Center .....	14,200	14,200
ARMY, NG	Wausau Guam	Field Maintenance Shop .....	10,000	10,000
ARMY, NG	Barrigada Puerto Rico	JFHQ Ph4 .....	8,500	8,500
ARMY, NG	Camp Santiago	Readiness Center .....	3,800	3,800
ARMY, NG	Ceiba	Refill Station Building .....	2,200	2,200
ARMY, NG	Guaynabo	Readiness Center (JFHQ) .....	15,000	15,000
ARMY, NG	Gurabo	Readiness Center .....	14,700	14,700
ARMY, NG	Worldwide Unspec			
ARMY, NG	Unspecified Worldwide Locations	Unspecified Minor Construction .....	15,057	15,057
ARMY, NG	Unspecified Worldwide Locations	Planning and Design .....	26,622	26,622
<b>MCon,Army NG—Subtotal .....</b>			<b>613,799</b>	<b>613,799</b>
<b>MCon,Air NG</b>				
AF, NG	California Fresno Yosemite IAP ANG	F-15 Conversion .....	11,000	11,000
AF, NG	Hawaii Joint Base Pearl Harbor-Hickam	TFI—F-22 Combat Apron Addition .....	6,500	6,500
AF, NG	New Mexico Kirtland AFB	Alter Target Intelligence Facility .....	8,500	8,500
AF, NG	Wyoming Cheyenne Map	C-130 Flight Simulator Training Facility .....	6,486	6,486
AF, NG	Worldwide Unspec			
AF, NG	Various Worldwide Locations	Unspecified Minor Construction .....	5,900	5,900
AF, NG	Various Worldwide Locations	Planning and Design .....	4,000	4,000
<b>MCon,Air NG—Subtotal .....</b>			<b>42,386</b>	<b>42,386</b>
<b>NG MILCON—TOTAL .....</b>			<b>656,185</b>	<b>656,185</b>
<b>MCon,A Res</b>				
ARMY, RESERVE	California Fort Hunter Liggett	ORTC .....	64,000	64,000
ARMY, RESERVE	Fort Hunter Liggett	UPH Barracks .....	4,300	4,300
ARMY, RESERVE	Tustin Illinois	Army Reserve Center .....	27,000	27,000
ARMY, RESERVE	Fort Sheridan Maryland	Army Reserve Center .....	28,000	28,000
ARMY, RESERVE	Aberdeen Proving Ground	Army Reserve Center .....	21,000	21,000
ARMY, RESERVE	Baltimore	Add/Alt Army Reserve Center .....	10,000	10,000
ARMY, RESERVE	Massachusetts Devens Reserve Forces Training Area	Automatic Record Fire Range .....	4,800	4,800
ARMY, RESERVE	Devens Reserve Forces Training Area	Combat Pistol/MP Firearms Qualification .....	3,700	3,700
ARMY, RESERVE	Nevada Las Vegas	Army Reserve Center/AMSA .....	21,000	21,000
ARMY, RESERVE	New Jersey Joint Base McGuire-Dix-Lakehurst	Automated Infantry Squad Battle Course .....	7,400	7,400
ARMY, RESERVE	Washington Joint Base Lewis-McChord	Army Reserve Center .....	40,000	40,000
ARMY, RESERVE	Wisconsin Fort McCoy	Central Issue Facility .....	12,200	12,200
ARMY, RESERVE	Fort McCoy	Dining Facility .....	8,600	8,600
ARMY, RESERVE	Fort McCoy	ECS Tactical Equip. Maint. Facility (TEMF) .....	27,000	27,000
ARMY, RESERVE	Worldwide Unspec			
ARMY, RESERVE	Unspecified Worldwide Locations	Unspecified Minor Construction .....	10,895	10,895

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY, RESERVE	Unspecified Worldwide Locations	Planning and Design .....	15,951	15,951
<b>MCon,A Res—Subtotal .....</b>			<b>305,846</b>	<b>305,846</b>
<b>Milcon, Naval Res</b>				
NAVY, RESERVE	Arizona Yuma	Reserve Training Facility—Yuma AZ .....	5,379	5,379
NAVY, RESERVE	Iowa Fort Des Moines	Joint Reserve Center—Des Moines IA .....	19,162	19,162
NAVY, RESERVE	Louisiana New Orleans	Transient Quarters .....	7,187	7,187
NAVY, RESERVE	New York Brooklyn	Vehicle Maint. Fac.—Brooklyn NY .....	4,430	4,430
NAVY, RESERVE	Texas Fort Worth	Commercial Vehicle Inspection Site .....	11,256	11,256
NAVY, RESERVE	Worldwide Unspec Unspecified Worldwide Locations	Planning and Design .....	2,118	2,118
<b>Milcon, Naval Res—Subtotal .....</b>			<b>49,532</b>	<b>49,532</b>
<b>MCon,AF Res</b>				
AF, RESERVE	New York Niagara Falls IAP	Flight Simulator Facility .....	6,100	6,100
AF, RESERVE	Worldwide Unspec Various Worldwide Locations	Unspecified Minor Construction .....	2,000	2,000
AF, RESERVE	Various Worldwide Locations	Planning and Design .....	2,879	2,879
<b>MCon,AF Res—Subtotal .....</b>			<b>10,979</b>	<b>10,979</b>
<b>Reserve Milcon—TOTAL .....</b>			<b>366,357</b>	<b>366,357</b>
<b>MILCON Major Accounts—TOTAL .....</b>			<b>8,690,673</b>	<b>8,026,759</b>
<b>Chem-Demil</b>				
Chem Demil	Colorado Pueblo Depot	Ammunition Demilitarization Facility, Ph XIV .....	36,000	36,000
Chem Demil	Kentucky Blue Grass Army Depot	Ammunition Demilitarization Ph XIII .....	115,000	115,000
<b>ChemDemil / NSIP—Total .....</b>			<b>151,000</b>	<b>151,000</b>
<b>NSIP</b>				
NSIP	Worldwide Unspec NATO Security Investment Program	NATO Security Investment Program .....	254,163	254,163
<b>NATO Security Investment Program .....</b>			<b>254,163</b>	<b>254,163</b>
<b>Army Fam Housing</b>				
FH Const,A	Worldwide Unspec Unspecified Worldwide Locations	Family Housing P&D .....	4,641	4,641
<b>Army Fam Hsg Construction—Subtotal .....</b>			<b>4,641</b>	<b>4,641</b>
FH Op&Dt,A	Worldwide Unspec Unspecified Worldwide Locations	Utilities Account .....	88,112	88,112
FH Op&Dt,A	Unspecified Worldwide Locations	Services Account .....	13,487	13,487
FH Op&Dt,A	Unspecified Worldwide Locations	Management Account .....	56,970	56,970
FH Op&Dt,A	Unspecified Worldwide Locations	Miscellaneous Account .....	620	620
FH Op&Dt,A	Unspecified Worldwide Locations	Furnishings Account .....	31,785	31,785
FH Op&Dt,A	Unspecified Worldwide Locations	Leasing .....	203,533	203,533
FH Op&Dt,A	Unspecified Worldwide Locations	Maintenance of Real Property .....	109,534	109,534
FH Op&Dt,A	Unspecified Worldwide Locations	Privatization Support Costs .....	26,010	26,010
<b>Army Fam Hsg O&amp;M—Subtotal .....</b>			<b>530,051</b>	<b>530,051</b>
<b>Army Fam Hsg—TOTAL .....</b>			<b>534,692</b>	<b>534,692</b>
<b>Navy Fam Housing</b>				
FH Const,N	Worldwide Unspec Unspecified Worldwide Locations	Improvements .....	97,655	97,655
FH Const,N	Unspecified Worldwide Locations	Design .....	4,527	4,527
<b>Navy Fam Hsg Construction—Subtotal .....</b>			<b>102,182</b>	<b>102,182</b>
FH Op&Dt,N	Worldwide Unspec Unspecified Worldwide Locations	Utilities Account .....	80,860	80,860
FH Op&Dt,N	Unspecified Worldwide Locations	Furnishings Account .....	17,697	17,697
FH Op&Dt,N	Unspecified Worldwide Locations	Management Account .....	62,741	62,741
FH Op&Dt,N	Unspecified Worldwide Locations	Miscellaneous Account .....	491	491
FH Op&Dt,N	Unspecified Worldwide Locations	Services Account .....	19,615	19,615
FH Op&Dt,N	Unspecified Worldwide Locations	Leasing .....	83,774	83,774
FH Op&Dt,N	Unspecified Worldwide Locations	Maintenance of Real Property .....	85,254	85,254
FH Op&Dt,N	Unspecified Worldwide Locations	Privatization Support Costs .....	27,798	27,798

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
<b>Navy Fam Hsg O&amp;M—Subtotal</b>			<b>378,230</b>	<b>378,230</b>
<b>Navy Fam Hsg—TOTAL</b>			<b>480,412</b>	<b>480,412</b>
<b>AF Fam Housing</b>				
	Worldwide Unspec			
FH Con,AF	Unspecified Worldwide Locations	Improvements	79,571	79,571
FH Con,AF	Unspecified Worldwide Locations	Planning and Design	4,253	4,253
<b>AF Fam Hsg Construction—Subtotal</b>			<b>83,824</b>	<b>83,824</b>
	Worldwide Unspec			
FH Op&Dt,AF	Unspecified Worldwide Locations	Utilities Account	75,662	75,662
FH Op&Dt,AF	Unspecified Worldwide Locations	Management Account	55,002	55,002
FH Op&Dt,AF	Unspecified Worldwide Locations	Services Account	16,550	16,550
FH Op&Dt,AF	Unspecified Worldwide Locations	Furnishings Account	37,878	37,878
FH Op&Dt,AF	Unspecified Worldwide Locations	Miscellaneous Account	1,943	1,943
FH Op&Dt,AF	Unspecified Worldwide Locations	Leasing	62,730	62,730
FH Op&Dt,AF	Unspecified Worldwide Locations	Maintenance (RPMA RPMC)	201,937	201,937
FH Op&Dt,AF	Unspecified Worldwide Locations	Housing Privatization	46,127	46,127
<b>AF Fam Hsg O&amp;M—Subtotal</b>			<b>497,829</b>	<b>497,829</b>
<b>AF Fam Hsg—TOTAL</b>			<b>581,653</b>	<b>581,653</b>
<b>Def-Wide Fam Housing</b>				
	Worldwide Unspec			
FH Op&Dt,D-W	Unspecified Worldwide Locations	Utilities Account	283	283
FH Op&Dt,D-W	Unspecified Worldwide Locations	Utilities Account	12	12
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	4,660	4,660
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	20	20
FH Op&Dt,D-W	Unspecified Worldwide Locations	Services Account	31	31
FH Op&Dt,D-W	Unspecified Worldwide Locations	Management Account	371	371
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	66	66
FH Op&Dt,D-W	Unspecified Worldwide Locations	Leasing	35,333	35,333
FH Op&Dt,D-W	Unspecified Worldwide Locations	Leasing	10,822	10,822
FH Op&Dt,D-W	Unspecified Worldwide Locations	Maintenance of Real Property	567	567
FH Op&Dt,D-W	Unspecified Worldwide Locations	Maintenance of Real Property	73	73
<b>DefWide Fam Hsg O&amp;M—Subtotal</b>			<b>52,238</b>	<b>52,238</b>
<b>DoD FH Imprv Fd</b>				
	Worldwide Unspec			
DoD FH Imprv Fd	Unspecified Worldwide Locations	Family Housing Improvement Fund	1,786	1,786
<b>DoD Fam Hsg Imprv Fd—Subtotal</b>			<b>1,786</b>	<b>1,786</b>
<b>FAM HSG—TOTAL</b>			<b>1,650,781</b>	<b>1,650,781</b>
<b>BRAC IV</b>				
	Worldwide Unspec			
BRAC, A	Base Realignment & Closure, Army	Base Realignment & Closure	79,893	79,893
BRAC, N	Base Realignment & Closure, Navy	Base Realignment & Closure	146,951	146,951
BRAC, AF	Base Realignment & Closure, AF	Base Realignment & Closure	122,552	122,552
<b>BRAC IV—TOTAL</b>			<b>349,396</b>	<b>349,396</b>
<b>2005 BRAC</b>				
<b>ARMY BRAC</b>				
	Worldwide Unspec			
BRAC—Army	Unspecified Worldwide Locations	USA—121: Fort Gillem, GA	4,976	4,976
BRAC—Army	Unspecified Worldwide Locations	USA—222: Fort McPherson, GA	6,772	6,772
BRAC—Army	Unspecified Worldwide Locations	Program Management Various Locations	20,453	20,453
BRAC—Army	Unspecified Worldwide Locations	USA—223: Fort Monmouth, NJ	9,989	9,989
BRAC—Army	Unspecified Worldwide Locations	USA—36: Red River Army Depot	1,385	1,385
BRAC—Army	Unspecified Worldwide Locations	USA—113: Fort Monroe, VA	12,184	12,184
BRAC—Army	Unspecified Worldwide Locations	USA—236: RC Transformation in CT	557	557
BRAC—Army	Unspecified Worldwide Locations	USA—242: RC Transformation in NY	172	172
BRAC—Army	Unspecified Worldwide Locations	USA—253: RC Transformation in PA	100	100
BRAC—Army	Unspecified Worldwide Locations	USA—212: USAR Cmd & Cntrl—New England	222	222
BRAC—Army	Unspecified Worldwide Locations	USA—167: USAR Command and Control—NE	175	175
BRAC—Army	Unspecified Worldwide Locations	IND—112: River Bank Army Ammo Plant, CA	22,431	22,431
BRAC—Army	Unspecified Worldwide Locations	IND—119: Newport Chemical Depot, IN	197	197
BRAC—Army	Unspecified Worldwide Locations	IND—106: Kansas Army Ammunition Plant, KS	7,280	7,280
BRAC—Army	Unspecified Worldwide Locations	IND—110: Mississippi Army Ammo Plant, MS	160	160
BRAC—Army	Unspecified Worldwide Locations	IND—122: Lone Star Army Ammo Plant, TX	11,379	11,379
BRAC—Army	Unspecified Worldwide Locations	MED—2: Walter Reed NMMC, Bethesda, MD	7,787	7,787
<b>BRAC—Army—Subtotal</b>			<b>106,219</b>	<b>106,219</b>
<b>NAVY BRAC</b>				
	Worldwide Unspec			
BRAC—Navy	Unspecified Worldwide Locations	DON—172: NWS Seal Beach, Concord, CA	2,129	2,129
BRAC—Navy	Unspecified Worldwide Locations	DON—138: NAS Brunswick, ME	4,897	4,897
BRAC—Navy	Unspecified Worldwide Locations	DON—157: MCSA Kansas City, MO	39	39

SEC. 4601. MILITARY CONSTRUCTION  
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
BRAC—Navy	Unspecified Worldwide Locations	DON—84: JRB Willow Grove & Cambria Reg AP .....	189	189
BRAC—Navy	Unspecified Worldwide Locations	DON—168: NS Newport, RI .....	1,742	1,742
BRAC—Navy	Unspecified Worldwide Locations	DON—100: Planning, Design and Management .....	5,038	5,038
BRAC—Navy	Unspecified Worldwide Locations	DON—101: Various Locations .....	4,176	4,176
<b>BRAC—Navy—Subtotal .....</b>			<b>18,210</b>	<b>18,210</b>
<b>AF BRAC</b>				
	Worldwide Unspec			
BRAC—Air Force	Unspecified Worldwide Locations	Program Management Various Locations .....	605	605
BRAC—Air Force	Unspecified Worldwide Locations	MED—57: Brooks City Base, TX .....	326	326
BRAC—Air Force	Unspecified Worldwide Locations	Comm Add 3: Galena Fol, AK .....	1,337	1,337
<b>BRAC—Air Force—Subtotal .....</b>			<b>2,268</b>	<b>2,268</b>
<b>BRAC 2005—TOTAL .....</b>			<b>126,697</b>	<b>126,697</b>
<b>BRAC IV + BRAC 2005—TOTAL .....</b>			<b>476,093</b>	<b>476,093</b>
<b>MILCON GRAND TOTAL .....</b>			<b>11,222,710</b>	<b>10,558,796</b>

**TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
<b>Discretionary Summary By Appropriation</b>		
<b>Energy And Water Development, And Related Agencies</b>		
<b>Appropriation Summary:</b>		
<b>Energy Programs</b>		
Electricity delivery and energy reliability .....	6,000	0
<b>Atomic Energy Defense Activities</b>		
<b>National nuclear security administration:</b>		
Weapons activities .....	7,577,341	7,602,341
Defense nuclear nonproliferation .....	2,458,631	2,458,631
Naval reactors .....	1,088,635	1,126,621
Office of the administrator .....	411,279	386,279
<b>Total, National nuclear security administration .....</b>	<b>11,535,886</b>	<b>11,573,872</b>
<b>Environmental and other defense activities:</b>		
Defense environmental cleanup .....	5,472,001	5,009,001
Other defense activities .....	735,702	735,702
<b>Total, Environmental &amp; other defense activities .....</b>	<b>6,207,703</b>	<b>5,744,703</b>
<b>Total, Atomic Energy Defense Activities .....</b>	<b>17,743,589</b>	<b>17,318,575</b>
<b>Total, Discretionary Funding .....</b>	<b>17,749,589</b>	<b>17,318,575</b>
<b>Electricity Delivery &amp; Energy Reliability</b>		
<b>Electricity Delivery &amp; Energy Reliability</b>		
Infrastructure security & energy restoration .....	6,000	0
<b>Weapons Activities</b>		
<b>Directed stockpile work</b>		
<b>Life extension programs</b>		
B61 Life extension program .....	369,000	369,000
W76 Life extension program .....	174,931	174,931
<b>Total, Life extension programs .....</b>	<b>543,931</b>	<b>543,931</b>
<b>Stockpile systems</b>		
B61 Stockpile systems .....	72,364	72,364
W76 Stockpile systems .....	65,445	90,445
W78 Stockpile systems .....	139,207	139,207
W80 Stockpile systems .....	46,540	46,540
B83 Stockpile systems .....	57,947	57,947
W87 Stockpile systems .....	85,689	85,689
W88 Stockpile systems .....	123,217	123,217
<b>Total, Stockpile systems .....</b>	<b>590,409</b>	<b>615,409</b>
<b>Weapons dismantlement and disposition</b>		
Operations and maintenance .....	51,265	51,265
<b>Stockpile services</b>		
Production support .....	365,405	365,405
Research and development support .....	28,103	28,103

## TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS—Continued

## SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
R&D certification and safety .....	191,632	191,632
Management, technology, and production .....	175,844	175,844
Plutonium sustainment .....	141,685	141,685
<b>Total, Stockpile services .....</b>	<b>902,669</b>	<b>902,669</b>
<b>Total, Directed stockpile work .....</b>	<b>2,088,274</b>	<b>2,113,274</b>
<b>Campaigns:</b>		
<b>Science campaign</b>		
Advanced certification .....	44,104	44,104
Primary assessment technologies .....	94,000	94,000
Dynamic materials properties .....	97,000	97,000
Advanced radiography .....	30,000	30,000
Secondary assessment technologies .....	85,000	85,000
<b>Total, Science campaign .....</b>	<b>350,104</b>	<b>350,104</b>
<b>Engineering campaign</b>		
Enhanced surety .....	46,421	46,421
Weapon systems engineering assessment technology .....	18,983	18,983
Nuclear survivability .....	21,788	21,788
Enhanced surveillance .....	63,379	63,379
<b>Total, Engineering campaign .....</b>	<b>150,571</b>	<b>150,571</b>
<b>Inertial confinement fusion ignition and high yield campaign</b>		
Diagnostics, cryogenics and experimental support .....	81,942	81,942
Ignition .....	84,172	84,172
Support of other stockpile programs .....	14,817	14,817
Pulsed power inertial confinement fusion .....	6,044	6,044
Joint program in high energy density laboratory plasmas .....	8,334	8,334
Facility operations and target production .....	264,691	264,691
<b>Total, Inertial confinement fusion and high yield campaign .....</b>	<b>460,000</b>	<b>460,000</b>
Advanced simulation and computing campaign .....	600,000	600,000
<b>Readiness Campaign</b>		
Nonnuclear readiness .....	64,681	64,681
Tritium readiness .....	65,414	65,414
<b>Total, Readiness campaign .....</b>	<b>130,095</b>	<b>130,095</b>
<b>Total, Campaigns .....</b>	<b>1,690,770</b>	<b>1,690,770</b>
<b>Readiness in technical base and facilities (RTBF)</b>		
<b>Operations of facilities</b>		
Kansas City Plant .....	163,602	163,602
Lawrence Livermore National Laboratory .....	89,048	89,048
Los Alamos National Laboratory .....	335,978	335,978
Nevada National Security Site .....	115,697	115,697
Pantex .....	172,020	172,020
Sandia National Laboratory .....	167,384	167,384
Savannah River Site .....	120,577	120,577
Y-12 National security complex .....	255,097	255,097
<b>Total, Operations of facilities .....</b>	<b>1,419,403</b>	<b>1,419,403</b>
Science, technology and engineering capability support .....	166,945	166,945
Nuclear operations capability support .....	203,346	203,346
<b>Subtotal, Readiness in technical base and facilities .....</b>	<b>1,789,694</b>	<b>1,789,694</b>
<b>Construction:</b>		
13-D-301 Electrical infrastructure upgrades, LANL/LLNL .....	23,000	23,000
12-D-301 TRU waste facilities, LANL .....	24,204	24,204
11-D-801 TA-55 Reinvestment project, LANL .....	8,889	8,889
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, TN .....	17,909	17,909
09-D-404 Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM .....	11,332	11,332
08-D-802 High explosive pressing facility Pantex Plant, Amarillo, TX .....	24,800	24,800
06-D-141 PED/Construction, UPFY-12, Oak Ridge, TN .....	340,000	0
06-D-141 PED/Construction, UPFY-12, Phase I, Oak Ridge, TN .....	0	340,000
<b>Total, Construction .....</b>	<b>450,134</b>	<b>450,134</b>
<b>Total, Readiness in technical base and facilities .....</b>	<b>2,239,828</b>	<b>2,239,828</b>
<b>Secure transportation asset</b>		
Operations and equipment .....	114,965	114,965
Program direction .....	104,396	104,396
<b>Total, Secure transportation asset .....</b>	<b>219,361</b>	<b>219,361</b>

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS—Continued

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
Nuclear counterterrorism incident response .....	247,552	247,552
<b>Site stewardship</b>		
Operations and maintenance .....	90,001	90,001
<b>Total, Site stewardship .....</b>	<b>90,001</b>	<b>90,001</b>
<b>Defense nuclear security</b>		
Operations and maintenance .....	643,285	643,285
NNSA CIO activities .....	155,022	155,022
Legacy contractor pensions .....	185,000	185,000
National security applications .....	18,248	18,248
<b>Subtotal, Weapons activities .....</b>	<b>7,577,341</b>	<b>7,602,341</b>
<b>Total, Weapons Activities .....</b>	<b>7,577,341</b>	<b>7,602,341</b>
<b>Defense Nuclear Nonproliferation</b>		
<b>Nonproliferation and verification R&amp;D</b>		
Operations and maintenance .....	398,186	398,186
Domestic Enrichment R&D .....	150,000	150,000
<b>Subtotal, Nonproliferation and verification R&amp;D .....</b>	<b>548,186</b>	<b>548,186</b>
<b>Nonproliferation and international security .....</b>	<b>150,119</b>	<b>150,119</b>
<b>International nuclear materials protection and cooperation .....</b>	<b>311,000</b>	<b>311,000</b>
<b>Fissile materials disposition</b>		
<b>U.S. surplus fissile materials disposition</b>		
<b>Operations and maintenance</b>		
U.S. plutonium disposition .....	498,979	498,979
U.S. uranium disposition .....	29,736	29,736
<b>Total, Operations and maintenance .....</b>	<b>528,715</b>	<b>528,715</b>
<b>Construction:</b>		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC .....	388,802	388,802
<b>Total, Construction .....</b>	<b>388,802</b>	<b>388,802</b>
<b>Total, U.S. surplus fissile materials disposition .....</b>	<b>917,517</b>	<b>917,517</b>
Russian surplus fissile materials disposition .....	3,788	3,788
<b>Total, Fissile materials disposition .....</b>	<b>921,305</b>	<b>921,305</b>
Global threat reduction initiative .....	466,021	466,021
Legacy contractor pensions .....	62,000	62,000
<b>Subtotal, Defense Nuclear Nonproliferation .....</b>	<b>2,458,631</b>	<b>2,458,631</b>
<b>Total, Defense Nuclear Nonproliferation .....</b>	<b>2,458,631</b>	<b>2,458,631</b>
<b>Naval Reactors</b>		
Naval reactors development .....	418,072	418,072
Ohio replacement reactor systems development .....	89,700	127,686
S8G Prototype refueling .....	121,100	121,100
Naval reactors operations and infrastructure .....	366,961	366,961
<b>Construction:</b>		
13-D-905 Remote-handled low-level waste facility, INL .....	8,890	8,890
13-D-904 KS Radiological work and storage building, KSO .....	2,000	2,000
13-D-903, KS Prototype Staff Building, KSO .....	14,000	14,000
10-D-903, Security upgrades, KAPL .....	19,000	19,000
08-D-190 Expended Core Facility M-290 recovering discharge station,Naval Reactor Facility, ID .....	5,700	5,700
<b>Total, Construction .....</b>	<b>49,590</b>	<b>49,590</b>
Program direction .....	43,212	43,212
<b>Subtotal, Naval Reactors .....</b>	<b>1,088,635</b>	<b>1,126,621</b>
<b>Total, Naval Reactors .....</b>	<b>1,088,635</b>	<b>1,126,621</b>
<b>Office Of The Administrator</b>		
Office of the administrator .....	411,279	386,279
<b>Total, Office Of The Administrator .....</b>	<b>411,279</b>	<b>386,279</b>



## TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS—Continued

## SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
<b>Defense Environmental Cleanup</b>		
<b>Closure sites:</b>		
Closure sites administration .....	1,990	1,990
<b>Hanford site:</b>		
River corridor and other cleanup operations .....	389,347	389,347
Central plateau remediation .....	558,820	558,820
Richland community and regulatory support .....	15,156	15,156
<b>Total, Hanford site .....</b>	<b>963,323</b>	<b>963,323</b>
<b>Idaho National Laboratory:</b>		
Idaho cleanup and waste disposition .....	396,607	396,607
Idaho community and regulatory support .....	3,000	3,000
<b>Total, Idaho National Laboratory .....</b>	<b>399,607</b>	<b>399,607</b>
<b>NNSA sites</b>		
Lawrence Livermore National Laboratory .....	1,484	1,484
Nuclear facility D&D Separations Process Research Unit .....	24,000	24,000
Nevada .....	64,641	64,641
Sandia National Laboratories .....	5,000	5,000
Los Alamos National Laboratory .....	239,143	239,143
<b>Total, NNSA sites and Nevada off-sites .....</b>	<b>334,268</b>	<b>334,268</b>
<b>Oak Ridge Reservation:</b>		
Building 3019 .....	67,525	67,525
OR cleanup and disposition .....	109,470	109,470
OR reservation community and regulatory support .....	4,500	4,500
<b>Total, Oak Ridge Reservation .....</b>	<b>181,495</b>	<b>181,495</b>
<b>Office of River Protection:</b>		
<b>Waste treatment and immobilization plant</b>		
01-D-416 A-E/ORP-0060/Major construction .....	690,000	690,000
<b>Tank farm activities</b>		
Rad liquid tank waste stabilization and disposition .....	482,113	482,113
<b>Total, Office of River protection .....</b>	<b>1,172,113</b>	<b>1,172,113</b>
<b>Savannah River sites:</b>		
Savannah River risk management operations .....	444,089	444,089
SR community and regulatory support .....	16,584	16,584
<b>Radioactive liquid tank waste:</b>		
Radioactive liquid tank waste stabilization and disposition .....	698,294	698,294
<b>Construction:</b>		
05-D-405 Salt waste processing facility, Savannah River .....	22,549	22,549
<b>Total, Radioactive liquid tank waste .....</b>	<b>720,843</b>	<b>720,843</b>
<b>Total, Savannah River site .....</b>	<b>1,181,516</b>	<b>1,181,516</b>
<b>Waste Isolation Pilot Plant</b>		
Waste isolation pilot plant .....	198,010	198,010
<b>Total, Waste Isolation Pilot Plant .....</b>	<b>198,010</b>	<b>198,010</b>
Program direction .....	323,504	323,504
Program support .....	18,279	18,279
<b>Safeguards and Security:</b>		
Oak Ridge Reservation .....	18,817	18,817
Paducah .....	8,909	8,909
Portsmouth .....	8,578	8,578
Richland/Hanford Site .....	71,746	71,746
Savannah River Site .....	121,977	121,977
Waste Isolation Pilot Project .....	4,977	4,977
West Valley .....	2,015	2,015
<b>Total, Safeguards and Security .....</b>	<b>237,019</b>	<b>237,019</b>
Technology development .....	20,000	20,000
Uranium enrichment D&D fund contribution .....	463,000	0
<b>Subtotal, Defense environmental cleanup .....</b>	<b>5,494,124</b>	<b>5,031,124</b>

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS—Continued  
 SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
 (In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
<b>Adjustments</b>		
Use of prior year balances .....	-12,123	-12,123
Use of unobligated balances .....	-10,000	-10,000
<b>Total, Adjustments</b> .....	<b>-22,123</b>	<b>-22,123</b>
<b>Total, Defense Environmental Cleanup</b> .....	<b>5,472,001</b>	<b>5,009,001</b>
<b>Other Defense Activities</b>		
<b>Health, safety and security</b>		
Health, safety and security .....	139,325	139,325
Program direction .....	106,175	106,175
<b>Total, Health, safety and security</b> .....	<b>245,500</b>	<b>245,500</b>
Specialized security activities .....	188,619	188,619
<b>Office of Legacy Management</b>		
Legacy management .....	164,477	164,477
Program direction .....	13,469	13,469
<b>Total, Office of Legacy Management</b> .....	<b>177,946</b>	<b>177,946</b>
<b>Defense-related activities</b>		
Defense related administrative support .....	118,836	118,836
Office of hearings and appeals .....	4,801	4,801
<b>Subtotal, Other defense activities</b> .....	<b>735,702</b>	<b>735,702</b>
<b>Total, Other Defense Activities</b> .....	<b>735,702</b>	<b>735,702</b>

**SA 2787.** Ms. COLLINS (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:  
**SEC. 10. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.**

(a) PROGRAM REQUIRED.—The Secretary of Defense and the Attorney General shall jointly carry out a program (commonly referred to as a “prescription drug take-back program”) under which members of the Armed Forces and dependents of members of the Armed Forces may deliver controlled substances to military medical treatment facilities to be disposed of in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

(b) PROGRAM ELEMENTS.—The program required by subsection (a) shall provide for the following:

(1) The delivery of controlled substances under the program to such members of the Armed Forces, medical professionals, and other employees of the Department of Defense, and to such other acceptance mechanisms, as the Secretary and the Attorney General jointly specify for purposes of the program.

(2) Appropriate guidelines and procedures to prevent the diversion, misuse, theft, or loss of controlled substances delivered under the program.

**SA 2788.** Ms. COLLINS (for herself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other

purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ VETERANS ACCESS TO FEDERAL EXCESS AND SURPLUS PROPERTY.**

Section 549(c)(3) of title 40, United States Code, is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B)—

(A) in clause (viii), by adding “or” at the end; and

(B) by striking clause (x); and

(3) by adding at the end the following:

“(C) for purposes of providing services to veterans (as defined in section 101 of title 38), to an organization whose—

“(i) membership comprises substantially veterans; and

“(ii) representatives are recognized by the Secretary of Veterans Affairs under section 5902 of title 38.”.

**SA 2789.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the “Veterans Jobs Corps Act of 2012”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Veterans Jobs Corps.
- Sec. 3. Employment of veterans with the Federal Government.
- Sec. 4. Requirement that States recognize military experience of veterans when issuing licenses and credentials to veterans.

Sec. 5. Support for job searches of veterans through one-stop centers.

Sec. 6. State consideration of military training in granting certain State certifications and licenses as a condition on the receipt of funds for veterans employment and training.

Sec. 7. Study on value and utility of a skill credential registry.

Sec. 8. Minimum funding levels for disabled veterans’ outreach program specialists and local veterans’ employment representatives.

Sec. 9. Off-base transition training.

Sec. 10. Expansion of contracting goals and preferences of Department of Veterans Affairs to include small business concerns 100 percent but conditionally owned by veterans.

Sec. 11. Modification of treatment under contracting goals and preferences of Department of Veterans Affairs for small businesses owned by veterans of small businesses after death of disabled veteran owners.

Sec. 12. Treatment of businesses after deaths of servicemember-owners for purposes of Department of Veterans Affairs contracting goals and preferences.

Sec. 13. Special rule for treatment under contracting goals and preferences of Department of Veterans Affairs of small business concerns licensed in community property States.

Sec. 14. 100 percent continuous levy on payment to medicare providers and suppliers.

Sec. 15. Extension of modified pension for certain veterans covered by medicaid plans for services furnished by nursing facilities.

Sec. 16. Revocation or denial of passport in case of certain unpaid taxes.

Sec. 17. Time for payment of corporate estimated taxes.

Sec. 18. Scoring of budgetary effects.

## SEC. 2. VETERANS JOBS CORPS.

### (a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall, in cooperation with the Attorney General, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Homeland Security, the Secretary of the Interior, and the Commanding General of the United States Army Corps of Engineers, establish a veterans jobs corps to employ veterans—

(A) in conservation, resource management, and historic preservation projects on public lands and maintenance and improvement projects for cemeteries under the jurisdiction of the National Cemetery Administration; and

(B) as firefighters and law enforcement officers.

(2) ADVISORY INPUT.—The Secretary of Defense and the Secretary of Labor may provide the Secretary of Veterans Affairs with advice regarding the establishment of the veterans jobs corps.

(b) CONSERVATION, RESOURCE MANAGEMENT, HISTORIC PRESERVATION, AND CEMETERY MAINTENANCE AND IMPROVEMENT PROJECTS.—

(1) IN GENERAL.—As part of the veterans jobs corps, the Secretary of Veterans Affairs, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Interior, and the Commanding General of the United States Army Corps of Engineers shall—

(A) employ veterans to carry out projects described in subsection (a)(1); or

(B) award grants to, or enter into contracts with, State governments, local governments, tribal governments, or nongovernmental entities to employ veterans to carry out projects described in subsection (a)(1).

(2) PRIORITY.—In employing or awarding grants or contracts to employ veterans under this subsection, the Secretary of Veterans Affairs, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Interior, and the Commanding General of the United States Army Corps of Engineers shall give priority towards the employment of veterans who served on active duty in the Armed Forces on or after September 11, 2001.

(3) COORDINATION.—The Secretary of Veterans Affairs shall coordinate the activities of the Attorney General, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Interior, and the Commanding General of the United States Army Corps of Engineers to employ veterans as part of the veterans job corps.

(4) OVERSIGHT OF PROJECTS.—The secretaries referred to in paragraph (1) and the Commanding General of the United States Army Corps of Engineers shall each provide oversight of the projects for which they employ veterans under subparagraph (A) of such paragraph or award grants or enter into contracts under subparagraph (B) of such paragraph.

### (c) FIRST RESPONDERS.—

(1) FIREFIGHTERS.—As part of the veterans jobs corps, the Secretary of Homeland Security shall award grants under section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) to hire veterans as firefighters.

(2) LAW ENFORCEMENT OFFICERS.—As part of the veterans jobs corps, the Attorney General shall award grants under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) to hire veterans as law enforcement officers.

(3) PRIORITY.—In awarding grants under this subsection to hire veterans, the Secretary of Homeland Security and the Attor-

ney General shall give priority to the hiring of veterans who served on active duty in the Armed Forces on or after September 11, 2001.

### (d) ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may provide assistance to the secretaries described in subsection (a), the Attorney General, and the Commanding General of the United States Army Corps of Engineers to carry out the veterans jobs corps. Such assistance may take the form of a transfer under paragraph (2).

(2) TRANSFERS.—Except as otherwise provided in this subsection, of amounts appropriated or otherwise made available to the Secretary of Veterans Affairs to carry out this section, the Secretary of Veterans Affairs may transfer such amounts as the Secretary considers appropriate to carry out the veterans jobs corps to the following:

(A) The Attorney General.

(B) The Secretary of Agriculture.

(C) The Secretary of Commerce.

(D) The Secretary of Homeland Security.

(E) The Secretary of the Interior.

(F) The Commanding General of the United States Army Corps of Engineers.

(3) ASSISTANCE FOR CONSERVATION, RESOURCE MANAGEMENT, HISTORIC PRESERVATION, AND CEMETERY MAINTENANCE AND IMPROVEMENT PROJECTS.—

(A) APPLICATION.—If a secretary referred to in subsection (b)(1) or the Commanding General of the United States Army Corps of Engineers seeks assistance under paragraph (1) to employ a veteran to carry out a project under subparagraph (A) of subsection (b)(1) or to award a grant or contract to carry out a project under subparagraph (B) of such subsection, such secretary or the Commanding General shall submit to the Secretary of Veterans Affairs an application therefor at such time, in such manner, and containing such information as the Secretary of Veterans Affairs may require.

(B) SELECTION.—The Secretary of Veterans Affairs shall, in consultation with the steering committee established under subparagraph (C), award assistance under this paragraph in accordance with such criteria as the steering committee establishes.

### (C) STEERING COMMITTEE.—

(i) IN GENERAL.—The Secretary of Veterans Affairs shall establish a steering committee—

(I) to establish selection criteria for the awarding of assistance under paragraph (1) to employ a veteran to carry out a project under subparagraph (A) of subsection (b)(1) or to award a grant or contract to carry out a project under subparagraph (B) of such subsection; and

(II) to provide the Secretary of Veterans Affairs with advice on awarding assistance under this subsection with respect to projects described in subsection (a)(1) and carrying out the veterans jobs corps under subsection (b).

(ii) COMPOSITION.—The steering committee shall be composed of the following:

(I) The Secretary of Veterans Affairs.

(II) The Secretary of Agriculture.

(III) The Secretary of Commerce.

(IV) The Secretary of the Interior.

(V) The Commanding General of the United States Army Corps of Engineers.

(iii) CHAIRPERSON.—The chairperson of the steering committee shall be the Secretary of Veterans Affairs.

(iv) ADVISORY INPUT.—The Secretary of Defense and the Secretary of Labor may provide advice to the steering committee.

(4) ASSISTANCE FOR FIRST RESPONDERS.—Not more than 10 percent of amounts appropriated or otherwise made available to the Secretary of Veterans Affairs to carry out this section may be transferred to the Attorney General and the Secretary of Homeland

Security to employ veterans under subsection (c).

(e) REPORTING FRAMEWORK.—The Secretary of Veterans Affairs shall establish a reporting framework to regularly monitor and evaluate the veterans jobs corps to ensure proper oversight and accountability of the veterans jobs corps.

(f) OUTREACH.—The Secretary of Veterans Affairs shall, in consultation with the Secretary of Labor, ensure that veterans employed under the veterans jobs corps are aware of benefits and assistance available to them under laws administered by the Secretary of Veterans Affairs and benefits and assistance available to them under laws administered by the Secretary of Labor, particularly with respect to education, training, and related benefits that might complement their employment under the veterans jobs corps.

### (g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is available without further appropriation to the Secretary of Veterans Affairs to carry out this section, \$1,000,000,000 for the period of fiscal years 2012 through 2017.

(2) LIMITATION.—Of amounts made appropriated or otherwise made available to carry out this section, not more than five percent may be spent to administer the veterans jobs corps.

(h) VETERAN DEFINED.—In this section, the term “veteran” has the meaning given the term in section 101 of title 38, United States Code.

## SEC. 3. EMPLOYMENT OF VETERANS WITH THE FEDERAL GOVERNMENT.

(a) IN GENERAL.—Section 4214 of title 38, United States Code, is amended—

(1) in subsection (b), by adding at the end the following:

“(4)(A) The requirement under this section is in addition to the appointment of qualified covered veterans under the authority under paragraph (1) by the Department of Veterans Affairs and the Department of Defense.

“(B) The head of each agency, in consultation with the Director of the Office of Personnel Management, shall develop a plan for exercising the authority under paragraph (1) during the five-year period beginning on the date of enactment of the Careers for Veterans Act of 2012.

“(C) The Director of the Office of Personnel Management shall ensure that under the plans developed under subparagraph (B) agencies shall appoint to existing vacancies not fewer than 10,000 qualified covered veterans during the five-year period beginning on the date of enactment of the Careers for Veterans Act of 2012.”;

(2) in subsection (d), in the third sentence, by inserting “(including, during the 5-year period beginning on the date of enactment of the Careers for Veterans Act of 2012, the development and implementation by each agency of the plan required under subsection (b)(4), which shall include information regarding the grade or pay level of appointments by the agency under the plan and whether the appointments are, or are converted to, career or career-conditional appointments)” after “subsection (b) of this section”; and

(3) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter before subparagraph (A), by striking “to the Congress” and inserting “to the appropriate committees of Congress”; and

(ii) in subparagraph (A), by inserting “(including, during the 5-year period beginning on the date of enactment of the Careers for Veterans Act of 2012, the development and implementation by the agency of the plan required under subsection (b)(4), which shall include information regarding the grade or

pay level of appointments by the agency under the plan and whether the appointments are, or are converted to, permanent appointments)" before the period; and

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

"(3) In this subsection, the term 'appropriate committees of Congress' means—

"(A) the Committee on Veterans' Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(B) the Committee on Veterans' Affairs and the Committee on Oversight and Government Reform of the House of Representatives."

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall submit to the appropriate committees of Congress (as defined under section 4214(e)(3) of title 38, United States Code, as amended by subsection (a)) regarding the development of a plan to carry out the amendments made by subsection (a).

**SEC. 4. REQUIREMENT THAT STATES RECOGNIZE MILITARY EXPERIENCE OF VETERANS WHEN ISSUING LICENSES AND CREDENTIALS TO VETERANS.**

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(9)(A) As a condition of a grant or contract under which funds are made available to a State under subsection (b)(5) in order to carry out section 4103A or 4104 of this title, the State shall—

"(i) establish a program under which the State administers an examination to each veteran seeking a license or credential issued by the State and issues such license or credential to such veteran without requiring such veteran to undergo any training or apprenticeship if the veteran—

"(I) receives a satisfactory score on completion of such examination, as determined by the State; and

"(II) has not less than 10 years of experience in a military occupational specialty that, as determined by the State, is similar to a civilian occupation for which such license or credential is required by the State; and

"(ii) submit each year to the Secretary a report on the exams administered under clause (i) during the most recently completed 12-month period that includes, for the period covered by the report the number of veterans who completed an exam administered by the State under clause (i) and a description of the results of such exams, disaggregated by occupational field.

"(B) Not less frequently than once each year, the Secretary shall submit to Congress and the Secretary of Defense a report summarizing the information received by the Secretary under subparagraph (A)(ii)."

(b) EFFECTIVE DATE.—

(1) EXAMS.—Subparagraph (A) of section 4102A(c)(9) of such title, as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act and shall apply with respect to grants and contracts described in such subparagraph awarded after such date.

(2) REPORTS.—Subparagraph (B) of section 4102A(c)(9), as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act and the Secretary of Labor shall submit the first report under such subparagraph not later than two years after the date of the enactment of this Act.

**SEC. 5. SUPPORT FOR JOB SEARCHES OF VETERANS THROUGH ONE-STOP CENTERS.**

(a) FURNISHING OF LIST OF INTERNET RESOURCES.—Not later than 30 days after the date of the enactment of this Act, the Sec-

retary of Labor shall furnish each one-stop center with a list of all Internet websites and applications that the Secretary has identified as beneficial for veterans in pursuit of employment to their pursuit.

(b) IDENTIFICATION OF ADDITIONAL RESOURCES.—The Secretary shall coordinate with public and private sector entities to identify Internet websites and applications not already included in a list furnished under subsection (a) that—

(1) match veterans seeking employment with available jobs based on the skills the veterans acquired as members of the Armed Forces; and

(2) allow employers to post information about available jobs.

(c) SUPPLEMENTS.—The Secretary of Labor shall furnish each one-stop center with a list of Internet websites and applications identified under subsection (b).

(d) REPORT.—Not later than 455 days after the date of the enactment of this Act, the Secretary of Labor shall submit to the appropriate committees of Congress a report on the use of the Internet websites and applications identified under subsection (b) for the benefit of veterans in pursuit of employment.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Veterans' Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Education and the Workforce of the House of Representatives.

(2) ONE-STOP CENTER.—The term "one-stop center" means a center described in section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c)).

**SEC. 6. STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING.**

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following:

"(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary shall require the State—

"(i) to demonstrate that when the State approves or denies a certification or license described in subparagraph (B) for a veteran the State takes into consideration any training received or experience gained by the veteran while serving on active duty in the Armed Forces; and

"(ii) to disclose to the Secretary in writing the following:

"(I) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

"(II) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty in the Armed Forces and evaluating the documented work experience of such veterans during such service for purposes of approving or denying a certification or license described in subparagraph (B).

"(III) Identification of areas in which training and experience described in subclause (II) fails to meet criteria described in subclause (I)."

"(B) A certification or license described in this subparagraph is any of the following that is issued or awarded by a State:

"(i) A license to be a State tested nursing assistant or a certified nursing assistant.

"(ii) A commercial driver's license.

"(iii) An emergency medical technician license EMT-B or EMT-I.

"(iv) An emergency medical technician-paramedic license.

"(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are able to receive a certification or license described in subparagraph (B) from a State.

"(D) The Secretary of Defense shall provide technical assistance and guidance to States on the training members of the Armed Forces receive for military occupational specialties so that States can make informed decisions with respect to certifying and licensing veterans."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the first program year that begins on or after the date that is one year after the date of the enactment of this Act and each program year thereafter.

(c) MODIFICATION OF TRAINING PROGRAMS FOR MILITARY OCCUPATIONAL SPECIALTIES.—The Secretary of Defense shall work with certification and licensing organizations and the Secretary of Labor to identify commonalities between military occupational specialties and civilian occupations and may revise the training programs for military occupational specialties so that members of the Armed Forces who complete such training programs develop the skills required for certification or licensing in civilian occupations that are similar to the military occupational specialties for which they were trained in the Armed Forces.

**SEC. 7. STUDY ON VALUE AND UTILITY OF A SKILL CREDENTIAL REGISTRY.**

(a) FEASIBILITY STUDY.—The Secretary of Labor and the Secretary of Education, in consultation with Secretary of Commerce, shall jointly conduct a study to determine the value and utility of a registry of recognized postsecondary credentials valued by employers, individuals, providers of education and training, economic development professionals, State and local officials, and other relevant stakeholders.

(b) CONTENTS.—The study in subsection (a) shall address, at a minimum, the following:

(1) The type of organization, or consortium of organizations, that should manage or operate such a registry.

(2) The administration of such a registry, especially how such administration would be supported with non-Federal funds.

(3) How such a registry would be maintained and kept current so as to be of greatest value.

(4) How the quality and integrity of the credentials cataloged in such a registry would be ensured, so as to be of the greatest value.

(5) How the contents of such a registry could inform the provision of education and training services through Federal education and workforce development programs.

(6) How such a registry would be marketed and utilized so as to be of greatest value.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Labor and the Secretary of Education shall jointly submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report on the results of the study conducted under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Labor and the Secretary of Education \$250,000 to conduct the study required by subsection (a).

(e) DEFINITIONS.—In this section:

(1) **INDUSTRY-RECOGNIZED.**—The term “industry-recognized”, used with respect to a credential, means a credential that—

(A) is sought or accepted by employers within the industry sector involved as recognized, preferred, or required for recruitment, screening, hiring, or advancement;

(B) is endorsed by a recognized trade or professional association or organization, representing a significant part of the industry sector; and

(C) is a nationally portable credential, meaning a credential that is sought or accepted, across multiple States, as described in subparagraph (A).

(2) **RECOGNIZED POSTSECONDARY CREDENTIAL.**—The term “recognized postsecondary credential” means a credential consisting of an industry-recognized credential for postsecondary training, a certificate that meets the requirements of subparagraphs (A) and (C) of paragraph (1) for postsecondary training, a certificate of completion of a postsecondary apprenticeship through a program described in Section 122(a)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(a)(2)(B)), or an associate degree or baccalaureate degree awarded by an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001 (a))).

**SEC. 8. MINIMUM FUNDING LEVELS FOR DISABLED VETERANS' OUTREACH PROGRAM SPECIALISTS AND LOCAL VETERANS' EMPLOYMENT REPRESENTATIVES.**

(a) **IN GENERAL.**—Clause (iii) of section 4102A(c)(2)(B) of title 38, United States Code, is amended to read as follows:

“(i)(I) In carrying out this paragraph, the Secretary shall establish minimum funding levels and hold-harmless criteria for States.

“(II) Except as provided in subclause (III), at a minimum, the minimum funding levels establish under subclause (I) shall ensure that each State receives sufficient funding to support at least one disabled veterans' outreach program specialist appointed under section 4103A(a)(1) of this title and one local veterans' employment representative assigned under section 4104(b) of this title per 5,000 square miles of service delivery area within the State.

“(III) In determining minimum funding levels under subclause (II), the Secretary may exclude consideration of counties with a population density of less than one person per square mile.”.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress a report on the effect of the amendment made by subsection (a) on veterans who reside in highly rural areas.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A description of the effect of the amendment made by subsection (a) on veterans who reside in highly rural areas.

(B) Such recommendations for legislative or administrative action as the Secretary considers appropriate to improve the provision of contracts and grants under section 4102A(b)(5) of such title to meet the needs of veterans who reside in highly rural areas and are eligible for services furnished under chapter 41 of such title.

(3) **HIGHLY RURAL DEFINED.**—In this subsection, the term “highly rural”, in the case of an area, means that the area consists of a county or counties having a population of less than seven persons per square mile.

**SEC. 9. OFF-BASE TRANSITION TRAINING.**

(a) **PROVISION OF OFF-BASE TRANSITION TRAINING.**—During the three-year period beginning on the date of the enactment of this Act, the Secretary of Labor shall provide the

Transition Assistance Program under section 1144 of title 10, United States Code, to eligible individuals at locations other than military installations in not less than three and not more than five States selected by the Secretary.

(b) **SELECTION OF LOCATIONS.**—In selecting States in which to carry out the training under subsection (a), the Secretary shall select the States with the highest rates of veteran unemployment. The Secretary shall provide such training to veterans at a sufficient number of locations within the selected States to meet the need. The Secretary shall select such locations to facilitate access by participants and may not select any location on a military installation other than a National Guard or reserve facility that is not located on an active duty military installation.

(c) **ELIGIBLE INDIVIDUALS.**—For purposes of this section, an eligible individual is a veteran or the spouse of a veteran.

(d) **INCLUSION OF INFORMATION ABOUT VETERANS BENEFITS.**—The Secretary shall ensure that the training provided under subsection (a) generally follows the content of the Transition Assistance Program under section 1144 of title 10, United States Code.

(e) **INTEGRATING SUBJECT MATTER EXPERTS.**—The Secretary of Labor shall include in any contract entered into pursuant to section 1144 of title 10, United States Code, or section 4113 of title 38, United States Code, a requirement to include experts in subject matters relating to human resources practices, including resume writing, interviewing and job searching skills, and the provision of information about post-secondary education.

(f) **ANNUAL REPORT.**—Not later than March 1 of any year during which the Secretary provides training under subsection (a), the Secretary shall submit to Congress a report on the provision of such training.

(g) **COMPTROLLER GENERAL REPORT.**—Not later than 180 days after the termination of the three-year period described in subsection (a), the Comptroller General of the United States shall submit to Congress a report on the training provided under such subsection. The report shall include the evaluation of the Comptroller General regarding the feasibility of carrying out off-base transition training at locations nationwide.

**SEC. 10. EXPANSION OF CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE SMALL BUSINESS CONCERNS 100 PERCENT BUT CONDITIONALLY OWNED BY VETERANS.**

Section 8127(1) of title 38, United States Code, is amended—

(1) in paragraph (2), by inserting “unconditionally” before “owned by” each place it appears; and

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

“(3) The term ‘unconditionally owned’ includes, with respect to ownership of a small business concern, conditional ownership of such small business concern if such business concern is 100 percent owned by one or more veterans.”.

**SEC. 11. MODIFICATION OF TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS FOR SMALL BUSINESSES OWNED BY VETERANS OF SMALL BUSINESSES AFTER DEATH OF DISABLED VETERAN OWNERS.**

(a) **IN GENERAL.**—Section 8127(h) of title 38, United States Code, is amended—

(1) in paragraph (3), by striking “rated as” and all that follows through “disability.” and inserting a period; and

(2) in paragraph (2), by amending subparagraph (C) to read as follows:

“(C) The date that—  
“(i) in the case of a surviving spouse of a veteran with a service-connected disability

rated as 100 percent disabling or who dies as a result of a service-connected disability, is 10 years after the date of the veteran's death; or

“(ii) in the case of a surviving spouse of a veteran with a service-connected disability rated as less than 100 percent disabling who does not die as a result of a service-connected disability, is three years after the date of the veteran's death.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to contracts awarded on or after such date.

**SEC. 12. TREATMENT OF BUSINESSES AFTER DEATHS OF SERVICEMEMBER-OWNERS FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS CONTRACTING GOALS AND PREFERENCES.**

(a) **IN GENERAL.**—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsections (i) through (l) as subsections (j) through (m), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) **TREATMENT OF BUSINESSES AFTER DEATH OF SERVICEMEMBER-OWNER.**—(1) If a member of the Armed Forces owns at least 51 percent of a small business concern and such member is killed in line of duty in the active military, naval, or air service, the surviving spouse or dependent of such member who acquires such ownership rights in such small business concern shall, for the period described in paragraph (2), be treated as if the surviving spouse or dependent were a veteran with a service-connected disability for purposes of determining the status of the small business concern as a small business concern owned and controlled by veterans for purposes of contracting goals and preferences under this section.  
“(2) The period referred to in paragraph (1) is the period beginning on the date on which the member of the Armed Forces dies and ending on the date as follows:  
“(A) In the case of a surviving spouse, the earliest of the following dates:  
“(i) The date on which the surviving spouse remarries.  
“(ii) The date on which the surviving spouse relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.  
“(iii) The date that is ten years after the date of the member's death.  
“(B) In the case of a dependent who is not a spouse, the earliest of the following dates:  
“(i) The date on which the surviving dependent relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.  
“(ii) The date that is ten years after the date of the member's death.”.

(b) **EFFECTIVE DATE.**—Subsection (i) of section 8127 of such title, as added by subsection (a), take effect on the date of the enactment of this Act and shall apply with respect to the deaths of members of the Armed Forces occurring on or after such date.

**SEC. 13. SPECIAL RULE FOR TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS OF SMALL BUSINESSES LICENSED IN COMMUNITY PROPERTY STATES.**

Section 8127 of title 38, United States Code, as amended by section 12, is further amended by adding at the end the following new subsection:

“(n) **SPECIAL RULE FOR COMMUNITY PROPERTY STATES.**—Whenever the Secretary assesses, for purposes of this section, the degree of ownership by an individual of a small

business concern, the Secretary shall determine whether the individual is a community property state resident.

“(1) If the individual is a community property state resident, the Secretary shall determine whether the individual is a community property state resident.

“(2) If the individual is a community property state resident, the Secretary shall determine whether the individual is a community property state resident.

“(3) If the individual is a community property state resident, the Secretary shall determine whether the individual is a community property state resident.

“(4) If the individual is a community property state resident, the Secretary shall determine whether the individual is a community property state resident.

“(5) If the individual is a community property state resident, the Secretary shall determine whether the individual is a community property state resident.

“(6) If the individual is a community property state resident, the Secretary shall determine whether the individual is a community property state resident.

“(7) If the individual is a community property state resident, the Secretary shall determine whether the individual is a community property state resident.

“(8) If the individual is a community property state resident, the Secretary shall determine whether the individual is a community property state resident.

business concern licensed in a community property State, the Secretary shall also assess what that degree of ownership would be if such small business concern had been licensed in a State other than a community property State. If the Secretary determines that such individual would have had a greater degree of ownership of the small business concern had such small business concern been licensed in a State other than a community property State, the Secretary shall treat, for purposes of this section, such small business concern as if it had been licensed in a State other than a community property State.”.

**SEC. 14. 100 PERCENT CONTINUOUS LEVY ON PAYMENT TO MEDICARE PROVIDERS AND SUPPLIERS.**

Paragraph (3) of section 6331(h) of the Internal Revenue Code of 1986 is amended by striking the period at the end and inserting “, or, with respect to payments made on or after the date which is 180 days after the date of the enactment of the Veterans Jobs Corps Act of 2012, to a Medicare provider or supplier under title XVIII of the Social Security Act.”.

**SEC. 15. EXTENSION OF MODIFIED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.**

Section 5503(d)(7) of title 38, United States Code, is amended by striking “September 30, 2016” and inserting “March 31, 2017”.

**SEC. 16. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.**

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**“SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.**

“(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of \$50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 16(d) of the Veterans Jobs Corps Act of 2012.

“(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term ‘seriously delinquent tax debt’ means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

“(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

“(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

“(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2012, the dollar amount in subsection (a) shall be increased by an amount equal to—

“(1) such dollar amount, multiplied by

“(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2011’ for ‘calendar year 1992’ in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of \$1,000, such amount shall be rounded to the next highest multiple of \$1,000.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.”.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (1) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

“(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

“(i) the taxpayer identity information with respect to such taxpayer, and

“(ii) the amount of such seriously delinquent tax debt.

“(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 16(d) of the Veterans Jobs Corps Act of 2012.”.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking “or (22)” each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting “(22), or (23)”.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State may not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2013.

**SEC. 17. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.**

Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year)—

(1) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2013 shall be increased by 0.25 percent of such amount (determined without regard to any increase in such amount not contained in such Code);

(2) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2017 shall be increased by 0.50 percent of such amount (determined without regard to any increase in such amount not contained in such Code); and

(3) the amount of the next required installment after an installment referred to in paragraph (1) or (2) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

**SEC. 18. SCORING OF BUDGETARY EFFECTS.**

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

**NOTICE OF HEARING**

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, September 13, 2012, at 10:30 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Improving College Affordability: A View From the States.”

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 224-9243.

**PRIVILEGES OF THE FLOOR**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be allowed on the Senate floor

for the remainder of the 112th Congress: Sara Butler, Anderson Heiman, Luke Johnson, Rolland Smith, and David Swedman.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Rebecca Sadwick and Jessica Flannery of my staff be granted privileges of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RESOLUTIONS SUBMITTED TODAY

Mr. BROWN of Ohio. I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 548, S. Res. 549, and S. Res. 550.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. BROWN of Ohio. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and that any statements related to the resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 548

(Designating the week beginning September 9, 2012, as "National Direct Support Professionals Recognition Week.")

Whereas direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as "direct support professionals") are the primary providers of publicly funded long term supports and services for millions of individuals with disabilities;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs on a daily basis;

Whereas direct support professionals perform a broad range of activities for individuals with disabilities, including preparing meals, managing medications, bathing, dressing, helping with mobility, providing transportation to school, work, and religious and recreational activities, and helping with general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas direct support professionals are the key to allowing an individual with disabilities to live successfully in the community and avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas, although direct support professionals work and pay taxes, many are improv-

erished and are eligible for the same Federal and State public assistance programs that individuals with disabilities depend on;

Whereas Federal policies, State policies, and the opinion of the Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999) assert the right of an individual to live in his or her home and community;

Whereas the majority of direct support professionals are employed in home and community-based settings, and the percentage of direct support professionals employed in such settings is projected to increase during this decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates, which, research demonstrates, adversely affects the quality of supports provided to individuals with disabilities: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning September 9, 2012, as "National Direct Support Professionals Recognition Week";

(2) recognizes the dedication and vital role of direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this resolution as "direct support professionals") in enhancing the lives of individuals of all ages with disabilities;

(3) appreciates the contribution of direct support professionals in serving needs that are beyond the capacity of millions of families in the United States;

(4) commends direct support professionals as integral participants in the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

S. RES. 549

(Designating September 2012 as "Campus Fire Safety Month.")

Whereas, each year, States across the United States formally designate the month of September as "Campus Fire Safety Month";

Whereas, since January 2000, at least 152 people, including students, parents, and children, have died in campus-related fires;

Whereas 85 percent of those deaths occurred in off-campus residences;

Whereas a majority of college students in the United States live in an off-campus residence;

Whereas many fatal fires have occurred in a building in which the occupants had compromised or disabled the fire safety system;

Whereas automatic fire alarm systems provide the early warning of a fire that is necessary for occupants of a building and the fire department to take appropriate action;

Whereas automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in the early stages, thus protecting the lives of building occupants;

Whereas many college students live in an off-campus residence, fraternity or sorority housing, or a residence hall that is not adequately protected by automatic fire sprinkler systems and automatic fire alarm systems;

Whereas fire safety education is an effective method of reducing the occurrence of fires and the resulting loss of life and property damage;

Whereas college students do not routinely receive effective fire safety education while in college;

Whereas educating young people in the United States about the importance of fire safety is vital to help ensure that young people engage in fire-safe behavior during college and after college; and

Whereas developing a generation of adults who practice fire safety may significantly reduce future loss of life from fires: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2012 as "Campus Fire Safety Month"; and

(2) encourages administrators of institutions of higher education and municipalities across the United States—

(A) to provide educational programs to all college students in September and throughout the school year;

(B) to evaluate the level of fire safety being provided in both on-campus and off-campus student housing; and

(C) to ensure fire-safe living environments through fire safety education, the installation of fire suppression and detection systems, and the development and enforcement of applicable codes relating to fire safety.

S. RES. 550

(Designating September 13, 2012, as "National Celiac Disease Awareness Day.")

Whereas according to the National Center for Health Statistics of the Centers for Disease Control and Prevention, celiac disease affects approximately 1 in every 141 people in the United States;

Whereas the majority of people with celiac disease have yet to be diagnosed;

Whereas celiac disease is a chronic inflammatory disorder that is classified as both an autoimmune condition and a genetic condition;

Whereas celiac disease causes damage to the lining of the small intestine, which results in overall malnutrition;

Whereas when a person with celiac disease consumes foods that contain certain protein fractions, that person suffers a cell-mediated immune response that damages the villi of the small intestine, interfering with the absorption of nutrients in food and the effectiveness of medications;

Whereas such problematic protein fractions are found in wheat, barley, rye, and oats, which are used to produce many foods, medications, and vitamins;

Whereas because celiac disease is a genetic disease, there is an increased incidence of celiac disease in families with a known history of celiac disease;

Whereas celiac disease is underdiagnosed because the symptoms can be attributed to other conditions and are easily overlooked by doctors and patients;

Whereas as recently as 2000, the average person with celiac disease waited 11 years for a correct diagnosis;

Whereas ½ of all people with celiac disease do not show symptoms of the disease;

Whereas celiac disease is diagnosed by tests that measure the blood for abnormally high levels of the antibodies of immunoglobulin A, antitissue transglutaminase, and IgA antiendomysium antibodies;

Whereas celiac disease can be treated only by implementing a diet free of wheat, barley, rye, and oats, often called a "gluten-free diet";

Whereas a delay in the diagnosis of celiac disease can result in damage to the small intestine, which leads to an increased risk for



malnutrition, anemia, lymphoma, adenocarcinoma, osteoporosis, miscarriage, congenital malformation, short stature, and disorders of the skin and other organs;

Whereas celiac disease is linked to many autoimmune disorders, including thyroid disease, systemic lupus erythematosus, type 1 diabetes, liver disease, collagen vascular disease, rheumatoid arthritis, and Sjögren's syndrome;

Whereas the connection between celiac disease and diet was first established by Dr. Samuel Gee, who wrote, "if the patient can be cured at all, it must be by means of diet";

Whereas Dr. Samuel Gee was born on September 13, 1839; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of celiac disease: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 13, 2012, as "National Celiac Disease Awareness Day";

(2) recognizes that all people of the United States should become more informed and aware of celiac disease;

(3) calls upon the people of the United States to observe National Celiac Disease Awareness Day with appropriate ceremonies and activities; and

(4) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Celiac Sprue Association, the American Celiac Society, and the Celiac Disease Foundation.

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ORDERS FOR WEDNESDAY,  
SEPTEMBER 12, 2012

Mr. BROWN of Ohio. I ask unanimous consent that when the Senate com-

pletes its business today, it adjourn until 9:30 a.m. on Wednesday, September 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of the motion to proceed to S. 3457, the Veterans Jobs Corps Act, postcloture; that the first 70 minutes be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the latter half; further, that all time during adjournment, recess, and morning business be counted postcloture on the motion to proceed to S. 3457.

The PRESIDING OFFICER. Without objection, it is so ordered.

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PROGRAM

Mr. BROWN of Ohio. We will begin consideration of the Veterans Jobs Corps Act tomorrow. Senators will be notified when votes are scheduled.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. BROWN of Ohio. Mr. President, if there is no further business to come before the Senate, I ask unanimous con-

sent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:31 p.m., adjourned until Wednesday, September 12, 2012, at 9:30 a.m.

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NOMINATIONS

Executive nominations received by the Senate:

FEDERAL TRADE COMMISSION

JOSHUA D. WRIGHT, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2012, VICE J. THOMAS ROSCH, TERM EXPIRING.

UNITED STATES INTERNATIONAL TRADE  
COMMISSION

F. SCOTT KIEFF, OF ILLINOIS, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR THE TERM EXPIRING JUNE 16, 2020, VICE DANIEL PEARSON, TERM EXPIRED.

DEPARTMENT OF STATE

ROSE EILENE GOTTEMOELLER, OF VIRGINIA, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY, VICE ELLEN O. TAUSCHER, RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL  
DEVELOPMENT

T. CHARLES COOPER, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE JEFFREY J. GRIECO.

DEPARTMENT OF STATE

ROBERT STEPHEN BEECROFT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF IRAQ.

## EXTENSIONS OF REMARKS

IN MEMORY OF THOMAS COONAN

**HON. JOHN A. BOEHNER**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. BOEHNER. Mr. Speaker, it is my privilege today, on behalf of the men and women of our institution, to honor the American life of Thomas Coonan.

For most Members of Congress, the gateway to the chamber of the United States House of Representatives is the doorway to the Speaker's Lobby.

For many years, Tom Coonan stood at that door in the service of his country and the service of democracy. As a trusted member of the House Chamber security detail and the Office of the Sergeant-at-Arms, it was his post.

For more than 15 years, Tom Coonan stood at the passage to the People's House, where he was a familiar and comforting sight to all who passed regularly through our chamber.

But Tom Coonan was standing vigil for American democracy long before his first day of work for the House.

Before he served his country with the House Sergeant-at-Arms Office, Tom Coonan served his country with distinction in our armed forces.

He began his military career in 1963, and served as an Assistant Intelligence officer, as the commander of Amphibious Group Two, until 1966.

For the next decade and a half Tom held a number of civilian positions. Then, in 1981, once again feeling the tug of his desire to serve the nation he loved, Tom volunteered for a recall to reserve active duty.

Beginning in 1990, he served as the U.S. Commander-in-Chief Pacific's Representative for the Southwest Pacific, Suva, and Fiji.

In September 1995, he joined the House Sergeant-at-Arms Office as a member of the Chamber Security staff. He was always stationed in the Speaker's Lobby—the gateway to the chamber at the heart of the democracy Tom spent most of his adult life protecting.

On August 23, 2012, tragically, while members were away for the August District Work Period, Tom Coonan suffered a fatal heart attack at his home in Washington, DC. He is to be buried with full military honors at Arlington National Cemetery.

For those who served with Tom Coonan, knew him, and were protected by him, his presence is sorely missed. But because of his steadfast and constant service, the vibrant commotion of democracy goes on. And as the House returns this week for legislative business, its members and staff do so with unfailing gratitude for the life he led.

Having stood guard faithfully at the passage to the People's House, Thomas Coonan now stands in the halls of eternity with Our Creator—forever strong, forever vigilant, and forever at peace.

LIONS CLUBS INTERNATIONAL  
CENTURY OF SERVICE COM-  
MEMORATIVE COIN ACT

SPEECH OF

**HON. ENI F. H. FALEOMAVAEGA**

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

*Monday, September 10, 2012*

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in support of H.R. 2139, the Lions Clubs International Century of Service Commemorative Coin Act. I thank my colleague, Mr. ROSKAM from Illinois, for introducing this bill which would direct the Secretary of Treasury to mint and issue \$1 coins in commemoration of the centennial of the founding of the Lions Clubs International.

Founded in 1917 by Chicago businessman Melvin Jones, the Lions Club has expanded to over 46,000 clubs and 1.35 million members worldwide. What began as a national association extended beyond U.S. borders within 3 years of founding. Now, nearly a century later, the Lions continue to carry out their motto "We Serve" in 207 countries, touching every corner of the globe.

In the last century, Lions Clubs International has helped to solve problems and serve humanitarian needs on the ground. Their services reach the blind, youth, and the elderly and also address health, the environment and disaster relief.

I am especially grateful to the Lions for their dedicated assistance to the people of my district in American Samoa. Following the deadly 2009 tsunami that devastated villages in American Samoa and Samoa, our local Lions Clubs were among those that came to the aid of our people. The Lions Club of Pago Pago continued to provide relief to many residents who lost their eyeglasses during the tsunami. Volunteers offered residents eye screening services that included complete eye examinations to evaluate visual health and detect eye diseases, prescriptions, and referral services. The Apia Lions in Samoa also provided assistance through disaster relief shelters and distributed donations such as clothing, food, and medicine from international Lions Clubs members.

I am proud to say that the Lions Club of Pago Pago has provided consistent services to our people of American Samoa and is a priceless asset to our community. I commend the Lions Clubs International and I stand in full support of this bill which celebrates and honors a century of international leadership in humanitarian service.

IN MEMORIAM AND REMEM-  
BRANCE OF FIRST SERGEANT  
ACKEEM PAUL GREEN 369TH  
HARLEM HELLFIGHTERS—HAR-  
LEM YOUTH MARINES, INC.

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. RANGEL. Mr. Speaker, it is with great sadness that I rise today to share the news of a devastating loss to Harlem and the greater New York City community. We joined with many family members and friends at Memorial Baptist Church to celebrate the life of Harlem Youth Marine Cadet First Sergeant, Ackeem Paul Green, who passed away Sunday, June 3, 2012, from a fatal gunshot wound.

On behalf of our beloved Village of Harlem, my wife Alma and I want to extend our most sincere and heartfelt sympathy, support, and love to my beloved friend, Col. Gregory E. Collins, and the entire family of the First Sergeant Ackeem Paul Green. At the age of 25 he was indeed a promising young man continuing the honorable legacy of his father to better not only himself but his fellow community youth members as well.

Great young men like Ackeem are precious gifts that God has made to help make this world a better and safer place for all of us. First Sergeant Ackeem Paul Green lost his life on the urban battlefield, from gun violence right here at home, while enjoying a game of basketball with friends on a Sunday afternoon. First Sergeant Green was shot in the back by the enemy of illegal guns in the hands of our misguided youth. An enemy that has taken the lives of so many of our promising young carnations and roses and that has declared war throughout every urban neighborhood in the United States of America.

Every time I hear the news that one of our young sons, daughters, fathers, mothers, husbands and wives are struck down by illegal guns in the wrong hands of our misguided young people—it pains my heart with depression and anger. What makes this very difficult for me is that it has taken the life of a young man whose very focus in life was to mentor young men and women and provide them with a positive direction through the principles and leadership of the Harlem Youth Marines and with the values and courage of the United States Marine Corp.

Since the age of 15 Ackeem has committed countless amounts of time and effort to the Harlem Youth Marine Cadets (HYMC). Once Ackeem reached the age limit to serve as a cadet, he remained dedicated and continued to serve the organization through volunteer work. He took time to mentor young cadets and served as a positive and much needed role model to many of our youth both in and outside of HYMC.

The Harlem Youth Marines, Inc. provides instruction in military grooming and development to students willing and eager to learn. This

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

program has supported the youth in my district for over thirty years with an emphasis on youth development through education and discipline. They also provide cadets with the opportunity to indulge in basic military skill building activities such as rappelling, marksmanship, and weapons safety. The children of Harlem have thoroughly benefited from this program through the development of body, mind, and spirit. Ackeem was a remarkable testament of their success.

Mr. Speaker, I know that we, the Village of Harlem, will honor Ackeem's life by ensuring that his young infant son, Ackeem Paul Green, Jr., follows in his father's drill steps and exceeds his dreams and aspirations to be all that he can be. May First Sergeant Ackeem Paul Green's legacy be far remembered and everlasting, as we pick up the flag and defeat this enemy of illegal gun violence that has destroyed the lives of our children, families and communities. I ask that you and my colleagues join me in honoring a great young man and an impassioned mentor whose legacy shall be far remembered and everlasting.

ST. JOSEPH'S CATHOLIC CHURCH  
100TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN  
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, September 11, 2012*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor St. Joseph's Slovak Catholic Church of Raritan, Somerset County, New Jersey, which is celebrating 100 years as an important member of the local community.

Since St. Joseph's establishment in 1912, it has been contributing to the religious, cultural and social diversity that has come to define New Jersey. The church was initially founded by immigrants fleeing religious persecution in Slovakia. Many of the early members of the congregation worked in the Woolen Mills, Duke Park and along the railroads crisscrossing the area. Beginning with only a handful of families, the parish of the new St. Joseph's Slovak Catholic Church gathered on October 1, 1912 to form a church society with the goal of raising enough money to build a church where they could practice their faith in their native tongue free from persecution or prejudice.

In 1914, the society raised enough money to purchase a piece of property in Raritan for the construction of a church. The church was formally dedicated in 1915 after a year of construction. Adding to their permanent presence in Raritan, the parish added an adjoining school in 1926. The school initially had a class of 234 students and was focused on providing students with a source of education on their Catholic faith and Slovak heritage.

St. Joseph's provides an exemplary illustration of the benefits of sharing culture and beliefs with others. Religious and cultural centers such as St. Joseph's, provide religious education, philanthropic assistance for those in need, and a greater sense of cultural awareness to the local community while providing a place for people to gather and worship.

The parish of St. Joseph's has been very involved in giving back to the community philanthropically, participating in food bank collections, gathering baby clothing and formula for

struggling mothers, and joining other churches in their charitable works. St. Joseph's assistance casts a wide net, helping people from the Raritan area as well as participating in worldwide assistance efforts.

Mr. Speaker, I ask you and my colleagues to join me in congratulating St. Joseph's Slovak Catholic Church for 100 years of dedicated work on behalf of the Great State of New Jersey.

OUR UNCONSCIONABLE NATIONAL  
DEBT

HON. MIKE COFFMAN

OF COLORADO  
IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, September 11, 2012*

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office; the national debt was \$10,626,877,048,913.08.

Today, it is \$ 16,046,680,286,836.39. We've added \$5,419,803,237,923.31 dollars to our debt in 3 years. This is \$5.4 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CELEBRATING THE 30TH ANNIVERSARY OF UNITY CHURCH IN GRAPEVINE

HON. KENNY MARCHANT

OF TEXAS  
IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, September 11, 2012*

Mr. MARCHANT. Mr. Speaker, it is with great pride that I recognize the 30th anniversary of Unity Church located in Grapevine, Texas. It is an honor for me to celebrate this congregation's achievement and share its history with my fellow colleagues in Congress.

The Unity Church of Northeast Tarrant County, which is now commonly called the Unity Church of Grapevine, held its first worship service in rented hotel facilities on September 12, 1982. The church moved to facilities in Hurst, where they remained until 1991 when the church purchased property at 1970 E. Dove Road in Southlake, Texas.

In January 1996, the church purchased 5,825 acres on Hughes Road, one mile south of downtown Grapevine. The church built a 13,116 square foot building which was dedicated in September, 1996. Funding for the building was through issuance of \$920,000 in church bonds through American Church Trust. The bonds were re-financed in 2002, providing funding for the start up of Hughes Road Montessori in September, 2003. The Church sold 1.75 acres of back property in 2005 for \$285,000, leaving it with roughly 4 acres. The church received a signing bonus for the property mineral rights from Chesapeake Exploration in 2008 for the amount of \$92,754.50 which was applied against the mortgage. A campaign to pay off the mortgage of \$106,000 by June 1, 2012 began February 12, 2012 from a \$50,000 matching contribution from anonymous donors.

For 26 years, Unity Church in Grapevine has conducted a weekly ministry in the Federal Prison System at Federal Correctional In-

stitute in Fort Worth, Texas. In June 1989, the church received the John Templeton Radio Grant to begin a radio ministry and in 1991 was awarded the first Voice of Unity Award for excellence in broadcasting. Also in 1991, a Care Team was established in the church with its members making hospital calls, nursing home visits, furnishing food for members as needed, and contacting members by phone once a month.

Active in the community, Unity Church of Grapevine assists Grapevine Relief and Community Exchange (GRACE) by furnishing food for the food pantry. The church partners with Grapevine Middle School and has tithed to the school over the past eleven years with funds providing an after school martial arts program, medical assistance, and for needs of students and their families in time of crisis. Members also volunteer as mentors to the students.

Rev. Carol Record has served the Unity Church in Grapevine since its inception. She served as Chaplain of Trinity Springs Pavilion (the County psychiatric hospital), the first woman president of Grapevine Rotary, a member of the Chamber of Commerce, a 26-year volunteer at Federal Correctional Institute, mentor at Grapevine Middle School, and a MHRM Visions Board member. Rev. Record leads the weekly Sunday services, teaches a Bible class each week as well as spiritual growth classes throughout the year. She is a published author, a well known speaker, and a community leader.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating Unity Church in Grapevine on its 30th anniversary.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY  
IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, September 11, 2012*

Mr. ANDREWS. Mr. Speaker, I was not present for rollcall No. 558; had I been present, I would have voted "aye."

Mr. Speaker, I was not present for rollcall No. 559; had I been present, I would have voted "aye."

REMEMBERING SEPTEMBER 11, 2001

HON. PHIL GINGREY

OF GEORGIA  
IN THE HOUSE OF REPRESENTATIVES  
*Tuesday, September 11, 2012*

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in memory of the nearly three thousand lives lost in the attacks of September 11th. On Patriots Day, we also honor the servicemen and women who have paid the ultimate price in the war on terror. We will never be able to fully honor their sacrifice in the defense of our freedoms.

In the 11 years since the devastation of that day, our anger and sadness have turned to unflinching resolve and determination. On that terrible day, 19 terrorists believed they would bring America to its knees. They believed our Nation and our people could be defeated by a cowardly attack. They were wrong.

Today, America is a brighter beacon of freedom than she ever has been. We remain a nation inspired by the sacrifices of those before us and committed to the ideals they fought so dearly to protect. Mr. Speaker, we will never forget the loved ones and the heroes lost on that day.

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HONORING JOHN TOS

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. COSTA. Mr. Speaker, I rise today to honor Mr. John Tos of Kings County, California, as he is recognized by the Lemoore Chamber of Commerce as the 2012 Agriculturalist of the Year. A third generation farmer, John has been farming since 1961. John has consistently maintained a deep commitment to his family, faith, and community—which serves as a clear testament to his superior moral character. He is well deserving of this honor.

A passionate and proud son of the agriculturally rich San Joaquin Valley, John has earned the respect and admiration of his friends and neighbors. Tos Farms was started in 1912, north of Hanford in an area called Queen Wilhelmina Colony by Joe Tos, John's grandfather. John's father and his Uncle Larry were the second generation to take over the family farming operation. Since then, John and his son Jeff, along with Bill's son, Mark, have become partners in the farming operation—making Tos Farms, Inc. a four generation, one-hundred year old farming operation. Clearly, the Tos Family is a living example of the American Dream—an illustration of success that shows overcoming adversity and achieving success is possible through hard work and perseverance.

Today, Tos Farms employs an average of 250 to 300 people, many of whom have been with the company for as long as 30 to 40 years.

John is not only being honored by the Lemoore Chamber of Commerce for his exemplary work ethic, he is also being recognized for his meaningful contributions to our community. He and his wife of 50 years, Victoria Tos, have been members of the Christian Reformed Church, where John has served on the Church Council and as Deacon. In addition, John has dedicated his time to the Hanford Christian and Central Valley Christian School Boards. He was also a member of the California Tree Fruit Agreement (CTFA) for 30 years. Currently, John serves on the Marana and Sierra Village Retirement Homes Board of Directors. John also acts as Director of the California Grape and Tree Fruit League, the Kingsburg Federal Land Bank Association, and the Burreis Park Foundation. John's steadfast devotion to his community is evident from his loyalty and extensive contributions to our Valley.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. John Tos for his numerous contributions to California agriculture, the San Joaquin Valley, and our Nation. His selfless nature and strong work ethic, truly exemplifies the best of what our Nation has to offer.

INSTRUCTIONAL LEADERSHIP ACT  
OF 2012

**HON. JOHN P. SARBANES**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. SARBANES. Mr. Speaker, I rise today to introduce the Instructional Leadership Act of 2012, which will strengthen schools by helping principals become high-performing instructional leaders.

The passage of No Child Left Behind (NCLB) charged school principals with additional responsibilities. They not only serve as organizational leaders, ensuring that school culture and resources support teaching and learning, but they are also accountable for student achievement and the broader goals of NCLB. Unfortunately, principals often lack the appropriate training and resources needed to accomplish these goals. It is time to bring attention to the importance of developing programs that train principals on the best practices to guide instruction in schools, so that they can more effectively support teachers in improving student academic achievement.

The Instructional Leadership Act of 2012 provides grants to State and local educational agencies to drive gains in academic achievement for all children by: 1) Creating innovative programs and sites to train principals in instructional leadership skills including developing a school vision, staff development, and effective instructional practices; 2) Developing pilot programs to evaluate the incorporation of standards of instructional leadership into State principal certifications; and 3) Establishing state-of-the-art principal induction programs that provide mentoring and on-the-job training for new principals.

This legislation is strongly supported by the National Association of Elementary School Principals (NAESP) and the National Association of Secondary School Principals (NASSP), two of the leading organizations working to develop and promote excellence in school leaders. The Instructional Leadership Act of 2012 represents a necessary first step towards developing the next generation of school leaders who are committed to, and effective in, increasing student achievement. I will continue working to include this bill in the reauthorization of the Elementary and Secondary Education Act during the next Congress, and I urge you to join me in championing our Nation's principals by supporting this important piece of legislation.

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PERSONAL EXPLANATION

**HON. TIMOTHY V. JOHNSON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, September 10, 2012 I had obligations that necessitated my attention in Campaign, Illinois and missed suspension votes on H.R. 6186, which directs FEMA to assess options, methods, and strategies for making voluntary community-based flood insurance policies available through the National Flood Insurance Program. H.R. 2139, which directs the Secretary of the Treasury to mint and

issue as legal tender \$1 coins in commemoration of the centennial of the founding of the Lions Clubs International. And lastly, H.R. 6122, which directs the Librarian of Congress to accept in the interest of the Library of Congress, its collections, or its service personal property valued at \$25,000 or less, nonpersonal services, or voluntary and uncompensated personal services.

Had I been present, I would have voted "aye" on the above stated bills.

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HONORING NEIL ARMSTRONG

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. SCHIFF. Mr. Speaker, I rise today to honor the life and legacy of a true American hero, the first human being to walk on the moon, Neil Alden Armstrong.

I had the privilege of meeting Neil Armstrong, and even introduced my son Eli to him at an event commemorating the 40th Anniversary of the *Apollo 11* landing. It has been said that "we're all dreamers," but Neil Armstrong inspired generations of Americans to dream big and reach for the stars, both literally and figuratively. He believed that the yearning to explore is part of what makes us human and his singular achievement on July 20, 1969 still inspires.

A reluctant hero, Mr. Armstrong never used his *Apollo 11* achievement for personal gain. On more than one occasion he questioned his own notoriety, protesting that his walk on the moon was the result of the dedication of more than four hundred thousand people from engineers who designed the Lunar Module to ground controllers who monitored every aspect of the mission, to seamstresses, who stitched by hand the suit that kept him alive on the moon.

The late 1960's was a time of tumult in America, when our nation was riven by Vietnam, the struggle for civil rights and the emerging women's movement. In the midst of this, Armstrong's climb down the lunar module's ladder and his "giant leap for mankind" united not just Americans, but people of all nations as they watched. That night . . . July 20th, 1969, countless children—including a nine-year old boy in Framingham, Massachusetts—looked up at the moon and dared to dream.

Neil Armstrong is no longer with us, but it is a remarkable testament that even now—more than four decades after *Eagle* landed on the Moon—the mission of *Apollo 11* still inspires us and challenges us to press forward in the exploration of space.

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HONORING THE IZAAK WALTON  
LEAGUE OF AMERICA'S 90TH AN-  
NIVERSARY

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Ms. McCOLLUM. Mr. Speaker, I rise today to honor the Izaak Walton League as it celebrates 90 years of defending Minnesota's great outdoors.

In January 1922, a Minnesotan angler named Will Dilg and a group of fisherman created the Izaak Walton League of America in response to the environmental damage they witnessed during the rapid industrialization following World War One. They began a grassroots campaign to educate the public about the environment and worked to influence Congress to adopt pro-conservation legislation.

Just a year after its creation, the Izaak Walton League successfully blocked legislation that threatened wilderness land that is now the Boundary Waters Canoe Area (BWCA). For many years the League was the only organization working to defend this treasured landscape, which has become central to our state's identity. The Izaak Walton League of America would go on to help establish the Upper Mississippi River National Wildlife and Fish Refuge and prove instrumental in passing the federal Clean Water Act in 1972. The Izaak Walton League has always remained true to its founding as a grassroots organization. Their members share my belief that in order to protect our nation's wildlife and natural lands we must focus on bringing communities together around a shared appreciation of nature. They do this through school visits, educational seminars, and hands on volunteer work. In 2005, the League established the National Conservation Scholarship Program to develop future leaders who will carry on the League's mission. Mr. Speaker, it gives me great pride to recognize the Izaak Walton League and all its members on this anniversary and wish them continued success on the next 90 years.

REQUIRE THE VA TO CONSIDER  
ALL QUALIFIED VETERANS

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. COFFMAN of Colorado. Mr. Speaker, we are remiss in our duty to reintegrate those who served in our military into the civilian workforce. The awful truth is that 16.7 percent of Iraq and Afghanistan servicemembers face joblessness upon separation. To help address this problem, I am introducing the Veterans Employment Act of 2012, which will require the Secretary of Veterans Affairs to hire all qualified veterans before considering other applicants. The Department of Veterans Affairs, VA, has a workforce of 318,856 civilians, only 32 percent have actually ever worn the uniform. Increasing the amount of veterans they employ, while decreasing the amount of unemployed veterans, is a commonsense policy that benefits everyone.

The number of claims for veterans' disability benefits that take more than 125 days to complete has reached 560,000 unresolved cases. The VA claims backlog is leaving too many disabled veterans waiting an average of six months to receive the disability benefits they have earned. Worse, the Integrated Disability Evaluation System, IDES, designed to make the transition from wounded warrior to veteran status more efficient, averages 394 days to process each veteran.

Broadening the presence of veterans working for the VA will ultimately make the organization more responsive to the needs of our

veterans. Having served in both the U.S. Army and the Marine Corps, I understand the strong bond of compassion shared between veterans of all uniforms and across all generations. There is a common culture, terminology and expectation of care among military personnel and veterans that have proven to be uncommon to civilians who struggle to connect with them. A dramatic increase in the number of veterans working at the VA is one solution to the systemic inefficiencies that have plagued the department and the reason I am introducing this bill.

My bill will require the VA to consider all qualified veterans for a job. If the VA determines none of those candidates meet the qualifications, only then may they consider non-veteran candidates. The VA will still be required to submit an explanation to the Office of Personnel Management for all veterans passed-over, in accordance with current regulation. No qualifications for employment will be changed or reduced. Requiring the VA to explain their hiring decisions introduces greater transparency into the process.

I look forward to working with my colleagues from both parties to fulfill our commitment to veterans by recognizing their increased value for employment in the VA.

CELEBRATING THE LIFE OF HARLEM'S SOUTHERN STYLE FOOD ICON, CALVIN COPELAND

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. RANGEL. Mr. Speaker, I rise to celebrate the life and legacy of another Harlem's Southern Home Style Restaurant owner and Master Chef, Calvin Copeland, who passed away on Thursday morning, August 23. As we remembered and recently celebrated the life of Sylvia Woods, The Queen of Soul Food—certainly for 50 years, Mr. Calvin Copeland and his famed Copeland's Restaurant & Reliable Catering was worthy and reigned with royalty on West 145th Street, between Amsterdam Avenue and Broadway in the Village of West Harlem.

Born in Virginia on May 1, 1925, Mr. Copeland headed north to live with an aunt who taught him her secret recipe to making finger licking good, fried chicken. Never one to forget his southern roots, Mr. Copeland proudly proclaimed Harlem as "the place" that made him famous by cooking and serving his delicious, and often catered, Southern foods and a little bit of live Jazz.

Mr. Copeland started the business in 1958 as a catering service, one of Harlem's first, in a modest storefront on Broadway north of 148th Street. Mr. Copeland baked and decorated cakes and only had but one worker, Ms. Gertrude Clark, who is white and grew up on a farm in upstate New York did whatever else was needed, which often included preparing Southern fare. Quoted in a New York Times Article, she stated, "I had never eaten collard greens in my life, and there I was making fried chicken and souse meat." Ms. Clark later became Copeland's banquet manager.

Mr. Copeland eventually rented the store next door, opened up a hole in the wall, expanded the kitchen and started serving break-

fast and lunch, cafeteria style. In 1980, As small business restaurateur, Copeland faced many challenges. In 1981, the restaurant burned to the ground and the insurance company went bankrupt before Mr. Copeland was able to recoup his losses. He lost everything, but the liquor. Back in the day Banks were not prone to lending money to restaurants located in Harlem, but because of the generosity of friends and special loyal worker, Copeland was able to reopen in grandeur. That very special worker was Gertrude Clark who mortgaged her property in upstate New York, which along with a small business loan helped her boss secure financing for a new location, on West 145th Street between Broadway and Amsterdam in Hamilton Heights.

Calvin Copeland became an institution, when he moved his business to 547 West 145th Street and opened Copeland's Restaurant & Bar Lounge and Reliable Catering Service, which was also a community buffet style diner. Copeland's became a destination for black families from as far South as Florida and the Carolinas and as far North as Buffalo, New York to Canada. Black entertainers, like Harry Belafonte and Stevie Wonder; and other notables would stop by when in town. Desmond Tutu, the retired Anglican archbishop, ate there once, and so did Muhammad Ali and the comedian Richard Pryor, who threw money in the air when he left the restaurant so as to distract the crowd that had surrounded him. Mr. Copeland stated that Natalie Cole was a regular. Michael Jackson came by once for take-out.

One of my fondest memories was the eve of the Mayoral General Election in 1989 when David N. Dinkins and I campaigned at the subway stop on 145th Street and Broadway and ate at Copeland's Restaurant. I don't know if it was the lucky fried chicken, the collard greens or Copeland's corner, but the next day David N. Dinkins won the election and became the first African American and 106th Mayor of the City of New York.

Copeland Restaurant was a place where you can catch Kathy Sharpton, Candi Staton, Lonnice Youngblood, Gloria Lynne and other great Jazz, Gospel and R&B artist perform. Where politicians held court and Harlem players and shakers hung out for breakfast. I miss those fried apples, chicken livers and cat fish, and that amazing banana pudding and sweet potato pie.

Unfortunately, in 2007 due to the economic downturn and poor health, Mr. Copeland had to close. Mr. Copeland always dreamed that one day he would make a comeback to the food business that he loved so much. He was a great teacher and mentor to those in need of a trade to make a decent living, Mr. Copeland trained many into the restaurant business. Even people coming out of prison with no real job options could depend on him for a professional introduction into the culinary arts.

Mr. Speaker, Mr. Calvin Copeland, a Harlem Mainstay was there when rioters burned and looted stores in 1964, when crack cocaine and HIV/AIDS tore families apart, when brownstones were for sale for \$50,000 and few outsiders dared move in. He endured fire and financial ruin, yet each time he picked up the pieces and prospered, as bold and resilient as the neighborhood around him. If he could be the master of his fate, he would live out his days in Harlem. Please join me and

my colleagues as we salute another Harlem icon, Mr. Calvin Copeland who has contributed to the greatness in which Harlem is known.

WEST CALDWELL VOLUNTEER  
FIRE DEPARTMENT'S 100TH AN-  
NIVERSARY

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the West Caldwell Volunteer Fire Department of West Caldwell, Essex County, New Jersey for the celebration of its 100th Anniversary this year.

Although the Borough of West Caldwell received its charter in 1904, it was not until August 5, 1912 that the pressing need for organized protection against fire prompted the incorporation of a fire department. With the help of an appointed committee, the department soon legitimized, purchasing fire equipment and property for a firehouse, on which the first WCVFD firehouse was built. Additional investments in horse drawn wagons, a 700 foot fire house, and sounding fire alarms further improved the efficiency of the department.

Beginning in 1917 the Borough motorized the department, continuing to purchase automobile fire apparatuses throughout the 1950's and 1960's in response to the demands of industry, business, and an increasing population.

Despite the fact that the department's first initial firehouse no longer stands, in 1968 the West Caldwell Borough constructed a new firehouse. This firehouse, located on 6 Fairfield Avenue, is home to the present day headquarters of the department.

Today, the West Caldwell Volunteer Fire Department clearly maintains its initial principles of teamwork and commitment. Under current Chief James Alvine, the department consists of approximately 60 dedicated individuals who work together to save lives on a daily basis.

It is evident that the West Caldwell Volunteer Fire Department exhibits the unity and teamwork required of the fire service. The merits of courage, pride, and passion that permeate the department serve as a testament to its long withstanding success.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the West Caldwell Volunteer Fire Department of West Caldwell, Essex County, New Jersey, for the achievement of its 100th anniversary.

RECOGNIZING CHET WALKER

**HON. FRED UPTON**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. UPTON. Mr. Speaker, I rise today to recognize Chet Walker of Benton Harbor, Michigan, who was elected to both the Michigan Sports Hall of Fame and the Naismith Memorial Basketball Hall of Fame on September 7, 2012.

Mr. Walker began his career as the star of Benton Harbor High School's basketball team,

leading the school to the Class A Boys' state finals in 1958. He then matriculated to Bradley College in Peoria, Illinois, where he became the school's all-time top scorer and rebounder, and was a two-time unanimous First Team All-America pick. Mr. Walker led the Bradley Braves to victory in the 1960 National Invitation Tournament and finished his college career with an outstanding 69–14 win-loss record.

His success as a college athlete caught the attention of the NBA, and after graduation Mr. Walker was drafted by the Syracuse Nationals in the second round. Mr. Walker continued in his tradition of success, and was named to the first ever NBA All-Rookie Team. The rest of his professional basketball career proved to be exceptional: over the span of his 13 years, Mr. Walker scored 18,831 points and grabbed 7,314 rebounds, had a free throw percentage of 79.6, was a seven-time All-Star, and won the 1967 NBA championship with what is considered by many today to be the greatest basketball team of all time.

Mr. Speaker, I am honored to recognize Mr. Walker's achievements and am glad that he is being properly respected for his contributions by the Michigan Sports Hall of Fame and the Naismith Basketball Hall of Fame. Chet Walker is one of the greatest to ever play the game and we are so proud in southwest Michigan.

IN HONOR OF THE ANDERSON  
POLICE DEPARTMENT K-9 UNIT

**HON. MIKE PENCE**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. PENCE. Mr. Speaker, I was deeply saddened to learn that, for the second time in less than a month, the community of Anderson is mourning the loss of a police dog. On July 26, 2012, Anderson Police Department K-9 Kilo was lost during a shooting that took the life of a Pendleton resident and injured two police officers. Just weeks later, on August 18, 2012, while tracking the scent of a bank robbery suspect, Anderson Police Department K-9 Magnum was shot and eventually succumbed to those wounds.

Both Kilo and Magnum were lost in the line of duty and while some may believe their service is far different from the officers who choose to wear the uniform, those who stand on the thin blue line see police dogs as partners. Kilo and Magnum both were loyal to the end. With their instincts and training, these police dogs were the front line of defense, protecting their human compatriots.

I couldn't be more proud, that in the wake of these tragedies, the community has rallied around the Anderson Police Department. Students at both Anderson Preparatory Academy and Anderson High School have raised funds to help the city bring on another K-9.

Police dogs, like Kilo and Magnum are often visible within our communities and can be very valuable with public outreach efforts. Yet, as we have learned, these animals often are the front line of defense for officers and the public at large.

Let us keep the Anderson Police Department, especially Officers Marty Dulworth and Matt Jarrett, the handlers of Kilo and Magnum, in our prayers. These instances demonstrate

that our first responders put our lives ahead of their own on a daily basis. For that, we will be forever grateful.

PERSONAL EXPLANATION

**HON. ADAM KINZINGER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. KINZINGER of Illinois. Mr. Speaker, due to transportation issues beyond my control, I was unable to cast my votes on Monday, September 10, 2012. If able to cast those votes I would have voted Aye on H.R. 6122, to Revoke the Authority of the Librarian of Congress to accept gifts on behalf of the Library; H.R. 2139, the Lions Club Commemorative Coin Act; and H.R. 6186, to Require a study of community-based flood insurance options.

PERSONAL EXPLANATION

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 557–559. Had I been able to vote, I would have voted “yes” on all three votes.

TRIBUTE IN HONOR OF PETTY OF-  
FICER 3RD CLASS CLAYTON R.  
BEAUCHAMP

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Ms. GRANGER. Mr. Speaker, I rise today to honor the service of Petty Officer 3rd Class Clayton R. Beauchamp who was killed on August 7, 2012 in Helmand Province, Afghanistan in support of Operation Enduring Freedom. Petty Officer Beauchamp was serving with the 1st Battalion, 1st Marine Regiment, Regimental Combat Team 6, based at Camp Pendleton, California.

Petty Officer Beauchamp was from Weatherford, TX. He graduated from Weatherford High School in 2009 and enlisted in the Navy that July. Petty Officer Beauchamp is one of three siblings who have all chosen to serve in the United States Navy. His brother, Christopher Beauchamp, is a six-year Navy corpsman serving his third tour overseas, and his younger sister, Cheyenne Beauchamp, is in the Navy Security Forces, stationed in Virginia. According to friends, Clay always knew he wanted to serve after high school, and he signed up at the first possible opportunity on his 17th birthday, Jan. 16, 2008, more than a year before graduation.

Petty Officer Beauchamp, a medical corpsman, had earned a Combat Action Ribbon, Navy Marine Corps Achievement Medal, Navy Good Conduct Medal, Navy Expert ribbons in rifle and pistol and the Fleet Marine Force Enlisted Warfare Specialist device, and was posthumously awarded the Purple Heart.

Petty Officer 3rd Class Clayton R. Beauchamp was a true patriot and made the

ultimate sacrifice defending his country. I wish to extend my condolences to Petty Officer Beauchamp's parents, Jack and Diana, and his sister Cheyenne and brothers Christopher, Brian and Timothy, and hope that they continue to find solace in his lasting impact on this grateful nation, his fellow soldiers, and our community.

HONORING SONIA GUTIERREZ ON  
40 YEARS OF SERVICE TO THE  
CARLOS ROSARIO INTERNATIONAL  
PUBLIC CHARTER  
SCHOOL

**HON. ED PASTOR**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. PASTOR of Arizona. Mr. Speaker, I ask my colleagues to join me in recognizing the many achievements of Ms. Sonia Gutierrez who is celebrating 40 years of service as President and Founder of the Carlos Rosario International Public Charter School in Washington, DC.

Since 1972, Ms. Gutierrez has dedicated her life to educating and empowering diverse immigrant communities in our nation's capital. In her capacity as Director of the Program of English Instruction for Latin Americans (PEILA), Ms. Gutierrez transformed the small, under-funded English as a Second Language (ESL) program into a comprehensive adult education program, known today as the Carlos Rosario International Public Charter School.

At the school, Ms. Gutierrez has led a highly qualified, diverse, and dedicated team of faculty and staff to improve the lives of over 60,000 adult immigrants. Ms. Gutierrez's passion and tenacity are evident in her unwavering dedication to these individuals, giving them a chance to transform their lives.

Ms. Gutierrez's service has not only impacted the students at Carlos Rosario, but the DC public at-large. Her ongoing leadership and inspired vision provide opportunities for the DC immigrant population to become invested, productive citizens and members of American society who give back to family and community.

Ms. Gutierrez has received recognition from the District of Columbia, the DC Board of Education, national and local Latino organizations, and from organizations in the African-American and the Asian communities. In 2001 she was one of the first four inductees to the Hall of Fame of the National Charter Schools. She holds a Bachelor's degree in Business Administration and a Master's degree in Adult Education specializing in Supervision and Administration of Adult Education Programs. Ms. Gutierrez established the Council of Latino Agencies in 1977 and together with Jose Gutierrez and other community leaders was instrumental in creating the mayor's Office of Latino Affairs.

Ms. Gutierrez continues to make transformative contributions to immigrant and non-immigrant communities alike in DC and nationwide. She is presently focused on ensuring the growth and long term sustainability of the Carlos Rosario School's award-winning model. In 2013, a new workforce development satellite site, located in northeast DC, will be dedicated to Ms. Gutierrez—the Sonia Gutierrez Campus.

Mr. Speaker, in light of all Ms. Sonia Gutierrez has done for the community of Washington, DC, it is only fitting that she be honored for her many years of dedication. Her tireless passion as a principal, counselor, advocate, and organizer has contributed immensely to the betterment of the immigrant community and our community as a whole. I ask that you join me in recognizing Ms. Gutierrez and her continued service.

MOON MAN NEIL ARMSTRONG

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. POE of Texas. Mr. Speaker, years ago, a view of Earth from 238,900 miles away seemed impossible until Neil Armstrong became the first human to reach the unreachable. On July 20, 1969, Armstrong landed Apollo 11 running on fumes and set foot on the moon, where he left a foot imprint of a little less than an inch deep. "Houston, Tranquility Base here. The Eagle has landed," were the words he radioed in the moment he achieved a national goal and changed the course of space exploration.

In the 2 hours and 19 minutes of the moonwalk, Armstrong became one of the most significant American heroes. His out-of-this-world accomplishment drew the attention of our ambitious nation and people worldwide. Six hundred million viewers watched and listened to his historical landing that day. As he said, "That's one small step for man, one giant leap for mankind." I watched live Armstrong's first steps on the moon on an old black and white T.V. in Texas.

Armstrong was described as a man who "cherished his privacy and always appreciated the expressions of good will from people around the world and all walks of life." Two weeks ago, we lost this man who, in turn, made a national dream come true and inspired people around the world and all walks of life.

He was born August 5, 1939 in Wapakoneta, Ohio. When he was 6, he climbed into a plane for his first ride. His talent was born at a young age when he began crafting model airplanes and had impressively collected enough books for a well-stocked aviation library. His above-average intellect was noticeable in his performance in his high school math and science classes. After his graduation, he attended Purdue University but only stayed two years to go on and fly combat missions in the Korean War as a Navy Pilot. Eight years later, he went back to the university and graduated with a degree in aeronautical engineering. Then, he joined the National Advisory Committee on Aeronautics, later becoming NASA, where he started his path to his historical leap into space. Armstrong made a name for himself during his seven years at a NACA high speed flight station at Edwards Airforce Base in California. His immeasurable accomplishments were rewarded in September of 1962, when NASA chose him to be an astronaut. Little did they know, they also selected the man who would later become the first human to set foot on the moon.

Armstrong thought of himself as a "nerdy" engineer. His family thought of him as a "lov-

ing husband, father, grandfather, brother and friend." His colleagues thought of him as a "daring, yet humble person" and the world thinks of him as one of the greatest heroes of all time.

He left his mark in space and on earth. Whether or not "someone goes up there and cleans up his footprints" like he had hoped, he'll never be forgotten.

And that's just the way it is.

HONORING THE 11TH ANNIVERSARY  
OF SEPTEMBER 11, 2001

**HON. DAN BENISHEK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. BENISHEK. Mr. Speaker, I wish to recognize the 11th anniversary of the September 11 attacks to commemorate those who perished as well as the first responders, volunteers and bystanders who acted so valiantly on that day we will never forget.

Eleven years later, the events of that tragic day are still vivid. It was a day marked by fire and ash. By dust and smoke. By tears and sorrow. But it was also a day that showed the world what type of people call America home.

While we witnessed the great evil which man is capable of producing, we also saw the great heroism and good nature of America's citizens. It showed the selflessness of our first responders who rushed into burning buildings to save the lives of people they never even met, or the countless people, including residents of Northern Michigan, who stood in long lines to give their own blood or donate their time or materials to rescue workers and the recovery effort.

There were certainly countless other acts of heroism and bravery on that day that the world will never know. Terrorists may have been able to knock down our biggest buildings, but they have never been able to diminish the kindness and generosity that the American people and millions of our neighbors around the globe have in our hearts. On that sad day, residents from all corners of our country reaffirmed what it means to be an American united with our neighbors across this vast land. It is my hope that all Americans can continue to represent the spirit of those who perished through our actions and conduct towards one another.

On behalf of the citizens of Michigan's First Congressional District, I wish to recognize the extraordinary actions of ordinary Americans on that fateful day and express my condolences for those who were lost on September 11, as well as those who lost their lives in the military conflicts that stemmed from this attack. Their heroism and sacrifices will never be forgotten.

LIEUTENANT GENERAL ROBERT  
ARTER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. GRAVES of Missouri. Mr. Speaker, it is with great pleasure that I rise today to recognize the outstanding service of Lieutenant



General Robert Arter of Lansing, Kansas for receiving the Alexander Doniphan Community Service Award. Lieutenant General Arter exemplifies the attributes of General Alexander W. Doniphan, and has carried on Doniphan's legacy through a lifetime of service.

Lieutenant General Arter has distinguished himself as a military leader since he first received his commission in 1950. He has held numerous command and staff positions including command of the 1st Battalion, 506th Airborne Infantry, 101st Airborne Division (Airborne) and command of the First Brigade, 101st. His commitment to excellence in leadership and command has led to great recognition, including being named the Commanding General of the United States Army Military District of Washington and Commanding General of the Sixth United States Army. Even after his retirement, he continues to address the needs of both civilians and military as a member of the Governor's Military Affairs Coordinating Council.

Lieutenant General Arter has also been instrumental in the training and education of servicemembers. He has served as the Commanding General of the Third ROTC Region, Deputy Commanding General for the U.S. Training Center in Fort Ord, and as Deputy Commandant, for the U.S. Command and General Staff College. He went on to hold a position as the Superintendent of Wentworth Military Academy, and he maintains an active and vital role in the education of future leaders as Chairman of the U.S. Army Command and General Staff College Foundation.

Lieutenant General Arter has also been committed to furthering business and economic development in his community. He has served as President and CEO of the Armed Forces Bank in Leavenworth, Kansas and remains a member of their board. He is currently Chairman of the Military Affairs Committee of the Greater Kansas City Area Chamber of Commerce and a member of the Business Executives for National Security.

Mr. Speaker, I ask that you join me in applauding Lieutenant General Robert Arter for his selfless acts of generosity through volunteerism. I know Lieutenant General Arter's colleagues, family and friends join with me in thanking him for his commitment to others and wishing him happiness and good health in his future endeavors.

THE 10TH ANNIVERSARY OF THE  
FEDERAL LONG TERM CARE INSURANCE PROGRAM

**HON. ELIJAH E. CUMMINGS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. CUMMINGS. Mr. Speaker, I rise today to congratulate the Federal Long Term Care Insurance Program on its 10th anniversary. The Program was established by the Long-Term Care Security Act, and I am proud to have been the lead Democratic cosponsor of that legislation. The Program provides long term care coverage to active and retired federal and postal workers and uniformed servicemembers who participate in the program, and it covers care received at home, an assisted living facility, or a nursing home. Since the Program's implementation in 2002, it

has become the largest private long-term care insurance program in the nation with about 270,000 enrollees. Although it is an employer-sponsored program, 100% of its costs are funded by enrollees, not the federal government or taxpayers.

The Program has increased awareness in the federal community about long term care issues and needs, helped enrollees provide for the high cost of long term care, and provided participants with the opportunity to take control of their future long term care needs. Before we created the Program, long term care services were not covered by Medicare or the Federal Employees Health Benefits Program. The Department of Veterans Affairs offered only limited benefits, while Medicaid provided coverage only to the very poor. Since 2002, the Program has paid out almost \$200 million in claims, with a claim approval rate of 97–98%.

As the American population, and the baby boom generation in particular, continues to age, there will be an increased need for vital long term care services in this country. In 2009, more than \$250 billion was spent nationwide on long term care services, including nursing home and other assisted-living services. According to the Department of Health and Human Services, at least 70% of people over age 65 will require some long term care services at some point in their lives.

I am very pleased to recognize the great achievements of the Federal Long Term Care Insurance Program in assisting enrollees and their families in financing their future long term care needs and in shielding their retirement savings and assets from the increasing costs of long term care services. I look forward to the continued success of the Program as it begins its second decade of voluntary coverage for our dedicated federal community of civilian and postal workers and members of the armed services.

REMEMBERING IDA KEIPER

**HON. TIM RYAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. RYAN of Ohio. Mr. Speaker, Dr. Martin Luther King, Jr. said "everyone can be great because everyone can serve." I rise today to remember and honor the life of a model of service, Ida Keiper. I used to tease her and call her "Mama Keips" because I knew she was Italian and she reminded me so much of my Italian grandmother. She was born in Grindstone, Pennsylvania, in 1935 to the late Antonio and Emma Perazzola. She spent the majority of her adult life in the Mantua, Ohio, area. Her life cannot simply be measured by the number of years raising children, the good Italian meals prepared or the countless hours spent helping with homework. Her service went beyond the walls of her home and stretched across the community.

Ida was a member of numerous organizations such as the PTA, the Boy and Girl Scouts of America, and the Crestwood Band Patrons. She also served on the Democratic Central Executive Committee for over 20 years and was a member of the Federated Democratic Women of Portage County Ohio. In addition to her volunteer work she was also

an active member of The Church of Jesus Christ Kirtland Restoration Branch.

Ida left these thoughts to those she loves: "Goodbye to my family and friends. I hope that the paths we have traveled and passed were good ones. I pray that we will meet again in God's Kingdom. Make the most of and celebrate your gift of life. So grieve for me awhile, if grieve you must, then let your grief be comforted with trust. It's only for awhile that we must part, so bless the memories with your heart."

Ida Keiper passed away August 6, 2012 at the age of 76. Her legacy lives on through her family and the people she touched with her selflessness and generosity. She is survived by her husband, Charles W. Keiper and their four children, Charles W. Keiper II, Faith Keiper, Linda Pallotto and Cindy Iozzia, four grandchildren, Sara, Michael, Spencer, Nathan and Lauren, and five siblings, Pete Perazzola, Nick Perazzola, Stella Nixon, Lundy Fisco and Agnes Pinkney. I offer my condolences to the family and all those whose lives who have been touched by her gentleness and grace. Italian mothers and grandmothers are a special breed and Mama Keips was as special as they come. She will be missed.

COMMENDING THE KINGS MOUNTAIN CHAPTER OF THE SONS OF THE REVOLUTION FOR OBSERVING THE 225TH ANNIVERSARY OF THE SIGNING OF THE UNITED STATES CONSTITUTION ON SEPTEMBER 17

**HON. DAVID P. ROE**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. ROE of Tennessee. Mr. Speaker, I rise today to commend the Kings Mountain Chapter of the Sons of the Revolution for observing the 225th anniversary of the signing of the United States Constitution on September 17. I am proud of these men for remembering Tennessee's part in obtaining our independence.

The limited, constitutional government that we enjoy was made possible by the sacrifice of American patriots. At the Battle of Kings Mountain, the Overmountain Men from Sycamore Shoals, Tennessee defeated British forces, creating a turning point in the Revolutionary War. By taking up arms to free a nation from tyranny, these men exemplified Tennessee's volunteer spirit.

I sincerely thank the Kings Mountain Chapter of the Sons of the Revolution for observing this important day.

IN HONOR OF CAPTAIN ALAN G. POINDEXTER

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. FARR. Mr. Speaker, I rise today to honor the life of an American hero, Captain Alan G. Poindexter, United States Navy, simply known as "Dex" to those of us who were blessed to know and work with him. Captain Poindexter's deep sense of patriotism, selfless

dedication to others, jovial nature and innate leadership capabilities were evident in all facets of his life. Whether serving his Nation for 26 years as a combat-proven Naval Aviator, decorated Fighter Pilot, experienced Test Pilot, respected Astronaut and Space Shuttle Pilot, esteemed Dean of Students at the U.S. Naval Postgraduate School or, for nearly 30 years, living out his enduring love and respect for his wife—Lisa—and his steadfast devotion to his beloved sons—Zachary and Samuel—“Dex” made a profound difference on our world that will never fade away.

Born on November 5, 1961 in Pasadena, CA, Alan Poindexter grew up in Rockville, MD and Coronado, CA. As a youngster, he served in the Cub Scouts and Boy Scouts and fulfilled his interest in aviation by playing with model aircrafts and watching the Apollo flights. Following his graduation from Coronado High School in 1979, Alan attended junior colleges in both California and Florida.

While in Florida in 1981, Alan met Lisa A. Pfeiffer of Pensacola, FL. They married on December 23, 1983 while Alan was a midshipman in the Georgia Institute of Technology Navy ROTC program. Their son, Zach, was born on August 9, 1985. Alan earned a Bachelor of Aerospace Engineering degree in 1986, graduating with highest honors.

Following his commissioning in the U.S. Navy, and eventual designation as a Naval Aviator in 1988, Alan reported to Fighter Squadron 124 located at Naval Air Station Miramar, CA, for transition to the F-14 Tomcat. Following his initial training, Alan—whose call-sign was now “Dex”—was assigned to Fighter Squadron 211, also at Miramar, and made two deployments to the Arabian Gulf during Operations Desert Storm and Southern Watch. During this time, Alan, his wife, Lisa, and their son, Zach, welcomed a second son, Samuel, on October 30, 1989.

While on his second deployment in 1993, Dex was selected to attend the Naval Postgraduate School/U.S. Naval Test Pilot School Cooperative Program. Following graduation in December 1995, he was assigned as a Test Pilot and Project Officer at the Naval Strike Aircraft Test Squadron (NSATS), Naval Air Station Patuxent River, MD. Dex was with Fighter Squadron 32, NAS Oceana, VA, when he was selected for Astronaut training in June 1998. As a Naval Aviator, Dex logged over 4,000 hours in more than 30 aircraft types with over 450 carrier landings.

Alan reported for Astronaut training in August 1998 and initially served in the Astronaut Office Shuttle Operations Branch performing duties as the lead support astronaut at Kennedy Space Center. He later served as a Capsule Communicator (CAPCOM) for several missions and was a veteran of two space flights—he served as Pilot on STS-122 aboard Atlantis from February 7–20, 2008 and from April 5–20, 2010 he was the Commander of STS-131 aboard Discovery. During his NASA career, Alan logged over 669 hours in space. After his retirement from NASA in December 2010, Dex returned to the Navy and was assigned to the Naval Postgraduate School as the Dean of Students until his untimely death.

Alan's many decorations include the Defense Meritorious Service Medal, two Legions of Merit, NASA Outstanding Leadership Award, NASA Aviation Safety Award, Navy and Marine Corps Commendation Medal with

Combat V and various other service awards. Always active, Alan's recreational interests included motorcycling, cycling, photography, running, weightlifting, boating, hunting, fishing, and spending quality time with family and friends.

But a man is not measured alone by the awards he earned or the medals he wore, nor even for his personal interests, sense of humor and honor, his courage and compassion. It is all of that and more.

Alan's wife, Lisa, and his two loving sons, Zach and Sam, will always remember Alan for his unflinching willingness to be the one who “slept on the rock” at the campsite, so that they could take the more comfortable places. He became fondly, and gratefully, known to them over the years as the “guy who slept on the rock.” Nothing greater could be said, with more love, of any man.

Mr. Speaker, I know that I speak on behalf of the entire House, when I offer the Nation's deepest sympathies to Alan's wife, Lisa, his sons Zach and Sam, and to their entire extended family. Captain Alan Poindexter, loving husband and father, fighter pilot, astronaut, and friend, demonstrated for all of us the qualities that characterize the greatness of America.

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RECOGNIZING AMTRAK AND ITS  
IMPORTANT ROLE ON SEP-  
TEMBER 11, 2001

**HON. CORRINE BROWN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Ms. BROWN of Florida. Mr. Speaker, on this day of remembrance of the tragic events of September 11, 2001, I would like to take this opportunity to thank Amtrak and its employees for its efforts in the minutes, days and weeks following the attacks.

On this very day 11 years ago, Amtrak and its employees worked around the clock to provide one of the only travel options in many parts of this country. Within minutes of the incident, Amtrak jumped into action. It mobilized and established a command center; evacuated a number of stations for inspections of trains and infrastructure; and dispatched police officers and staff throughout Amtrak facilities to patrol and conduct ongoing inspections.

On the Northeast Corridor, Amtrak added about 30 percent more seating capacity to fill the travel gap. Over 1,600 daily seats were added to long-distance trains and another 300 seats to West Coast trains.

Amtrak also provided transportation to New York City for families and friends of victims, firefighters, police, medical teams, military and other public officials, and even airline crew members. In partnership with the American Red Cross, Amtrak transported thousands of emergency relief kits to New York City. In fact, with the airlines grounded, the U.S. Postal Service turned to Amtrak to carry mail.

Mr. Speaker, on the anniversary of September 11, it is important we reflect on the important role of Amtrak and its employees and it is essential that we maintain our vigilance of the security of all modes of transportation.

LAMENTING THE FACT THAT H.R.  
2362 DID NOT PASS

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. MORAN. Mr. Speaker, I wanted to submit an article printed in the July 27th issue of *The Hill* that came to my attention. Entitled “Native American tribal leaders: Indian Country shouldn't be hostage to far-off conflicts” and written by Native American tribal leaders Eric Bruguier and Lloyd Irvine, the authors lament the fact that the Indian Tribal Trade and Investment Demonstration Project Act (H.R. 2362) failed to secure the necessary votes to pass under a suspension of the rules.

As a cosponsor of this measure, I am also disappointed this measure failed to pass. With the unemployment rate on American Indian reservations averaging between 40 percent and 50 percent, with poverty that transcends generations and incomes and educational attainment all well below the national average, this bill would have enabled foreign investors to partner with Native Americans on reservations to create new businesses and generate income where little to none exists today.

NATIVE AMERICAN TRIBAL LEADERS: INDIAN  
COUNTRY SHOULDN'T BE HOSTAGE TO FAR-  
OFF CONFLICTS

(By Eric Bruguier and Lloyd Irvine)

Being able to conduct business easily internationally is the lifeblood of the American economy. Trade provides new markets for American products and know-how, providing choices to foreign consumers and growth and prosperity at home. Yet apparently Congress does not feel that Native Americans deserve to participate.

This week, the House voted on H.R. 2362, a simple yet important piece of legislation that would have allowed Native Americans to do business with foreign companies from any of the 155 countries that are members of the World Trade Organization.

Despite earning the support of 58 percent of House members—and the backing of the National American Indian Housing Council, the National Congress of American Indians, and the National Center for American Indian Enterprise Development—the bill failed to meet the two-thirds majority needed to pass under the expedited process known as suspension. It failed not because of any substantive arguments against the bill's merits but because of pressure from two ethnic lobbies with a history of grievances against Turkey. And once again, Native Americans are left to suffer.

Current regulations and red tape prevent Native Americans from taking control of their own economic development. If a business wants to lease property to open a store or a factory, that business must first go through a multilayer, multiyear review process required by the Bureau of Indian Affairs, a process that can take up to six years—six years to complete paperwork that takes a week to complete in the rest of the country. Business cannot operate under these conditions. This bill would have changed that.

Rep. Tom Cole (R-Okla.), the only Native American member of Congress, introduced this legislation with the sole intention of creating economic sovereignty for Native Americans. He has firsthand experience of the challenges faced by tribes. Native Americans suffer from the highest poverty and unemployment rates in the country. Compared with the rest of the United States, they are

more likely to suffer from drug and alcohol addiction and have less access to quality healthcare.

It was a shock to see a positive and seemingly noncontroversial bill fall short. After all, the bill would provide a clear avenue for foreign investment in Indian Country, streamline archaic and incredibly inefficient regulations that add years of delays to potential business deals, and for the first time allow tribes to enter into business deals as sovereign entities, much like every state in the country can already do. It would do all of these things at no additional cost to the federal government.

H.R. 2362 was also designed to complement H.R. 205, the HEARTH Act, which easily passed the House and Senate and will soon be signed into law. The bills are complementary but different. H.R. 205 was specifically designed to address housing needs on tribal lands but makes no mention of investment from foreign companies. H.R. 2362 invites companies from all 155 WTO countries to invest in Indian Country. It establishes a demonstration project that will help us learn best practices for future business deals. Once we work the kinks out, we would open it up to all tribes.

So why the opposition? One word: Turkey. Turkey and Turkish Americans helped bring this bill to fruition through years of business exchanges and negotiations on how to best facilitate trade and investment with Indian Country. Turkey was the first and only country to send an official delegation to the Reservation Economic Summit, the premiere tribal business conference. Turkey is the only WTO country that has demonstrated an active economic interest in tribal lands. Turkey was mentioned in the text of H.R. 2362 in recognition of these efforts.

But the word "Turkey" in a tribal economic development bill turned into a call to action for special interests. Rather than focusing on the bill's many economic benefits for tribes and all WTO countries, these communities focused on the word "Turkey". In the process, they hijacked a bill that has nothing to do with their centuries-old grievances and put an end to promising new economic opportunities for some of the most impoverished people living within America.

Native Americans have too few—not too many—tools for economic development. We need to give them as many options as we can. Tribes should have the power to choose which tools they wish to use to grow their economies.

H.R. 2362 is a good bill that would have spurred economic development on tribal lands. Instead, it was killed by special interests that chose this opportunity to advance their own agenda. An agenda that has nothing to do with tribal sovereignty.

(Eric Bruguier is the chairman of economic development for the Fort Peck Tribes. Lloyd Irvine is a councilman for the Confederated Salish and Kootenai Tribes.)

AMERICA'S CAMP PENTAGON  
EXHIBIT

**HON. CHELLIE PINGREE**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Ms. PINGREE of Maine. Mr. Speaker, I rise today to call my colleagues' attention to an art exhibit on display at the Pentagon.

Over the course of ten years, for one week each summer, a camp in the Berkshires of Massachusetts became "America's Camp." This camp welcomed children whose parents

or relatives were killed in the September 11, 2001, terrorist attacks on the World Trade Center, the Pentagon, and on American Airlines Flight 93. America's Camp was a place for these children to experience a traditional recreational summer camp—swimming, canoeing, and singing camp songs. But more importantly, it provided a peer-supported environment where these children could memorialize their lost loved-ones among other children who experienced similar losses. It was a place where the kids could be kids, without the label of being a "9/11 kid," as was the case in so many other aspects of their lives.

I am extremely proud of an organization in my district—The Center for Grieving Children—for the contribution they made to this special camp. The Center, based in Portland, Maine, has provided loving support to children and families during times of loss through peer support, outreach, and education. It has done so for 25 years and has provided its services free of charge for as long as families have needed them. The Center for Grieving Children has played a role in America's Camp since its founding. Each year, the Center sent staff and volunteers to camp where they provided "Buddy Central," a drop-in center where grief facilitators offered support to campers.

An annual art project offered children the opportunity to express their grief as well as their hope at camp. There was a quilt project, a tapestry of loss and love, anger and joy; a "Sky Project," with stars from each child with their own tributes to loved ones; and the amazing "Feathers of the Phoenix," with feathers made by the children with images of a person they wished to honor. A collection of these and other art projects has been on display for the past year or so at the Pentagon.

I encourage my colleagues to view this exhibit if given an opportunity to do so. The strength and hope shared by these children hold great power for moving us toward a more peaceful world.

FLORIDA PATRIOT GUARD RIDERS—STANDING FOR THOSE WHO STOOD FOR US

**HON. C.W. BILL YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. YOUNG of Florida. Mr. Speaker, on this, the somber anniversary of the 9/11 terrorist attacks on our nation, I rise to say thank you to the more than 7,000 members of the Florida Patriot Guard Riders who have provided invaluable support to the families of the fallen and injured servicemembers in the ongoing war against terrorism.

With the motto of "Standing for Those Who Stood for Us", the Patriot Guard Riders provide motorcycle escorts for our fallen as they take them to their final resting places. They provide escorts for our injured servicemembers as they return home. And they provide color guard support for hundreds of ceremonies throughout our state of Florida and our Nation as we honor those who wear and who have worn the uniform throughout our history.

In the past month alone, hundreds of Patriot Guard Riders joined as we escorted Staff Sergeant Matthew Sitton of Largo, Florida, home to his final resting place. Staff Sergeant Sitton

paid the ultimate price for freedom when he was killed by an IED blast in Afghanistan. Thousands and thousands of Matthew's friends and neighbors, and thousands more who had never met Matthew or his family, lined the streets of Tampa and Pinellas County to say thank you to him and his family as hundreds of Patriot Guard Riders provided a mile long escort to honor this American hero and his equally heroic family.

The Patriot Guard Riders were with us when we opened a Clearwater, Florida exhibit to remind us to never forget the lessons of the Holocaust. They lined the exhibit area with American flags as a tribute to those who served our nation during World War II, "The Greatest Generation" who restored freedom to Europe and freed the Nazi concentration camps.

The Patriot Guard Riders were also with us last week when we opened the new USO Lounge at the Tampa International Airport, to provide a place to support the thousands of troops who pass through Tampa annually, and to support their families when they come to await their return from their deployment and from their hospitalizations. Again, the Patriot Guard Riders lined the halls to show their thanks and their respect for our veterans of all generations as we dedicated this new facility.

Mr. Speaker, the Florida Patriot Guard Riders are led by State Captain Mike Donohoe, and Assistant State Captains Thomas "T-Man" Brown, Al Kaufman, Dave "Buzzard" Clark, Terry Hanifin, and Doug Horton. If space permitted, I would list the names of all 7,000 of the Florida riders who served our nation in uniform and who continue to serve their brothers and sisters in uniform.

The mission of the Patriot Guard Riders throughout our nation is to, "show our sincere respect for our fallen heroes, their families, and their communities." It is also to, "shield the mourning family and their friends from interruptions created by any protestor or group of protestors." Both of these missions are critical to our troops and their families. Throughout our nation's war against terrorism, my wife Beverly and I have been asked by the injured Soldiers, Sailors, Marines, Airmen, and Coast Guardsmen at our military and veterans hospitals if the American people continue to support their mission. The Patriot Guard Riders make sure that when these American heroes return home, they know they are loved and appreciated by the people of their hometowns.

Mr. Speaker, it is my hope that my colleagues will stop and say a word of thanks every time they see a Patriot Guard Rider back home in their communities. These men and women do not serve and ride for their own personal recognition. They ride and they stand in formation as a group to say thank you from a grateful nation and to do as their motto states, to "Stand for Those Who Stood for Us."

THE 11TH ANNIVERSARY OF THE  
SEPTEMBER 11, 2001 ATTACKS ON  
THE UNITED STATES

**HON. JERRY F. COSTELLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. COSTELLO. Mr. Speaker, today we mark the 11th Anniversary of the September 11

attacks on the United States. While we have moved more than a decade beyond that tragedy, the attacks remain an indelible part of our memory. Truly, no one who lived through that day will ever forget it—the horrendous loss of life, the bravery of our first responders, the sense of unity that followed—and it falls to us to ensure that future generations understand the magnitude of the event.

This is particularly so as other events impact our view of how we have reacted to 9/11. The capture and killing of Osama Bin Laden and the removal of our troops from Iraq can be seen as turn-the-corner moments in the war on terror, but the daily hard work of our military and intelligence community must continue—we must remain vigilant. I remember feeling that day and the days that followed that we were in uncharted territory as a nation. As a country and a society, we are learning as we go, adjusting and adapting to the new realities that 9/11 brought upon us and that have ensued since, such as the Arab Spring.

This process can be bumpy, and is ever changing, as we continue to weigh the appropriate balance in our security and foreign policy decisions. What is clear is that we continue to owe a tremendous debt of gratitude to our troops, who risk all in Afghanistan and elsewhere to protect our freedom, and our intelligence professionals, who are also on the front lines of our defense, making critical decisions that keep us safe every day.

More than anything, 11 years later, 9/11 underscores what it means to be an American, where we come together during even the toughest times, weather the storm and move forward. That is what 9/11 means to me, and that is the lesson that will endure for the ages, for all to see.

RECOGNIZING THE ACHIEVEMENTS  
OF LYNNE YOSHIKO NAKASONE

**HON. COLLEEN W. HANABUSA**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Ms. HANABUSA. Mr. Speaker, I rise today to recognize Lynne Yoshiko Nakasone of Honolulu, Hawaii. The National Endowment for the Arts has named Sensei Nakasone a 2012 National Heritage Fellow for her contributions to the folk and traditional arts. This prestigious lifetime achievement award honors Sensei Nakasone's lifetime commitment to Okinawan classical dance—which is also referred to as Ryukyu dance—and embodies her accomplishments by identifying her as one of our country's Living Treasures.

Sensei Nakasone is originally from Naha, Okinawa but has resided in Hawai'i since her marriage to her loving husband, Clarence, in 1955. At age 6, Sensei Nakasone began to master the techniques of Ryukyuan dance—which dates back to the time of the Ryukyu Kingdom—under the mentorship of Ryosho Kin, a renowned figure in the Okinawan performing arts. In 1956, Sensei Nakasone founded the Hoge Ryu Hana Nizi no Kai Nakasone Dance Academy in Honolulu and for over five decades has been teaching, performing, and choreographing creative dances. Sensei Nakasone's performance skills are second to none but it is her Aloha Spirit that endures the test of time as her passion, knowledge, and

kindness have touched countless individuals over the years. There is no doubt in my mind that Sensei Nakasone is deserving of this award for she has dedicated her life towards preserving Okinawan culture while positively impacting others and contributing to the diversity and uniqueness of culture in the United States of America.

Sensei Nakasone has been recognized numerous times in the past, being awarded the Individual Artist Fellowship from the State of Hawai'i, a Legacy Award from the Hawai'i United Okinawa Association, a certificate of commendation from the government of Japan, and a Living Treasure Award by the Hawai'i Buddhist Association. With her award from the National Endowment of the Arts, Sensei Nakasone has deservedly been recognized at every level possible. Her tremendous contributions to the humanities and to us all cannot be underscored and it is truly an honor for us to be able to recognize Sensei Nakasone for sharing her gifts with the world.

On behalf of the First Congressional District of Hawai'i—as well as the entire State of Hawai'i—I would like to extend my warmest aloha and congratulations to Lynne Yoshiko Nakasone, her husband Clarence, and her entire family for being named a 2012 National Heritage Fellow.

PERSONAL EXPLANATION

**HON. DONALD A. MANZULLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. MANZULLO. Mr. Speaker, I missed a series of votes yesterday. If I had been present, I would have voted "yea" on rollcall No. 557; "yea" on rollcall No. 558; and "yea" on rollcall No. 559.

REMEMBERING 9/11

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. HOLT. Mr. Speaker, today our nation pauses to remember another September morning very much like this one, bright and sunny, which began as usual for most of us but ended with nearly 3000 of our citizens dead and our nation once again at war. As we do every year at this time, we remember with sorrow and sympathy the lives lost, the families shattered, and the sense of vulnerability many still feel. But we also remember the heroism of the first responders in New York City, Virginia and Pennsylvania, and we remember the heroism of the passengers of Flight 93, who saved countless others by overpowering the hijackers of their plane before it could cause more tragedy in Washington, DC.

We also remember the determination and unity of purpose we all felt in the days and weeks immediately after those attacks, a determination that has led to the effective dismantlement of Al Qaeda and the imprisonment or death of those responsible for the 9/11 attacks. Our determination to remember can be seen in the National September 11 Memorial and Museum, which is located on the former

site of the Twin Towers and which we dedicated last year. Our determination to rebuild can be seen in the Freedom Tower, now known as One World Trade Center, that is steadily rising above the Manhattan skyline right next to the memorial and museum.

There are no words that I or anyone else could ever speak that will assuage the grief and sense of loss sustained by so many, including 700 in my district alone. What we can and must do is remember those lost and rededicate ourselves to rebuilding the country they loved, which in the end is the greatest tribute we could give them.

Each of us may never confront a vicious hijacker, but each of us can confront bigotry and division even in our own communities that destroy our commonality of purpose. Let us hope and pray that we can find within each of us the kind of courage as those Americans showed that day.

WE MUST CONTINUE TO FUND  
NASA'S "VOYAGER"

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. SCHIFF. Mr. Speaker, I rise today to pay tribute to the men and women of NASA and Caltech's Jet Propulsion Laboratory, who designed and flew the *Voyager* spacecraft, which have been exploring our solar system for thirty-five years and which are on the cusp of entering interstellar space. Even now, more than thirty-five years after launch, the *Voyagers* are still transmitting valuable scientific data through NASA's Deep Space Network, which is also managed by JPL.

*Voyager 2*, which was launched on August 20, 1977 and its twin, *Voyager 1*, which followed on September 5, 1977, were designed to take advantage of a rare alignment of the outer planets that allowed for a "grand tour" of the four gas giants that lie beyond the asteroid belt. The *Voyager* flybys of Jupiter, Saturn, Uranus and Neptune built on the earlier missions of *Pioneer 10* and *11* and revolutionized our understanding of the solar system and particularly the complex Jovian and Saturnian systems with their many and diverse moons. *Galileo*, *Cassini* and other subsequent missions to the outer planets have deepened our knowledge of our planetary neighbors, but they would not have been possible without the path breaking work of the *Voyager* team, many of whose members have devoted decades of their lives and careers to this one program.

Now, *Voyager 1* is poised to become the first manmade object to leave the solar system and venture into the great void of space after completing its primary mission of exploring Jupiter and Saturn in 1980. *Voyager 2*, which went on to Uranus in 1986 and Neptune three years later, is not far behind. Both craft carry a gold "record album" containing sounds and images of Earth if either spacecraft is found by an alien civilization.

*Voyager* was among many spectaculars of NASA's planetary science program, which has contributed so much to our understanding of our celestial neighborhood and of ourselves. We were recently reminded of this when *Curiosity*, the Mars Science Laboratory, landed on

the Red Planet last month. But these missions are not cheap and they take years to design, test and fly. They also require highly specialized teams of engineers and scientists to make them work and to interpret the data they return to Earth. And without missions to work on, this talent pool cannot survive.

That is why I am committed to ensuring that funding for NASA includes sufficient resources for a robust planetary exploration program that will provide for continued investigation of Mars, while also allowing us to visit the many other fascinating places in the solar system, like Jupiter's moon, Europa, which was photographed in detail by *Voyager 2* in July 1979.

We cannot cede our leadership in space exploration and the incredible advances that come with it. I will continue to use my seat on the Appropriations committee to argue for a planetary exploration program that secures our continued place at the head of the table of space-faring nations.

TODAY WE REMEMBER  
SEPTEMBER 11, 2001

**HON. ROBERT B. ADERHOLT**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. ADERHOLT. Mr. Speaker, it has been eleven years and we shall never forget the impact that September 11, 2001 made on every American.

Today, eleven years since tragedy struck the shores of America at the hands of Osama bin Laden and his followers, we should all pause for a moment and reflect upon not only the solemnity of this day, but also the strength of American ideals to overcome adversity and persevere.

Today, we should all remember the thousands of people needlessly murdered in New York, Pennsylvania, and Virginia on that faithful day; the brave first responders who rushed into harm's way without concern for the consequences; the thousands of brave men and women that have made the ultimate sacrifice in the course of the war of terror; and the thousands of security, intelligence, and law enforcement officials that continue to work tirelessly to keep our Nation safe and secure.

CELEBRATING THE LIFE OF  
BISHOP NORMAN N. QUICK

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. RANGEL. Mr. Speaker, I rise to celebrate the life of our dear beloved spiritual leader, Bishop Norman N. Quick who passed away on Wednesday, August 1, 2012. The celebration will begin on Tuesday, August 7, as the local Jurisdiction of the Church of God In Christ presided by Bishop Frank O. White, General Board Member and Interim Jurisdictional Prelate will host the first Celebration of Life Service; and on Wednesday, August 8, the National Jurisdiction of the Church of God In Christ, presided by Bishop Charles E. Blake will host the final Celebration of Life Service. Bishop Quick will lie in state for viewing at

Childs Memorial Temple Church of God In Christ, where both celebration services will be held.

It is with great sorrow that my wife Alma and I join Harlem and the Church of God In Christ Worldwide Ministry in mourning the death of our beloved Bishop Norman N. Quick who left an unforgettable and indelible mark in all of our spiritual hearts and minds. I am truly thankful for his decades of service to our community, and for the many personal memories that I will cherish forever. Bishop Norman N. Quick was a renowned and outspoken evangelist of the word of Christ, who grew his ministry nationwide and internationally, mentoring young pastors from as far as Africa, Asia and throughout the Caribbean, creating a legacy of evangelists and educators whose ministry will live through his teachings forever. Great men like our beloved Bishop are precious gifts we temporarily have in this world, but their assistance and contributions are far remembered and everlasting. Although he will be missed, his legacy now lives through his flock and through his children and that is a great comfort to all who knew this amazing servant of God.

Bishop Norman N. Quick was installed as Senior Pastor of Faith Temple Church of God In Christ in October 1973, after the death of another historic renowned Evangelist, Bishop Dr. Alvin Alexander Childs, who passed away on Saturday, August 11th of that same year. In 1974, Bishop Quick renamed the church to Childs Memorial Temple Church of God In Christ in honor of Bishop Dr. Alvin Alexander Childs, who also left an unforgettable and indelible mark on Harlem and in all of our spiritual hearts and minds.

Under the leadership of Bishop Quick and First Lady Sister Verline Quick, Childs Memorial Temple grew larger in its spiritual teachings and ministerial work throughout the West Harlem and "Sugar Hill" community. Childs Memorial Temple offered spiritual and compassionate support through its religious services and social programs. In 1976, Bishop and Sister Quick founded The Childs Memorial Temple Bible Institute for the purpose of promoting their study of the Bible, training Christian Workers and carrying the Gospel to the unsaved.

In 1982, they also established the Childs Memorial Temple Christian Academy, which has, and continues to provide a wholesome and religious education for hundreds of children in the community. Within the cathedral, the United Homeless Organization provides social services such as housing, job placement, and nutritious meals to individuals in need and rejected by society. Childs Memorial Temple houses Boy Scout and Girl Scout Troops that serve both the community and the church.

At a time when drugs, housing abandonment and despair ravaged throughout the neighborhood and community at large, Bishop Quick was one of the founding pastors and churches to form Harlem Congregations for Community Improvement in 1986, where he actively served on the Board of Directors. His success was as much a result of his enormous charming personality and character, as it was of his spiritual work ethic. Bishop Quick's incredible hospitality and personable nature was symbolic of Harlem's rich collective composition that will be remembered forever.

The history of Childs Memorial Temple Church of God In Christ began with the Faith

Temple Church of God In Christ under the leadership of Bishop Alvin A. Childs, which was one of the faster growing Pentecostal Churches in New York with over 3,000 members. Thousands of people received spiritual, financial and healing blessings under the dynamic ministry of Bishop Alvin A. Childs and the Faith Temple Church of God In Christ Family. Faith Temple was noted for its 11:00 p.m. radio broadcast where many people started gathering at 10:00 p.m. to hear the radio choir, many outstanding artists, Preachers and the voice of the Bishop, who was matchless as an orator and master 'pulpititeer.' In 1965, at the time of Malcolm X's death, none of Harlem's gaping Cathedrals would open the doors for his funeral. A fearless Bishop A. A. Childs dared to allow Malcolm X's slim body with bullet holes in the chest to be rolled into Faith Temple. Thousands of people lined the streets in front of the church as hundreds squeezed into the 600 seat Temple where actor Ossie Davis delivered the Eulogy. Faith Temple was a friend to all classes of people, Mayors and Governors, rich and poor and the rejected of society.

Mr. Speaker, the Village of Harlem and a very grateful nation extend our sincere and heartfelt support, love, and sympathy to the Church of God In Christ family as we celebrate the life of our beloved Bishop Norman N. Quick, who now takes his place alongside our other renowned Freedom Fighters, who have contributed and dedicated their entire lives to uplifting the spiritual morality, civil rights, social justice and education equality for all Americans despite race, color or creed.

WHITE MEADOW TEMPLE 60TH  
ANNIVERSARY

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor The Congregation of White Meadow Temple of Rockaway Township, Morris County, New Jersey for the celebration of its 60th Anniversary this year.

Initially a popular vacation spot for Jews from New York City and Newark in the 1940s, White Meadow Temple was founded in 1952 as a result of an increasing suburban Jewish population in Rockaway Township. Worship quickly commenced, beginning in 1953. In the years spanning 1955 and 1989, Rabbi Jacob Weitman served as the temple's spiritual leader, overseeing an era blossoming in both membership and dedication.

In 1964 the temple's building at 153 White Meadow Road underwent major renovations to accommodate for an increasing membership. Nearly 20 years later, White Meadow Temple renovated again in 1985, this time building a new sanctuary, two kitchens and additional Hebrew school classrooms.

Strengthening the foundation that Rabbi Weitman and the succeeding Rabbi Ralph Dalin laid, today, White Meadow Temple maintains its Jewish vision and principles while also expanding its involvement in the community. The conservative temple takes pride in its reputation and as a warm, active and egalitarian congregation.

In addition to services, which occur on Shabbat, weekday evenings, and Sunday

mornings, the congregation also partakes in the Synagogue's educational and social endeavors. Encouraging participating of younger generations on a spiritual level, the Temple also holds a Junior Congregation and Tot Shabbat services. Ranging from a Nursery School and Kindergarten to Youth groups, Senior Group, and a Women's league, White Meadow Temple offers everyone a chance to get involved and find their niche both in and out of the Jewish community.

After 60 years of passionate leadership, White Meadow Temple is currently overseen by President Marc Levine and services are lead by Rabbi Benjamin Adler. May that clear commitment and involvement of the congregation in the community uphold the mission of the White Meadow Temple and continue to inspire future generations!

Mr. Speaker, I ask you and my colleagues to join me in congratulating The White Meadow Temple of Rockaway Township, Morris County, New Jersey, on reaching their 60th Anniversary.

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### TRIBUTE TO MITLA CAFÉ

#### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. BACA. Mr. Speaker, I rise today to ask Congress to pay tribute to an outstanding business in San Bernardino, California—Mitla Café. This September, Mitla Café will be celebrating its 75th year as their family restaurant serving the people of Southern California.

Mitla Café is the oldest continually operating restaurant in San Bernardino, and one of the oldest Mexican restaurants in Southern California. Mitla Café serves standard Mexican fare—tacos, burritos, and fresh tortillas. They pride themselves in fresh food, which keeps the locals coming back for more. Today, the restaurant remains in its original location, off historic Route 66 in San Bernardino.

This family owned business was founded in 1937, by Lucia and Salvador Rodriguez. Until her passing in 1981, Lucia ran the restaurant with the help of her daughters Theresa, Helen, and Vera. After the death of her mother, Vera continued to manage the restaurant with the same understanding and passion for the community that her mother held. After Vera passed away in 1984, Lucia and Salvador's youngest son, Frank Montano, and his wife Irene continued the family business. Today, Mitla Café is managed by the founders' great-grandson, Steven Oquendo. The family restaurant atmosphere and exceptional food keeps residents coming to Mitla Café even after they have moved out of the area. From my own personal experience, my family and I have always enjoyed dining at Mitla Café.

To celebrate their 75th year anniversary, Mitla Café hosted an event on Saturday September 8th, which featured live music by the Scott Martin Latin Soul Band. Earlier this June, Mitla Café also hosted an anniversary event, featuring Bruce Conte and the Jazz Junkies.

Mr. Speaker, I ask my colleagues to join me in celebrating San Bernardino's oldest restaurant, Mitla Café for their 75th anniversary.

### HONORING PEGGY COMBS' PROMOTION TO BRIGADIER GENERAL IN THE UNITED STATES ARMY

#### HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. HANNA. Mr. Speaker, I rise today to recognize Peggy Combs on her promotion to Brigadier General in the United States Army.

Brigadier General Combs is the commandant of the U.S. Army Chemical, Biological, Radiological and Nuclear School at Fort Leonard Wood, MO. The change of command ceremony was streamed live to her hometown American Legion, R.K. Parkhurst Post 1448 in Oriskany, NY, where both she and her parents are members. Approximately 1,400 members of the community gathered to watch the ceremony.

Brigadier General Combs is the first female general officer to hail from the upstate New York community, and is the first general with ties to Oriskany since Gen. Nicholas Herkimer, who led local militia during the famed battle of Oriskany during the Revolutionary War.

Brigadier General Combs is the eldest of Jack and Pat Huther's four children and is a 1981 graduate of Oriskany Central School. Brigadier General Combs was the first member of her family to go to college. In 1985, she graduated from the esteemed Syracuse University and received her direct commission as a second lieutenant through the university's Army ROTC program, where she was a distinguished military graduate. Together with her husband Brad, they have raised three grown children. Brigadier General Combs stands as a role model for women and female soldiers throughout the United States of America. Only in America can a young girl from rural upstate New York climb the ranks of the best Army in the world.

Mr. Speaker, on behalf of Congress and the United States of America, I would like to recognize Brigadier General Peggy Combs on her promotion in the United States Army. Brigadier General Combs has been an asset not only to the United States Army but to the people of New York State and certainly Oneida County and her hometown of Oriskany. It is an honor and a privilege to applaud Brigadier General Combs' promotion and I wish her great success as she continues her upward journey in the United States Army.

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### CONSTITUTION DAY 2012 CELEBRATION—MIAMI

#### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Ms. ROS-LEHTINEN. Mr. Speaker, next week, Monday, September 17th is Constitution Day.

This day marks the 225th anniversary of the adoption of the United States Constitution by our Founding Fathers.

On that day in 1787 the members of the Constitutional Convention of Philadelphia reached a watershed moment, collectively adopting the Constitution that embodies the ideals of a new nation and a free people.

Over the course of this upcoming week, Americans from all walks of life will gather to commemorate this sacred document by collectively reading the Constitution in Constitution Day events nationwide.

Tomorrow, at 5:30 p.m. at the Miami History Museum on West Flagler Street, local law firm Higer, Lichter & Givner, in conjunction with History Miami, will host students, veterans, business and community leaders, and all who wish to join, as they gather together to read and honor the Constitution.

This is a wonderful tradition, and I strongly encourage everyone to take part in this important event.

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H. RES. 484 AND H.R. 1410

#### HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. MORAN. Mr. Speaker, I rise in strong support of the two bills before us on human rights in Vietnam. These bills will enhance U.S. efforts to promote media and religious freedom in Vietnam, while communicating our concern and desire to protect the courageous advocates for freedom who risk everything to change their country for the better. I urge my colleagues to support both.

H. Res. 484 condemns the increasing repression by Vietnam's government of community organizers, bloggers, and democracy activists. Across the world, social media has empowered people to push for the rights that should be inherent in their citizenship. It has been like a wind filling the sails of movements pushing for more freedom, stronger accountability, and greater commitment to justice.

But we cannot forget that behind these social media are courageous individuals who risk everything to achieve those goals. This bill will make it clear to the government of Vietnam that their use of vague national security provisions in the penal code has been noted, and that the U.S. Congress will continue to press for freedom for people who are swept into prison under such shameful circumstances.

People like Nguyen Quoc Quan, a peaceful democracy activist and a U.S. citizen, who was arrested while visiting his home country. Recently, his prison sentence under one article has been extended four months under another. He was charged with terrorism under Article 88, and then the prosecutor rescinded that judgment and extended his jail term for "attempting to overthrow the government" under Article 79. We call this what it is: arbitrary, cruel, and unfair, and with this bill we call on the Vietnamese authorities to release all political prisoners, especially activists, writers, and bloggers who have been imprisoned under these provisions of the Vietnamese criminal code.

H.R. 1410 emphasizes that, while the United States will continue to work together with the Government of Vietnam on important issues of mutual concern, we will not increase our commitment of assistance until and unless they make substantial progress on media and religious freedoms, minority rights, access to U.S. refugee programs, and ending trafficking in persons.

This bill will bring hope to Vietnam's courageous democracy advocates that the United

States values their efforts and will keep human rights at the center of our relationship.

The United States has taken important steps to demonstrate that that we hope to build a common future with Vietnam built on cooperation, development, and peace. In recent years, we have maintained a robust program of bilateral aid to Vietnam because it is in our national interest and it is in the interest of the people of Vietnam.

But Vietnam cannot reach its potential as a nation if its people are denied basic rights. And sadly, the government of Vietnam is taking the country backwards in terms of human freedom. These two bills make clear that a good relationship requires progress on this critical issue.

CELEBRATING 90TH BIRTHDAY OF  
ALVAR "AL" EDWIN SPERRING

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved veteran, Alvar "Al" Edwin Sperring on his 90th birthday. Alvar was born in San Francisco, California on September 18, 1922. He is the youngest of five brothers, born to John Edward Sperring and Anna Emily Sperring.

Mr. Sperring's parents moved to Sonoma, California during his early childhood, where he attended local schools and graduated from Sonoma Valley Union High School in 1940. Upon graduation, he went to work for the Pacific Telephone Company in San Francisco as a lineman working throughout Northern California and Nevada.

Alvar was drafted into the United States Army on January 30, 1943, in San Francisco, California. He applied and was accepted for the Aviation Cadet School. He graduated from Pilot School on May 22, 1944, with the rank of Second Lieutenant at Stockton Field, Stockton, California, Class 44-E.

On May 28, 1944, he married his high school sweetheart, Alyda Bernadette Picchi, at St. Edward's Church in San Francisco, California. Together, they raised four sons: Roger, Robert, Ronald, and Randall. He is proud of his six grandsons and six great-grandchildren.

Mr. Sperring's first Air Force assignment was at Muroc Army Air Base in Lancaster, California for B-24 Liberator Bomber Pilot training. In 1945, he served overseas with the 38th Bombardment Squadron stationed in Guam in the Pacific Theater. He was honorably discharged on April 3, 1946, with the rank of First Lieutenant and remained in the U.S. Army Air Force Reserves until November 1963.

Alvar returned to his former employment with Pacific Telephone Company in San Francisco and was promoted to Line Foreman. In 1950, he was transferred to Lodi, California. Lodi had transitioned to a dial system, and he was instrumental in achieving that endeavor. He retired in 1983 with 42 years of loyal and dedicated service in various supervisory capacities.

Alvar is a sixty-year member of The American Legion, active member of International Order of Odd Fellows, Telephone Pioneers, Past Big Sir of Branch 18 Sons in Retirement and one of the early founders of the Lodi Boys and Girls Club. He is a long-time member of the Woodbridge Golf and Country Club, where he plays golf three times a week.

Mr. Speaker, please join me in honouring Alvar E. Sperring and expressing our congratulations on his 90th birthday. Best wishes to him and his family for continued success, happiness, and good health in years to come.

THE ANNIVERSARY OF  
SEPTEMBER 11TH

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 11, 2012*

Mr. SCHIFF. Mr. Speaker, today, we remember those lost eleven years ago on September 11, 2001. We also remember the extraordinary acts of bravery and heroism performed by courageous passengers and crew on United Flight 93, by the first responders who rushed into burning buildings, and by the thousands of nameless volunteers who provided assistance on that terrible day.

We think, too, of our troops around the world who stand in harm's way, many of whom enlisted in the days and weeks that followed the attack on our country. And of those troops we have lost, and who paid the ultimate price for our liberty.

For millions of Americans, September 11th serves a day of solemn reflection. For others, it has become a day of community—gathering together in remembrance and in service. No matter how we choose to remember, ours is a tribute that is a deeply personal one.

We lost a great deal on that tragic day, but America also revealed herself to be resilient, and more unified and determined than ever.



# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S6075–S6239*

**Measures Introduced:** Four bills and four resolutions were introduced, as follows: S. 3526–3529, S.J. Res. 50, and S. Res. 548–550. **Pages S6107–08**

#### Measures Passed:

**National Direct Support Professionals Recognition Week:** Senate agreed to S. Res. 548, designating the week beginning September 9, 2012, as “National Direct Support Professionals Recognition Week”. **Pages S6109–10**

**Campus Fire Safety Month:** Senate agreed to S. Res. 549, designating September 2012 as “Campus Fire Safety Month”. **Page S6110**

**National Celiac Disease Awareness Day:** Senate agreed to S. Res. 550, designating September 13, 2012, as “National Celiac Disease Awareness Day”. **Page S6110**

#### Measures Considered:

**Veterans Jobs Corps Act—Agreement:** Senate continued consideration of the motion to proceed to consideration of S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps. **Pages S6075–98**

During consideration of this measure today, Senate also took the following action:

By 95 yeas to 1 nay (Vote No. 191), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S6083**

A unanimous-consent-time agreement was reached providing for further consideration of the motion to proceed to consideration of the bill, post-cloture, at approximately 9:30 a.m., on Wednesday, September 12, 2012, and that the first 70 minutes be equally divided and controlled between the two Leaders, or their designees, with the Republicans controlling the first half and the Majority controlling the final half; and that all time during adjournment, recess, and

morning business be counted post-cloture on the motion to proceed to consideration of the bill.

**Page S6239**

**Messages from the President:** Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was established in Executive Order 13224 on September 23, 2001; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–61) **Page S6105**

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–62) **Page S6105**

**Nominations Received:** Senate received the following nominations:

Joshua D. Wright, of Virginia, to be a Federal Trade Commissioner for the term of seven years from September 26, 2012.

F. Scott Kieff, of Illinois, to be a Member of the United States International Trade Commission for the term expiring June 16, 2020.

Rose Eilene Gottemoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security.

T. Charles Cooper, of Maryland, to be an Assistant Administrator of the United States Agency for International Development.

Robert Stephen Beecroft, of California, to be Ambassador to the Republic of Iraq. **Page S6239**

**Messages from the House:** **Pages S6105–06**

**Measures Referred:** **Page S6106**

**Measures Placed on the Calendar:** **Page S6106**

**Executive Communications:** **Pages S6106–07**

**Additional Cosponsors:** **Pages S6108–09**

**Statements on Introduced Bills/Resolutions:** **Pages S6109–10**

**Additional Statements:** **Pages S6102–05**

**Amendments Submitted:** Pages S6110–S6237  
**Notices of Hearings/Meetings:** Page S6237  
**Privileges of the Floor:** Pages S6237–38  
**Record Votes:** One record vote was taken today.  
 (Total—191) Page S6083  
**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:31 p.m., until 9:30 a.m. on Wednesday,

day, September 12, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6239.)

## Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 7 public bills, H.R. 6370–6376; and 2 resolutions, H.J. Res. 118; and H. Res. 777 were introduced.

Pages H5859–60

**Additional Cosponsors:** Pages H5860–61

**Report Filed:** A report was filed today as follows:

H.R. 4631, to require quarterly reports on agency conferences and meetings, and for other purposes, with an amendment (H. Rept. 112–664). Page H5859

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Webster to act as Speaker pro tempore for today. Page H5769

**Recess:** The House recessed at 10:31 a.m. and reconvened at 12 noon. Page H5772

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Government Spending Accountability Act of 2012:** H.R. 4631, amended, to require quarterly reports on agency conferences and meetings;

Pages H5776–78

**Government Customer Service Improvement Act:** H.R. 538, amended, to require the establishment of customer service standards for Federal agencies;

Pages H5778–79

**Child and Elderly Missing Alert Program:** H.R. 4305, amended, to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals;

Pages H5787–90

**Amending the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program:** H.R. 2800, amended, to amend the Violent Crime Control and Law Enforcement Act of 1994 to reau-

thorize the Missing Alzheimer's Disease Patient Alert Program; Pages H5790–91

**Local Courthouse Safety Act of 2012:** H.R. 6185, amended, to improve security at State and local courthouses; Pages H5791–93

**Amending the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution:** H.R. 6215, amended, to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution;

Pages H5795–96

**Reporting Efficiency Improvement Act:** H.R. 6189, amended, to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs; Page H5796

**Making improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code:** H.R. 6080, to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code;

Pages H5796–H5814

**Improving Transparency of Education Opportunities for Veterans Act of 2012:** H.R. 4057, amended, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning; Pages H5817–21

**No-Hassle Flying Act of 2012:** H.R. 6028, amended, to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports;

Pages H5824–26

**Hazardous Waste Electronic Manifest Establishment Act:** S. 710, amended, to amend the Solid Waste Disposal Act to direct the Administrator of

the Environmental Protection Agency to establish a hazardous waste electronic manifest system;

**Pages H5826–28**

*Extending the Undertaking Spam, Spyware, and Fraud Enforcement With Enforcers Beyond Borders Act of 2006:* H.R. 6131, to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers Beyond Borders Act of 2006;

**Pages H5829–30**

*Vietnam Human Rights Act:* H.R. 1410, amended, to promote freedom and democracy in Vietnam;

**Pages H5835–42**

*North Korean Refugee Adoption Act:* H.R. 1464, to develop a strategy for assisting stateless children from North Korea;

**Pages H5842–44**

*Calling on the Government of the Socialist Republic of Vietnam to respect basic human rights:* H. Res. 484, amended, to call on the Government of the Socialist Republic of Vietnam to respect basic human rights and cease abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code which are often the pretext to arrest and detain citizens who peacefully advocate for religious and political freedom; and

**Pages H5844–46**

*Expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO):* S. Con. Res. 17, to express the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

**Pages H5846–47**

**Recess:** The House recessed at 1:46 p.m. and reconvened at 2 p.m.

**Page H5785**

*Minnesota Education Investment and Employment Act and FISA Amendments Act Reauthorization Act of 2012—Rule for Consideration:* The House agreed to H. Res. 773, the rule that is providing for consideration of H.R. 5544, Minnesota Education Investment and Employment Act and providing for consideration of H.R. 5949, FISA Amendments Act Reauthorization Act of 2012, by a recorded vote of 233 yeas to 179 noes, Roll No. 561, after the previous question was ordered by a yea-and-nay vote of 232 yeas to 177 nays, Roll No. 560.

**Pages H5780–86**

**Suspensions:** The House agreed to suspend the rules and pass the following measure which was debated yesterday, September 10th:

*FHA Emergency Fiscal Solvency Act of 2012:* H.R. 4264, amended, to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development,

by a  $\frac{2}{3}$  yea-and-nay vote of 402 yeas to 7 nays, Roll No. 562.

**Page H5787**

**Suspensions—Proceedings Postponed:** The House debated the following measures under suspension of the rules. Further proceedings were postponed:

*Stolen Valor Act of 2012:* H.R. 1775, amended, to amend title 18, United States Code, to establish a criminal offense relating to fraudulent claims about military service;

**Pages H5793–95**

*Extending by 3 years the authorization of the EB–5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J–1 Visa Waiver Program:* S. 3245, to extend by 3 years the authorization of the EB–5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J–1 Visa Waiver Program;

**Pages H5814–17**

*Public Transit Security and Local Law Enforcement Support Act:* H.R. 3857, amended, to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program; and

**Pages H5821–24**

*American Manufacturing Competitiveness Act of 2012:* H.R. 5865, amended, to promote the growth and competitiveness of American manufacturing.

**Pages H5830–35**

**Presidential Messages:** Read a message from the President wherein he notified Congress of the continuation, for an additional year, of the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–138).

**Page H5779**

Read a message from the President wherein he notified Congress that the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2012—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–139).

**Pages H5779–80**

**Quorum Calls—Votes:** Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H5785–86, H5786–87 and H5787. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 8:55 p.m.

## Committee Meetings

### NAVY SHIPBUILDING IN A TIME OF FISCAL UNCERTAINTY

*Committee on Armed Services:* Subcommittee on Oversight and Investigation, on Navy shipbuilding and impacts on the defense industrial base in a time of fiscal uncertainty. Testimony was heard from Sean J. Stackley, Assistant Secretary of the Navy, Research, Development and Acquisition; and Rear Admiral Thomas J. Eccles, USN, Chief Engineer and Deputy Commander for Naval Systems Engineering, Naval Sea Systems Command.

### CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM

*Committee on Energy and Commerce:* Subcommittee on Environment and the Economy held a hearing entitled “The Chemical Facility Anti-Terrorism Standards Program—A Progress Report”. Testimony was heard from Rand Beers, Under Secretary, National Protection and Programs Directorate, Department of Homeland Security; Cathleen Berrick, Managing Director, Homeland Security and Justice Team, Government Accountability Office; and public witnesses.

### ACCOUNTABILITY IN GRANTS ACT OF 2012

*Committee on Energy and Commerce:* Subcommittee on Energy and Power held a hearing on H.R. 4255, the “Accountability in Grants Act of 2012”. Testimony was heard from Craig E. Hooks, Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency; and public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Subcommittee on Health held a markup of the following: H.R. 1206, the “Access to Professional Health Insurance Advisors Act of 2011”; H.R. 6118, the “Taking Essential Steps for Testing Act of 2012”; H.R. 1063, the “Strengthening Medicare and Repaying Taxpayers Act of 2011”; H.R. 6163, the “National Pediatric Research Network Act of 2012”; H.R. 4124, the “Veteran Emergency Medical Technician Support Act of 2012”; and H.R. 733, the “Pancreatic Cancer Research and Education Act of 2012”. The following measures were forwarded, as amended: H.R. 4124; H.R. 733; and H.R. 6118. The following measures were forwarded, without amendment: H.R. 1206; H.R. 1063; and H.R. 6163.

### FUTURE OF THE TERRORISM RISK INSURANCE PROGRAM

*Committee on Financial Services:* Subcommittee on Insurance, Housing and Community Opportunity held

a hearing entitled “TRIA at Ten Years: The Future of the Terrorism Risk Insurance Program”. Testimony was heard from public witnesses.

### ELEVEN YEARS LATER: PREVENTING TERRORISTS FROM COMING TO AMERICA

*Committee on Homeland Security:* Subcommittee on Border and Maritime Security held a hearing entitled “Eleven Years Later: Preventing Terrorists from Coming to America”. Testimony was heard from Kelli Ann Walther, Deputy Assistant Secretary, Office of Policy, Department of Homeland Security; Kevin McAleenan, Acting Assistant Commissioner, Office of Field Operations, Customs and Border Protection, Department of Homeland Security; John Woods, Assistant Director, National Security Investigations, Homeland Security Investigations, Immigration and Customs Enforcement, Department of Homeland Security; Charles K. Edwards, Acting Inspector General, Office of the Inspector General, Department of Homeland Security; and Edward Ramotowski, Deputy Assistant Secretary, Bureau of Consular Affairs, Department of State.

### ELEVEN YEARS AFTER 9/11 CAN TSA EVOLVE TO MEET THE NEXT TERRORIST THREAT?

*Committee on Homeland Security:* Subcommittee on Transportation Security held a hearing entitled “Eleven Years After 9/11 Can TSA Evolve To Meet the Next Terrorist Threat?”. Testimony was heard from John Halinski, Deputy Administrator, Transportation Security Administration, Department of Homeland Security; and Stephen Lord, Director, Homeland Security and Justice Issues, Government Accountability Office.

### CHU MEMORANDUM

*Committee on Natural Resources:* Full Committee held a hearing entitled “The Chu Memorandum: Directives Could Increase Electricity Costs for over 40 Million Families and Small Businesses”. Testimony was heard from public witnesses.

### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on National Parks, Forests and Public Lands held a hearing on H.R. 6364, the “Frank Buckles World War I Memorial Act”; and H.R. 4969, the “California Coastal National Monument Expansion Act of 2012”. Testimony was heard from Representatives Cleaver, Poe (TX), and Thompson (CA); Stephen E. Whitesell, Regional Director, National Capital Region, National Park Service; and Carl Roundtree, Assistant Director, Bureau of Land Management, Department of Interior.

## MEDICARE'S DURABLE MEDICAL EQUIPMENT COMPETITIVE BIDDING PROGRAM

*Committee on Small Business:* Subcommittee on Healthcare and Technology held a hearing entitled "Medicare's Durable Medical Equipment Competitive Bidding Program: How are Small Suppliers Faring?". Testimony was heard from Laurence D. Wilson, Director, Chronic Care Policy Group, Centers for Medicare and Medicaid Services, Baltimore, MD; and public witnesses.

## AMTRAK'S MONOPOLY MENTALITY IN COMMUTER RAIL COMPETITIONS

*Committee on Transportation and Infrastructure:* Full Committee held a hearing entitled "A Review of Amtrak Operations Part 2: The High Cost of Amtrak's Monopoly Mentality in Commuter Rail Competitions". Testimony was heard from Joseph Boardman, President and CEO, National Railroad Passenger Corporation; and public witnesses.

## TENTH ANNIVERSARY OF THE MARITIME TRANSPORTATION SECURITY ACT

*Committee on Transportation And Infrastructure:* Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled "Tenth Anniversary of the Maritime Transportation Security Act: Are We Safer?". Testimony was heard from Rear Admiral Joseph Servidio, Assistant Commandant for Preparedness, United States Coast Guard; Stephen Caldwell, Director, Homeland Security and Justice Issues, Government Accountability Office; and public witnesses.

## INTERNAL REVENUE SERVICE'S IMPLEMENTATION AND ADMINISTRATION OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010

*Committee on Ways And Means:* Subcommittee on Oversight held a hearing entitled "Internal Revenue Service's implementation and administration of the Patient Protection and Affordable Care Act and Health Care and Education Reconciliation Act of 2010". Testimony was heard from Steven T. Miller, Deputy Commissioner for Services and Enforcement, Internal Revenue Service; and public witnesses.

## Joint Meetings

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 12, 2012

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine the path from low-Earth orbit (LEO) to Mars, 2 p.m., SR-253.

*Committee on Energy and Natural Resources:* to hold hearings to examine S. 3469, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste, 9:30 a.m., SD-366.

*Committee on Environment and Public Works:* with the Subcommittee on Clean Air and Nuclear Safety, to hold a joint oversight hearing to examine the Nuclear Regulatory Commission's (NRC) implementation of recommendations for enhancing nuclear reactor safety in the 21st century, 10 a.m., SD-406.

*Committee on Foreign Relations:* to receive a closed briefing on an intelligence update on Syria and Iran, 10 a.m., SVC-217.

Full Committee, to hold hearings to examine the nominations of Joseph E. Macmanus, of New York, to be Representative to the Vienna Office of the United Nations, with the rank of Ambassador, and to be Representative to the International Atomic Energy Agency, with the rank of Ambassador, Sharon English Woods Villarosa, of Texas, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles, and Walter North, of Washington, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands, and Ambassador to the Republic of Vanuatu, all of the Department of State, 2:45 p.m., SD-419.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the future of the General Services Administration, 10 a.m., SD-342.

*Committee on the Judiciary:* to hold hearings to examine the Citizens United court and the continuing importance of the "Voting Rights Act", 10 a.m., SD-226.

*Committee on Veterans' Affairs:* business meeting to consider pending calendar business, 10 a.m., SR-418.

### House

*Committee on Armed Services,* Full Committee, hearing entitled "Operational Support: Learning from the Past and Preparing for the Future", 10 a.m., 2118 Rayburn.

*Committee on Education and the Workforce,* Subcommittee on Health, Employment, Labor, and Pensions; and Subcommittee on Higher Education and Workforce Training, joint hearing entitled "Expanding the Power of Big Labor: The NLRB's Growing Intrusion into Higher Education", 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled "Where the Jobs Are: There's an App for That", 9:45 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled “DOE’s Nuclear Weapons Complex: Challenges to Safety, Security, and Taxpayer Stewardship”, 10 a.m., 2123 Rayburn.

*Committee on Financial Services*, Full Committee, markup of H.R. 2827, to amend the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal advisors, and for other purposes; and the “Vulnerable Veterans Housing Reform Act of 2012”, 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs*, Full Committee, markup of H.R. 6313, to promote peaceful and collaborative resolution of maritime territorial disputes in the South China Sea and its environs and other maritime areas adjacent to the East Asian mainland; and hearing entitled “Beijing as an Emerging Power in the South China Sea”, 10 a.m., 2172 Rayburn.

Subcommittee on Oversight and Investigations; and Subcommittee on Africa, Global Health, and Human Rights, joint hearing entitled “Organ Harvesting of Religious and Political Dissidents by the Chinese Communist Party”, 2:00 p.m., 2172 Rayburn.

*Committee on Homeland Security*, Subcommittee on Cybersecurity Infrastructure Protection, and Security Technologies, hearing entitled “The EMP Threat: Examining the Consequences”, 10 a.m., 311 Cannon.

Subcommittee on Emergency Preparedness, Response, and Communication, hearing entitled “Resilient Communications: Current Challenges and Future Advancements”, 2 p.m., 311 Cannon.

*Committee on the Judiciary*, Full Committee, hearing entitled “The Obama Administration’s Abuse of Power”, 10 a.m., 2141 Rayburn.

*Committee on Oversight and Government Reform*, Subcommittee on National Security, Homeland Defense and Foreign Operations, hearing entitled “Dawood National Military Hospital Afghanistan: What Happened and What Went Wrong? Part II”, 9:45 a.m., 2154 Rayburn.

*Committee on Rules*, Full Committee, hearing on H.R. 6213, the “No More Solyndras Act”; the “National Security and Job Protection Act”; and “Continuing Appropriations Act, 2013”, 3 p.m., H-313, Capitol.

*Committee on Science, Space, and Technology*, Subcommittee on Space and Aeronautics, hearing entitled “Examining NASA’s Development of the Space Launch System and Orion Crew Capsule”, 10 a.m., 2318 Rayburn.

Subcommittee on Investigations and Oversight, hearing entitled “Mismanagement of Funds at the National Weather Service and the Impact on the Future of Weather Forecasting”, 2 p.m., 2318 Rayburn.

*Committee on Small Business*, Full Committee, hearing entitled “User Fees in the Aviation Industry: Turbulence Ahead”, 1 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Aviation, hearing entitled “A Review of and Update on the Management of FAA’s NextGen Program”, 10 a.m., 2167 Rayburn.

*Committee on Ways and Means*, Subcommittee on Social Security, hearing entitled “Direct Deposit of Social Security Benefits”, 9 a.m., B-318 Rayburn.

Subcommittee on Health, hearing entitled “Implementation of Health Insurance Exchanges and Related Provisions”, 10 a.m., 1100 Longworth.

## Next Meeting of the SENATE

9:30 a.m., Wednesday, September 12

## Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, September 12

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of the motion to proceed to consideration of S. 3457, Veterans Jobs Corps Act, and expects to begin consideration of the bill.

## House Chamber

**Program for Wednesday:** Consideration of H.R. 5544—Minnesota Education Investment and Employment Act (Subject to a Rule) and H.R. 5949—FISA Amendments Act Reauthorization Act of 2012 (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

## HOUSE

Aderholt, Robert B., Ala., E1481	Farr, Sam, Calif., E1477	Moran, James P., Va., E1478, E1482
Andrews, Robert E., N.J., E1472	Frelinghuysen, Rodney P., N.J., E1472, E1475, E1481	Pastor, Ed, Ariz., E1476
Baca, Joe, Calif., E1482	Gingrey, Phil, Ga., E1472	Pence, Mike, Ind., E1475
Beniskey, Dan, Mich., E1476	Granger, Kay, Tex., E1475	Pingree, Chellie, Me., E1479
Boehner, John A., Ohio, E1471	Graves, Sam, Mo., E1476	Poe, Ted, Tex., E1476
Brown, Corrine, Fla., E1478	Hanabusa, Colleen W., Hawaii, E1480	Rangel, Charles B., N.Y., E1471, E1474, E1481
Coffman, Mike, Colo., E1472, E1474	Hanna, Richard L., N.Y., E1482	Roe, David P., Tenn., E1477
Costa, Jim, Calif., E1473	Holt, Rush D., N.J., E1480	Ros-Lehtinen, Ileana, Fla., E1482
Costello, Jerry F., Ill., E1479	Johnson, Timothy V., Ill., E1473	Ryan, Tim, Ohio, E1477
Cummings, Elijah E., Md., E1477	Kinzinger, Adam, Ill., E1475	Sarbanes, John P., Md., E1473
Denham, Jeff, Calif., E1483	Lee, Barbara, Calif., E1475	Schiff, Adam B., Calif., E1473, E1480, E1483
Faleomavaega, Eni F.H., American Samoa, E1471	McCollum, Betty, Minn., E1473	Upton, Fred, Mich., E1475
	Manzullo, Donald A., Ill., E1480	Young, C.W. Bill, Fla., E1479
	Marchant, Kenny, Tex., E1472	



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