

**PRESS RELEASE**

**U.S. Senate Committee on Armed Services**

Carl Levin, Chairman  
John McCain, Ranking Member

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**SENATE ARMED SERVICES COMMITTEE COMPLETES MARKUP OF NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011**

WASHINGTON -- Senator Carl Levin (D-MI), Chairman of the Armed Services Committee, announced today that the committee has completed its markup of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2011. The bill authorizes funding for the Department of Defense (DOD) and the national security programs of the Department of Energy (DOE).

“The Committee has reported out a bill that supports the men and women of the armed forces, both active and reserve, and their families, and provides them with the compensation, benefits, equipment and training that they need. The Committee continued its practice of terminating or slowing down troubled programs and activities, improving efficiencies, and applying the savings to higher-priority programs. Thus, the Committee was able to fund many of the unfunded requirements of our Service Chiefs and combatant commanders. I am pleased that the Committee provided funding, authorities, and capability to defeat al Qaeda, its affiliates and other violent organizations, with a major focus on Afghanistan and Pakistan”, Levin said.

“I am also pleased that the Committee adopted an amendment that removes a key barrier to ending the policy that prohibits military service by openly gay men and women. That action is an important step to end this discriminatory policy. But it is left to the President, Secretary of Defense and Chairman of the Joint Chiefs of Staff to certify that repeal can be achieved consistent with the military’s standard of readiness, effectiveness, unit cohesion, and recruiting and retention, before the repeal is effective. I believe that allowing gay and lesbian service members to serve openly will open the ranks to patriotic men and women who wish to serve their country,” Levin added.

**MAJOR HIGHLIGHTS**

*Note: This section describes major provisions contained in the markup agreement. Some items are repeated in the Detailed Description section following these major highlights.*

- 1. Improves the quality of life of the men and women of the all-volunteer force (active duty, National Guard and Reserves) and their families through fair pay, policies and**

**benefits, including first rate health care, and addresses the needs of the wounded, ill, and injured service members and their families.**

- Authorizes a 1.4 percent across-the-board pay raise for all members of the uniformed services, consistent with the President’s request.
- Repeals the “Don’t Ask Don’t Tell” statute effective 60 days after the President, Secretary of Defense, and the Chairman of the Joint Chiefs of Staff certify to Congress that: (1) they have considered the report of DOD’s comprehensive review of the implementation of repeal of Don’t Ask Don’t Tell; (2) DOD has prepared the necessary policies and regulations to implement the repeal; and (3) the implementation of these policies and regulations is consistent with the standards of military readiness, military effectiveness, unit cohesion, and recruiting and retention.
- Codifies the regulation issued by the Secretary of Defense to ensure that all senior mentors employed by DOD are hired as highly-qualified experts and are required to comply with all applicable Federal laws and regulations.

Health Care and Support to Wounded Warriors

- Authorizes TRICARE coverage for eligible dependents up to age 26.
- Requires the Secretary of Defense to submit a plan to enhance the quality, efficiency, and savings within the military health care system.
- Repeals the prohibition on performing legal abortions in DOD medical facilities, not to be paid for with government funds.
- Requires the Secretary of Defense to develop and implement education and training programs on the use of pharmaceuticals for patients in, or in transition to, a wounded warrior unit, medical caregivers, medical and nonmedical case managers, military leaders, and family members.
- Aligns the Wounded Warrior Act with the Health Insurance Portability and Accountability Act regulations to permit the release of information from DOD to the Department of Veterans Affairs (VA) regarding service members transitioning to the VA medical system without the need to obtain specific authorization from the service member.
- Establishes the rate of the monthly stipend under the DOD family caregiver compensation program as the amount of the caregiver stipend under the VA program of comprehensive assistance for family caregivers.
- Prohibits the involuntary administrative separation of a service member who has been deemed fit for duty by a Physical Evaluation Board (PEB) but who is subsequently determined to be unsuitable for deployment based on a medical condition that was considered by the PEB.

- Authorizes enrollment in DOD elementary and secondary schools for dependents of wounded, ill, or injured service members residing in temporary housing and service members in temporary housing due to a base housing privatization project, regardless of whether the housing is on Federal property.
- Authorizes expedited background investigations for security clearances for wounded warriors and spouses seeking employment with DOD or DOD contractors.

#### Education and Family Support

- Authorizes \$30 million in impact aid, \$5 million in special assistance to local education agencies affected by Base Realignment and Closure (BRAC) and force relocations, and \$10 million in impact aid for children with severe disabilities.
- Requires the Secretary of Defense to report on child development centers and financial assistance provided by DOD for off-installation childcare.
- Requires the establishment of an advisory panel on community support for military families with special needs.
- Directs the Secretary of Defense to report on DOD educational programs and childcare provided for military dependent children with special needs, and whether those programs comply with applicable disability law.
- Authorizes travel and transportation allowance for members of the uniformed service and up to three designees to attend Yellow Ribbon Reintegration Program events.

#### **2. Provides our service men and women with the resources, training, technology, equipment (especially force protection), and authorities they need to succeed in combat and stability operations.**

- Enhances the DOD's ability to acquire rapidly and field new capabilities in response to urgent needs on the battlefield by expanding the DOD's authority to waive statutory requirements when needed to save lives on the battlefield, and requires DOD to establish a comprehensive process for evaluating and addressing urgent operational needs identified on the battlefield.
- Provides full funding (\$3.4 billion) for the Mine Resistant Ambush Protected Vehicle (MRAP) fund that funds the development, testing, production, and sustainment of the MRAP vehicles and new MRAP All Terrain Vehicles (known as the M-ATV).
- Adds \$325 million to purchase an additional six F/A-18E/F aircraft to help address a looming shortfall in strike fighter aircraft.
- Provides full funding for a number of Navy programs, including: Carrier Replacement

Program, *Virginia*-class submarine, DDG-1000, DDG-51, Littoral Combat Ship (LCS), LHA(R) amphibious assault ship, Joint High Speed Vessel, Mobile Landing Platform, V-22, and the P-8 maritime patrol aircraft.

**3. Enhances the capability of the armed forces to conduct counterinsurgency operations and applies the lessons of Iraq to Afghanistan, as appropriate.**

- Funds fully the President's budget request of \$9.8 billion for U.S. Special Operations Command (USSOCOM).
- Adds \$113.4 million for unfunded requirements identified by the Commander of USSOCOM.
- Continues significant funding for the Commanders' Emergency Response Program (CERP) in Afghanistan and Iraq which enables commanders to fund humanitarian relief and reconstruction projects that can quickly and directly benefit the Afghan people.
- Provides \$184.5 million for the FY 2011 Chief of Staff of the Army's unfunded procurement priorities including: Line of Communication Bridge, Light Weight Counter-Mortar Radar, Defense Advanced Global Positioning System (GPS) Receiver, Tactical Local Area Network, and Forward Entry Device for the artillery tactical data system.

**4. Addresses the threats from nuclear weapons and materials by strengthening and accelerating nonproliferation programs, maintaining a credible nuclear deterrent, reducing the size of the nuclear weapons stockpile, and ensuring the safety, security, and reliability of the stockpile, the delivery systems, and the nuclear infrastructure.**

- Supports additional funding for the National Nuclear Security Administration (NNSA) and DOD to expand threat reduction activities, including securing vulnerable fissile material in 4 years and increasing focus on preventing proliferation globally by expanding threat reduction partnerships.
- Supports joint U.S. and Russian efforts to destroy 34 metric tons each of weapons usable plutonium.
- Requires a review of police training programs in Afghanistan and elsewhere to capture lessons-learned and make recommendations to improve this critical component of U.S. counterinsurgency operations;
- Supports additional funding for NNSA to ensure that a substantially reduced nuclear stockpile is safe, secure, and reliable.
- Directs the Secretary of Defense and Secretary of Energy to establish safety and security baselines for nuclear weapons.

- Includes a provision to establish and track cost and schedule baselines for major DOE projects.
- Authorizes \$493.0 million to continue development of the *Ohio*-class replacement program, SSBN(X), to modernize the sea-based leg of the nuclear deterrent system.

**5. Improves the ability of the armed forces to counter nontraditional threats, focusing on terrorism, the proliferation of weapons of mass destruction, and their means of delivery.**

- Supports research and development to identify new methods to detect nuclear materials and weapons.
- Provides additional funding for operationally responsive space to meet urgent intelligence, surveillance, and reconnaissance (ISR) needs of combatant commanders.
- Includes multiple legislative provisions relating to cybersecurity, including requirements to: (1) resolve longstanding policy issues relating to the conduct of military operations in cyberspace; (2) develop a tailored cyber acquisition process; (3) conduct major commercial technology demonstrations; and (4) report annually on losses and damages from cyber attacks and cyberwar “net assessments.”
- Adds funding for various Navy programs to expand the capability of our forces to conduct new missions and survive in higher threat situations, including such programs as Phalanx self defense system, the NULKA decoy system, and the program to expand the capability for our submarines to carry new payloads.
- Requires a report on the current capabilities and requirements of U.S. Special Operations Forces to interdict and render safe weapons of mass destruction materials.
- Approves and enhances the budget request for ISR capabilities for forces deployed in Afghanistan and Iraq.
- Authorizes \$10.2 billion for missile defense programs: \$8.4 billion requested for the Missile Defense Agency and \$1.5 billion for Army and related missile defense programs, and authorizes an additional \$338.6 million for two important programs:
  - \$133.6 million for the Army’s unfunded requirement for Patriot PAC-3 missile defense upgrades; and
  - \$205 million, at the President’s request, to the Missile Defense Agency to accelerate and expand production of the Israeli “Iron Dome” short-range rocket defense system.
- Authorizes \$25 million above the budget request of \$46.7 million to accelerate development of the U.S.-Israeli co-developed “David’s Sling” short-range missile defense system.

- Authorizes \$1.6 billion for chemical and biological defense programs, the funding level of the budget request.

**6. Enhances the capability of the security forces of allied and friendly nations to defeat al Qaeda, its affiliates, and other violent extremist organizations.**

- Authorizes the Secretary of Defense to provide up to \$75 million in equipment, supplies, and training to the Yemen Ministry of Interior counterterrorism force.
- Provides the President's full request for \$11.6 billion to train and equip the Afghan National Army and the Afghan National Police.
- Provides increased flexibility under the DOD's "train and equip" authority to build the capacity of coalition partners in Afghanistan to conduct stabilization operations and special operations.
- Extends the Pakistan Counterinsurgency Fund, to be resourced with funds transferred from the Department of State, to build the capacity of the Pakistan Frontier Corps and the Pakistan Army to conduct counterinsurgency.
- Extends funding for the Coalition Support Fund to reimburse Pakistan and other key nations cooperating in contingency operations in Afghanistan.
- Expands the DOD's authority to loan protective equipment to coalition partners prior to their deployment into Afghanistan so these forces can train on equipment similar to what they will use once they arrive in theater.
- Directs the Defense Policy Board to conduct a review and evaluation of DOD's strategy to counter violent extremism.

**7. Seeks to reduce our Nation's strategic risk by taking action aimed at restoring, as soon as possible, the readiness of the military services to conduct the full range of their assigned missions.**

- Provides full funding (\$833.5 million) for M1 Abrams tank and M2 Bradley infantry fighting vehicle modernization and research and development to sustain the Army's armored combat force.
- Provides full funding (\$989.1 million) to continue reset and rebuild of the Army's utility and armored High Mobility Multipurpose Wheeled Vehicles (HMMWV) returning from Iraq; resets utility HMMWVs will be distributed to make up vehicle shortages in the Army National Guard for domestic support missions; and supports the Army's decision to end procurement of new-production HMMWVs.
- Adds \$102.5 million to continue the re-engining of the JSTARS aircraft fleet to address safety of flight issues and reduce operating and support costs.

- Funds fully (\$532 million) the Chief of Naval Operations' readiness-related unfunded requirements for ship depot maintenance (\$35 million), aircraft depot maintenance (\$74 million), and spare parts (\$423 million).
- Funds fully (\$337 million) the Chief of Staff of the Air Force's readiness-related unfunded requirements for weapon system sustainment, including added depot maintenance for the B-2, the B-1, the A-10, the KC-135, the C-5, and the C-135.

**8. Terminates troubled programs and activities, improves efficiencies, and applies the savings to higher-priority programs.**

- Cuts \$350.6 million for Non-Line of Sight-Launch System (NLOS-LS) procurement and cuts \$81.2 million for NLOS-LS research and development due to program termination.
- Cuts \$105.3 million for Paladin Integrated Management (PIM) program procurement and adds \$30 million for PIM research and development to help the program recover from schedule delays.

**9. Emphasizes the reduction of dependency on fossil fuels and seek greater energy security and independence and pursues technological advances in traditional and alternative energy storage, power systems, renewable energy production, and more energy efficient ground, air, and naval systems.**

- Increases funding by nearly \$200 million in science and technology programs for: renewable fuels research and testing for ground and airborne systems; advanced batteries and photovoltaic systems; lighter weight and increased strength materials development; and advanced ground vehicle hybrid electric systems.
- Requires the Secretary of Defense to establish a comprehensive strategy for addressing military impacts of renewable energy projects and other energy projects, with the objective of ensuring that the robust development of renewable energy sources and the expansion of the commercial electrical grid may move forward in the United States, while minimizing or mitigating any adverse impacts on military operations and readiness.
- Authorizes a consolidated DOD advanced ground vehicle technology program to develop and deploy advanced technology ground vehicles and their component parts and maximize cooperation with industry, academia, and other Federal agencies.
- Adds \$170 million to the Energy Conservation Improvement Program to fund programs that have a savings-to-investment ratio of 1.25 or higher and a simple payback period of 10 years or less.
- Requires the Secretary of Defense to develop a comprehensive master plan for improving the energy efficiency of DOD facilities, including specific consideration for rooftop solar

and other energy-saving technologies in all new facilities and renovations.

**10. Promotes aggressive and thorough oversight of the DOD's programs and activities to ensure proper stewardship of taxpayer dollars and compliance with relevant laws and regulations.**

- Addresses shortcomings in the management of private security contractors in Iraq and Afghanistan by making contractors expressly responsible for the conduct of their subcontractors and establishing specific contractual remedies for failures to comply with the requirements and directives.
- Improves contractor oversight by: (1) requiring the review and evaluation of contractor business systems to ensure that these systems are adequate to protect the government's interests; (2) enhancing DOD's authority to take action against contractors who are found to have jeopardized the health or safety of government personnel; and (3) clarifying the government's right to use technical data that is developed exclusively at governmental expense, when needed to ensure competition for follow-on contracts.
- Adds \$33.8 million for the DOD Inspector General (IG), to enable the IG to continue growth designed to provide more effective oversight and help identify waste, fraud, and abuse in DOD programs, especially in the area of procurement.
- Directs the Secretary of Defense to conduct a review of DOD's organizational structure and policy guidance relating to information operations activities, which is defined by DOD to include electronic warfare, computer network operations, psychological operations, military deception, and operations security.
- Requires the Comptroller General to review the legislative and educational fellowships and training-with-industry programs of the DOD to assess their compliance with law and policy.

**OTHER KEY PROVISIONS**

**Islamic Republic of Iran**

- Requires companies to certify for all DOD contracts valued over \$1 million that they are not engaging in any activity for which sanctions may be imposed under the Iran Sanctions Act of 1996.
- Directs the President to submit to Congress a report on U.S. engagement with Iran. This report is similar to a report included in the NDAA for FY 2010.
- Directs the Comptroller General to provide a semi-annual report on commercial activity in Iran's oil, gas, and petrochemical sectors, as well as entities that have aided the Iranian government's efforts to filter the use of the internet, disrupt cell phone communications,

monitor online activities, and jam the signals of U.S. and other international broadcasts into Iran.

### **Other Items**

- Eliminates availability of funding for the construction of a military detention facility in Thomson, Illinois.
- Restricts the transfer of detainees at Guantanamo Bay detention facility to certain countries where Al Qaeda has an active presence.
- Requires the Secretary of Defense to send 6,000 National Guard personnel to help secure the U.S.-Mexico border. The National Guard personnel would serve in State status, but would be paid out of Federal funds. The DOD estimates the costs of the deployment at \$700 million per year, including both personnel and operating costs.
- Clarifies the procedures for guilty pleas in the trial of capital cases by military commissions and provides that a sentence of death may only be imposed by a unanimous vote of all members of a military commission concurring in the sentence.

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## **DETAILED DESCRIPTION BY SUBCOMMITTEE**

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### **FUNDING LEVELS**

The President's budget request for national defense discretionary programs within the jurisdiction of the Armed Services Committee for fiscal year 2011 was \$725.9 billion and was in three parts:

- \$548.9 billion for the base budget of the DOD,
- \$159.3 billion for overseas contingency operations (OCO), which funds the wars in Iraq and Afghanistan, and
- \$17.7 billion for national security programs in the DOE and the Defense Nuclear Facilities Safety Board.

The bill authorizes \$725.7 billion for National Defense programs. The bill authorizes \$1.4 billion more than was requested for the base budget of DOD and \$1.7 billion less than was requested for OCO. The bill authorizes the requested level of funding for national security programs of the DOE and the Defense Nuclear Facilities Safety Board.

### **SUBCOMMITTEE ON PERSONNEL**

Subcommittee Chairman Jim Webb (D-VA) and Ranking Member Lindsey Graham (R-SC) continued to focus the Personnel Subcommittee's attention on improving the quality of life of the men and women of the armed forces and their families through fair pay, policies, and benefits, including first rate health care, while addressing the needs of wounded, ill, and injured service members and their families. The subcommittee included the following funding and legislative provisions:

#### **End Strength**

- Authorizes FY 2011 active-duty end strengths for the Army of 569,400; the Marine Corps, 202,100; the Air Force, 332,200; and the Navy, 328,700.
- Authorizes reserve component military end strengths in line with President's request.

#### **Military Personnel Policy**

- Repeals the "Don't Ask Don't Tell" statute effective 60 days after the President, Secretary of Defense, and the Chairman of the Joint Chiefs of Staff certify to Congress that: (1) they have considered the report of DOD's comprehensive review of the implementation of repeal of Don't Ask Don't Tell; (2) DOD has prepared the necessary policies and regulations to implement the repeal; and (3) the implementation of these policies and regulations is consistent with the standards of military readiness, military effectiveness, unit cohesion, and recruiting and retention.

- Authorizes the Secretary of the Air Force to allow permanent professors at the United States Air Force Academy on operational tours or sabbatical duty away from the Academy to exercise command of units to which they are assigned.
- Clarifies that graduates of service academies participating in the Armed Forces Health Professions Scholarship and Financial Assistance Program (HPSP) must serve their academy service obligation on active duty after graduating from HPSP.
- Increases the maximum age for eligibility to receive a Reserve Officers' Training Corps scholarship from age 31 to age 35.
- Establishes a minimum enrollment of 75 for Junior Reserve Officers' Training Corps units at institutions with a total student enrollment below 1,000 and a minimum enrollment of 100 in units at institutions with a total student enrollment over 1,000.
- Authorizes the appointments of warrant officers, W-1, in both the regular and reserve components to be made by warrant or commission.
- Authorizes the service secretaries to delay the mandatory separation or retirement of warrant officers against whom disciplinary action has been commenced.
- Authorizes service secretaries to designate certain Reserve officers as not to be considered for promotion if they are earning retirement points only for membership in a reserve component.
- Requires the administrative removal of an officer's name from a promotion list if the officer was discharged, dropped from the rolls, or transferred to retired status before being promoted.
- Clarifies that the nondisclosure provisions applicable to promotion selection boards for officers on the active-duty list and on the reserve active-status list are also applicable to promotion selection boards for warrant officers and for special selection boards.
- Requires promotion selection boards considering certain officers who have served on the Joint Staff or who are joint qualified to include as a member of the board at least one joint qualified officer.
- Authorizes graduates of the National Defense Intelligence College to receive credit for completion of joint professional military education Phase I.
- Authorizes adjunct faculty of the Armed Forces Staff College to teach the joint professional military education Phase II course of instruction at other locations.
- Makes technical changes to the definition of "joint matters" for the purposes of joint officer management.

- Prohibits the involuntary administrative separation of a service member who has been deemed fit for duty by a PEB but who is subsequently determined to be unsuitable for deployment based on a medical condition that was considered by the PEB.
- Authorizes members of the Selected Reserve to serve on active duty or in the Selected Reserve to fulfill a service obligation incurred due to the acceptance of a fellowship, scholarship, or grant.
- Repeals the requirement that an officer transferring from the active component to the reserve component execute a new oath of office.
- Authorizes the service secretaries to waive the maximum age limitations for up to five enlisted members per year for admission to the military service academies who (1) turn 23 years of age while serving in Operation Iraqi Freedom or Operation Enduring Freedom; (2) possess exceptional overall records; and (3) will be under age 26 upon entry to the academy.
- Authorizes medical students attending the Uniformed Services University of the Health Sciences and students participating in the HPSP who have prior commissioned service to serve, while on active duty, in pay grade O-1, or in pay grade O-2 if they meet specified promotion criteria prescribed by the service secretary.
- Makes technical and clarifying changes to the DOD undergraduate nurse training program and changes the date for initiation of a pilot program to increase the number of nurses serving in the armed forces to no later than August 31, 2012.
- Updates terminology for the Army Medical Service Corps to reflect its current structure.
- Authorizes direct appointment of graduates of the United States Merchant Marine Academy into the National Guard.
- Authorizes assignment of Air Force Reserve technicians (dual status) outside of the Air Force Reserve unit program.
- Authorizes reserve component members to carry over leave accumulated during periods of active service without regard to separation or release from active service, subject to otherwise applicable leave carry over limits.
- Authorizes service secretaries to provide certain service members rest and recuperation absence of up to 15 days, including round trip travel at government expense, which is not charged against ordinary leave.
- Authorizes the reserve components to hire additional non-dual status technicians on a temporary basis to fill vacancies created by mobilized dual status technicians.
- Authorizes loan repayment for students who incurred student loans pursuing an appropriate degree prior to enrolling in the HPSP.

- Authorizes the service secretaries to pay a lump sum payment for the balance of any loans the services agreed to pay under a written agreement existing at the time of a service member's death.
- Authorizes the Secretary of Defense to allow the issuance of a Cold War Service Medal by the service secretaries.
- Authorizes the award of the Bronze Star to certain members of military forces of friendly foreign nations serving with U.S. forces in imminent danger pay areas.
- Provides temporary authority for service secretaries to approve the voluntary retirement of officers who have completed 8 years of active service as a commissioned officer and 20 years of total active service.
- Authorizes the appointment of individuals with certain medical skills who will not be able to complete 20 years of service by age 62 as regular and reserve officers and authorizes service secretaries to defer mandatory retirement of certain health professions officers until age 68.
- Authorizes officers in the grade of O-9 or O-10, who have been confirmed by the Senate, to wear the insignia of that higher grade for 14 days before assuming the duties of the position for which the higher grade is authorized.
- Increases from 20 to 35 the number of eligible private sector civilians authorized to receive instruction at the National Defense University.
- Authorizes DOD to establish a health professions scholarship and financial assistance program for eligible civilians.
- Amends Article 120 of the Uniform Code of Military Justice (UCMJ) relating to offenses of rape, sexual assault, and other sexual misconduct, to create three separate articles of the UCMJ to correct deficiencies in existing law.
- Authorizes boards, trial counsel, and convening authorities to issue subpoenas duces tecum for the production of documentary evidence prior to a trial by court-martial.
- Increases the maximum fine for contempt in military justice proceedings to \$1,000, and adds certain actions as a basis for punishment by contempt.
- Requires the Secretary of Defense to report on child development centers and financial assistance provided by DOD for off-installation childcare.
- Requires the Secretary of Defense to report on the status of DOD graduate medical education programs.

- Requires the addition of two members to the DOD Military Family Readiness Council, one is the Director of the Office of Community Support for Military Families with Special Needs, the other is the spouse of an officer serving in the grade of general or admiral.
- Authorizes \$30 million in impact aid, \$5 million in special assistance to local education agencies affected by BRAC and force relocations, and \$10 million in impact aid for children with severe disabilities.
- Authorizes enrollment in DOD elementary and secondary schools for dependents of wounded, ill, or injured service members residing in temporary housing and service members in temporary housing due to a base housing privatization project, regardless of whether the housing is on Federal property.
- Requires the establishment of an advisory panel on community support for military families with special needs.
- Directs the Secretary of Defense to report on DOD educational programs and childcare provided for military dependent children with special needs and whether those programs comply with applicable disability law.
- Revises the structure and functions of the Reserve Forces Policy Board.
- Requires the Secretary of Defense to prescribe a policy on the recruitment and enlistment of graduates of charter schools.
- Recommends that the Secretary of Defense review current mobilization authorities and submit a legislative proposal for any additional authority needed to activate reserve component personnel for operational requirements.
- Authorizes expedited background investigations for security clearances for wounded warriors and spouses seeking employment with DOD or DOD contractors.
- Requires the Comptroller General to review the legislative and educational fellowships and training-with-industry programs of the DOD to assess their compliance with law and policy.

### **Military Pay and Compensation**

- Authorizes a 1.4 percent across-the-board pay raise for all members of the uniformed services, consistent with the President's request.
- Authorizes \$138.5 billion for military personnel, including costs of pay, allowances, bonuses, death benefits, and permanent change of station moves.
- Establishes the rate of the monthly stipend under the DOD family caregiver compensation program as the amount of the caregiver stipend under the VA program of comprehensive assistance for family caregivers.

- Reauthorizes over 30 types of bonuses and special pays aimed at encouraging enlistment, reenlistment, and continued service by active-duty and reserve component military personnel.
- Repeals the mandatory high-deployment allowance.
- Eliminates the automatic enrollment of service members as a dependent under the Family Servicemembers' Group Life Insurance (FSGLI) program when they are insured on their own behalf under the FSGLI program.
- Directs the Secretary of Defense to report on the standards used to determine eligibility for and level of compensation of basic allowance for housing for personnel assigned to sea duty.
- Authorizes travel and transportation allowances for members of the uniformed service and up to three designees to attend Yellow Ribbon Reintegration Program events.
- Authorizes the Secretary of Defense and the service secretaries to pay replacement value for property lost or damaged during a household goods shipment, under certain circumstances, where reimbursement is not available from the contracted carrier.
- Clarifies that civilian employees of the Federal Government may not receive income differential payments concurrently under both titles 5 and 10, United States Code.
- Requires the Secretary of Defense to report to the congressional defense committees within 180 days of the date of enactment of this Act on certain expenses incurred by service members during permanent change of station moves, including an assessment of the number of service members who ship a second personally owned vehicle and the expenses incurred in doing so.
- Extends authority to pay higher rate of basic allowance for housing in areas affected by major disasters or at installations experiencing a sudden influx of personnel.
- Directs the Comptroller General to assess DOD and service use of cash incentives to fill hard-to-fill or critically short positions, including verifying that DOD and the services have effective mechanisms in place to designate appropriately positions as critical and that they do in fact require incentives to fill.
- Requires the Comptroller General to review a DOD study on housing surveys and standards used to set basic allowance for housing (BAH) rates and to independently assess the effects of DOD base realignment decisions on post populations and whether DOD has adequately accounted for these decisions in determining proper BAH rates.

## **Health Care and Wounded Warriors**

- Authorizes \$30.9 billion for the Defense Health Program.
- Authorizes TRICARE coverage for eligible dependents up to age 26.
- Repeals the prohibition on performing legal abortions in DOD medical facilities, not to be paid for with government funds.
- Requires the Secretary of Defense to submit a plan to enhance the quality, efficiencies, and savings within the military health care system.
- Extends for 1 year the limitation on charges for inpatient care in civilian hospitals under TRICARE Standard.
- Requires the Secretary of Defense to develop and implement education and training programs on the use of pharmaceuticals for patients in, or in transition to, a wounded warrior unit, medical caregivers, medical and nonmedical case managers, military leaders, and family members.
- Amends the Wounded Warrior Act to align that Act with Health Insurance Portability and Accountability Act regulations to permit the release of information from DOD to the VA regarding service members transitioning to the VA medical system without the need to obtain specific authorization from the service member.
- Repeals the annual requirement that the Secretary of Defense report on the number of service members separated due to refusing to take the anthrax vaccine.
- Authorizes certain National Guard personnel with a current health care license to provide health care while performing training or duty under title 32, United States Code, in response to an actual or potential disaster.
- Authorizes the Secretary of Defense to pay travel expenses for command-sponsored dependents of service members assigned to remote areas to travel to the United States to receive obstetrical anesthesia services for childbirth.
- Requires that post-deployment health reassessments be included in the medical tracking system and quality assurance program for members deployed overseas.
- Encourages the use of embedded behavioral health providers for the National Guard and Reserve.
- Requires the Secretary of Defense to report on the application process for provision of temporary military contingency payment adjustments under the TRICARE Outpatient Prospective Payment System.

- Directs the Secretary of Defense to report on certain issues related to cognitive rehabilitation therapy for traumatic brain injury.
- Urges DOD to take steps to create a comprehensive quality management system for mental health professionals.
- Authorizes the transfer of funds to the Joint DOD-VA Medical Facility Demonstration Fund.

### **Civilian Personnel**

- Temporarily authorizes overtime pay for civilian employees of the Department of the Navy assigned to perform work on the nuclear aircraft carrier that is home-ported in Japan.
- Codifies the regulation issued by the Secretary of Defense to ensure that all senior mentors employed by DOD are hired as highly-qualified experts and are required to comply with all applicable Federal laws and regulations.
- Modifies authorities relating to personnel demonstration laboratories to clarify that the repeal of the National Security Personnel System has no effect on the direct hiring authority of defense laboratories and to increase the number of positions for which direct hiring authority may be used.
- Extends for 1 year the authority to waive for limitations on the aggregate of basic and premium pay payable for Federal civilian employees working within the U.S. Central Command (CENTCOM) area of responsibility.
- Authorizes enhanced appointment and compensation authority for designated DOD health care occupations.
- Makes technical changes to the Non-Foreign Area Retirement Equity Assurance Act of 2009.
- Directs DOD to submit an action plan addressing the conversion of employees from the National Security Personnel System to the General Schedule.

### **Armed Forces Retirement Home**

- Authorizes \$71.2 million to be appropriated for the Armed Forces Retirement Home.

### **SUBCOMMITTEE ON AIRLAND**

Under the leadership of Chairman Joseph Lieberman (I-CT) and Ranking Member John Thune (R-SD), the Subcommittee on Airland followed Chairman Levin's full committee markup guidelines, in particular to provide what is needed to succeed in combat and stability operations, to restore the readiness of Army ground forces, and Air Force and Navy tactical air systems, to enhance the capability of the armed forces to conduct counterinsurgency operations, and to

improve efficiency of programs and apply the savings toward high-priority programs. Particular emphasis was placed on addressing the modernization needs of the Army. Specifically, the subcommittee included the following budget recommendations and legislative provisions:

### **Ground Combat Vehicle**

- Provides full funding (\$934.4 million) for continued development of the Ground Combat Vehicle that replaces the cancelled Future Combat System (FCS) manned ground vehicle.

### **Early Infantry Brigade Combat Team Increment 1**

- Provides \$302.4 million in procurement for Early Infantry Brigade Combat Team (EIBCT) Increment 1 (former FCS “spin out 1”) technologies and network development.
- Cuts \$431.8 million for NLOS-LS procurement and research and development due to program termination.

### **Army Aviation**

- Provides full funding for Army Aviation programs, including:
  - \$1.2 billion to procure 40 CH-47 Chinook helicopters;
  - \$1.3 billion to procure 74 UH-60 Blackhawk helicopters;
  - \$332.7 million to upgrade 16 AH-64 Apache helicopters to the Block III configuration; and
  - \$305.2 million to procure 50 UH-72 Lakota light utility helicopters to meet the Army’s current and future helicopter requirements.

### **Other Army Funding Issues**

- Provides full funding (\$1.03 billion) for Stryker combat vehicle procurement (buys 83 vehicles), safety and survivability upgrades, and advanced component development toward additional force protection enhancements.
- Supports the Army’s decision to end procurement of new-production HMMWVs after acquiring over 152,000 vehicles since 1983.
- Provides full funding (\$989.1 million) to reset and rebuild utility and armored HMMWVs returning from Iraq and fill vehicle shortages in the active Army, Reserves, and National Guard.
- Provides full funding (\$1.4 billion) to procure 4,652 Family of Medium Tactical Vehicles to continue modernization of the Army’s active and reserve components’ truck fleets.
- Cuts \$105.3 million for procurement of the PIM program due to program delay. Also adds \$30 million for PIM research and development to help get this important program back on track.

### **Air Force and Naval Aviation**

- Includes \$3.1 billion to buy a total of 40 F-18 aircraft, including 12 E-18G jammer aircraft and 28 F/A-18E/F fighters; adds \$325 million to procure an additional 6 F/A-18E/F to keep production at 40 aircraft, the same as last year, in order to address the looming shortfall of strike fighter aircraft; and takes advantage of better prices in the multiyear procurement contract DOD will sign later this year.
- Includes \$9.1 billion to build 42 Joint Strike Fighter (JSF) aircraft (22 Air Force, 13 Marine Corps, and 7 Navy) in the base budget, plus \$205 million in the OCO account to buy 1 Air Force F-35 to “replace one legacy aircraft battle loss.” Supports the base budget request, but cuts the one aircraft in the OCO account.
- Adds \$102.5 million to the budget to add two sets of re-engining kits for the JSTARS to keep the production effort at the planned level of four aircraft per year to address safety of flight issues and reduce operating and support costs.

### **Mine Resistant Ambush Protected Vehicle Fund**

- Provides full funding (\$3.4 billion) for the MRAP fund, which funds the development, testing, production, and sustainment of the MRAP vehicles and new M-ATV.

## **SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES**

The Emerging Threats and Capabilities Subcommittee, under the leadership of Chairman Bill Nelson (D-FL) and Ranking Member George LeMieux (R-FL), focused on improving DOD capabilities to protect the Nation against emerging threats, including terrorism and the proliferation of weapons of mass destruction, and helping to transform U.S. forces to meet future threats. The subcommittee authorized increased investments in cutting-edge science and technology programs, and for unfunded requirements identified by special operations forces, and recommended improvements in nonproliferation programs, and programs to combat terrorism and violent extremism. Specifically, the subcommittee included the following funding and legislative provisions:

### **Special Operations**

- Funds fully the President’s budget request of \$9.8 billion for U.S. Special Operations Command (USSOCOM), including significant increases above FY 2010 levels to help USSOCOM address organic rotary and fixed-wing airlift requirements.
- Adds \$113.4 million for unfunded requirements identified by the Commander of USSOCOM for ground mobility vehicles, deployable communications equipment, thermal and night vision goggles, Special Operations Combat Assault Rifles, and non-lethal weapons technologies.

- Expands the requirement of USSOCOM to provide quarterly reports on the use of Combat Mission Requirement funds to satisfy urgent operational needs.

### **Joint Improvised Explosive Device Defeat Organization**

- Provides full funding (\$3.4 billion) for the Joint Improvised Explosive Device Defeat Organization (JIEDDO) in the OCO account.
- Directs the Secretary of Defense to conduct a review of the management and oversight structure for JIEDDO due to committee concerns of a lack of thorough intra-department oversight and coordination on development and acquisition activities.

### **Combating Weapons of Mass Destruction and Nonproliferation**

- Provides full funding (\$522.5 million) for the Cooperative Threat Reduction Programs at DOD.
- Provides full funding (\$2.7 billion) for the Nonproliferation Programs at DOE.
- Provides \$1 billion for fissile materials disposition, a reduction of \$20 million below the budget request.
- Provides \$359.6 million for nonproliferation research and development, an increase of \$8 million above the budget request.
- Provides \$610.1 million for Megaports, an increase of \$20 million above the budget request.
- Requires a joint DOD/DOE study on cooperative threat reduction activities with China.

### **Information Operations**

- Directs the Secretary of Defense to conduct a review of DOD's organizational structure and policy guidance relating to information operations activities, which is defined by DOD to include electronic warfare, computer network operations, psychological operations, military deception, and operations security.

### **Counternarcotics Program**

- Renews three counternarcotics train and equip programs, including:
  - Authority for a joint task force conducting counternarcotics training and assistance to a foreign government to also provide counterterrorism training and assistance;
  - Extend numeric limitation on U.S. defense personnel and DOD civilian contractors in Colombia; and
  - Authority to provide support to certain foreign governments.

## **Research, Development, Test, & Evaluation (including Science & Technology)**

- Authorizes a net increase of \$325 million above the budget request level of \$11.8 billion for Science and Technology activities within the Research, Development, Test & Evaluation (RDT&E) budget.
- Increases funding by nearly \$200 million for cutting-edge RDT&E projects with an emphasis on pursuing technological advances in traditional and alternative energy storage, power systems, renewable energy production, and more energy efficient ground, air, and naval systems. Key thrust areas include:
  - Advanced materials for ground, aerospace, and naval systems;
  - Alternative energy technologies;
  - Army ground vehicle modernization; and
  - Improvement of manufacturing and supply chain capabilities.
- Authorizes a consolidated DOD advanced ground vehicle technology program to develop and deploy advanced technology ground vehicles and their component parts and maximize cooperation with industry, academia, and other Federal agencies.
- Supports DOD's overall medical research program by adding nearly \$50 million for additional research on trauma care, blast injuries, visual impairment, and other DOD medical research areas.
- Supports and directs better coordination of DOD's Minerva program and other related research in social, cultural, and behavioral sciences in support of counterterrorism and counterinsurgency strategies, psychological operations, and other influence activities and efforts to counter violent extremism.

## **Chemical and Biological Matters**

- Includes a provision that would consolidate, reorganize and restate the chemical demilitarization program authorities as a single piece of legislation. The revised provision would be entirely consistent with U.S. obligations under the Chemical Weapons Convention.
- Authorizes the budget request level of \$1.5 billion for the chemical demilitarization program.
- Authorizes \$1.6 billion for chemical and biological defense programs, the funding level of the budget request.

## **Homeland Defense and Civil Support**

- Prohibits the DOD from deactivating its existing Chemical, Biological, Radiological, Nuclear, or High-Yield Explosive Consequence Management Forces (CCMRF) until 90 days after the Secretary of Defense certifies that there exists within the military an alternative response capability at least as good as the two existing CCMRFs.

- Authorizes DOD to make excess or surplus military supplies available to State and local emergency response and homeland security agencies.

### **SUBCOMMITTEE ON STRATEGIC FORCES**

Under the leadership of the Chairman Ben Nelson (D-NE), and Ranking Member David Vitter (R-LA), the Strategic Forces Subcommittee reviewed DOD programs for national security space, strategic forces, ballistic missile defenses, ISR, and cyber security, as well as DOE nuclear and environmental management programs. Specifically, the subcommittee included the following funding and legislative provisions:

#### **Ballistic Missile Defense**

- Authorizes funding for the programs of the Missile Defense Agency (MDA) at the level requested in the President’s budget request – \$8.4 billion -- and provides an additional \$205 million to MDA for the Israeli Iron Dome short-range rocket defense program.
- Authorizes an increase of \$133.6 million for the Army’s unfunded requirement to upgrade the Patriot PAC-3 missile defense system.
- Authorizes an increase of \$25 million to the joint U.S.-Israeli development program for the David’s Sling short-range ballistic missile defense program.
- Expresses the sense of Congress on ballistic missile defense programs, including the Phased Adaptive Approach to missile defense in Europe, the Ground-based Midcourse Defense system and interceptors, and support for increased cooperation with Russia.
- Requires acquisition baselines for MDA’s ballistic missile defense programs and annual reports to Congress on those baselines.
- Limits the use of funds for the Medium Extended Air Defense System (MEADS), until after DOD reports on a decision on how or whether to proceed with the program.

#### **Strategic Systems**

- Directs the Secretary of Energy and the Secretary of Defense acting through the Nuclear Weapons Council to develop a baseline for safety and security improvements to the nuclear weapons stockpile.

#### **Space Programs**

- Requires the Secretary of Defense, in consultation with the Administrator of the National Aeronautics and Space Administration (NASA), to develop a plan to sustain the liquid rocket motor industrial base.

- Directs the Secretary of Defense to implement recommendations to sustain the solid rocket motor industrial base.
- Authorizes an additional \$30 million for sensor integration and ensures nuclear detection sensors are manifested on space platforms.
- Provides \$110 million for the National Polar-orbiting Operational Environmental Satellite System and directs DOD to establish the new program for weather satellites as soon as possible to avoid any gaps in coverage.
- Provides \$50 million for new military satellite communications technology development for future applications.
- Provides \$25 million for new military infrared satellite technology development for future applications.
- Adds \$15 million for operations to support utilization of the Spaced-based Infrared Satellite Highly Elliptical Orbit sensor and for the ground control stations.
- Adds \$20 million for Operationally Responsive Space to support core activities.
- Adds \$15 million to the space test program for additional small launch capacity.
- Cuts \$30 million from the Spaced-Based Space Surveillance program due to program delays.
- Expresses the sense of the Senate that programmatic actions of NASA may have impact on DOD space and missile programs and directs the Secretary of Defense to study and report on any impact.

### **Cyber Security**

- Directs the Secretary of Defense to review and submit a report to the Congress on the cyber warfare policy of DOD, including legal, strategy, and doctrinal issues.
- Authorizes funds for DOD, in coordination with the Department of Homeland Security, to conduct a series of cyber security demonstration projects using commercial technology.
- Requires DOD to develop a tailored acquisition process for cyberspace that would not only provide agility and speed, but also ensure proper transparency, oversight, discipline, and rigorous test and evaluation.
- Directs the Secretary of Defense to develop a strategy to address software vulnerabilities for systems in development, during milestone approvals, testing, undergoing security certifications, and while running in an operational status.

- Requires the Secretary of Defense to implement continuous monitoring of computer networks to improve security and Federal Information Security Management Act (FISMA) compliance and reporting.
- Requires annual reports on the nature of and damages caused by cyber attacks and net assessments of the cyberwar capabilities of the U.S. and potential adversaries to determine whether the U.S. is making progress in improving our cybersecurity.

### **Intelligence**

- Includes a provision that would prevent the Navy from retiring the EP-3E aircraft and the special projects aircraft (SPA) and directs the Navy to maintain and upgrade these aircraft to meet evolving threats and operational requirements. The requirement would expire when the Navy begins fielding a mix of platforms and sensors that are equivalent or superior to the EP-3E and the SPA.
- Directs the Secretary of the Air Force to report on the concept of operations for unmanned aerial vehicles (UAV) to meet ISR requirements, including a description of the requirements, and current and future manpower staffing and training requirements to support both operations of the UAVs and analysis of the information collected.
- Directs the Chiefs of Staff of the military services to report to the Secretary of Defense on their respective use, management and coordination of UAVs for ISR, including current and future requirements and management of shortfalls.

### **Department of Energy Programs**

- Requires the Secretary of Energy and the Administrator of NNSA to establish and track cost and schedule baselines for certain elements of the life extension program, construction projects, and major cleanup projects.
- Requires an annual assessment of the adequacy of the NNSA budget with respect to maintaining the nuclear weapons stockpile.
- Requires an annual 5-year budget plan for the DOE Environmental Management Program.
- Authorizes \$17.7 billion for atomic energy defense activities, the amount of the budget request.
- Provides an additional \$30 million for operation and maintenance of NNSA facilities.
- Authorizes Environmental Management funding at the budget request.

## **SUBCOMMITTEE ON SEAPOWER**

Under the leadership of the Chairman Jack Reed (D-RI) and Ranking Member Roger F. Wicker (R-MS), the Subcommittee on Seapower focused on the needs of the Navy, Marine Corps, and strategic mobility forces. The subcommittee put particular emphasis on supporting marine and naval forces engaged in combat operations, improving efficiencies, and applying the savings to higher-priority programs. Specifically, the subcommittee included the following funding and legislative provisions:

- Provides full funding for a number of Navy programs, including: Carrier Replacement Program, *Virginia*-class submarine, DDG-1000, DDG-51, Littoral Combat Ship (LCS), LHA(R) amphibious assault ship, Joint High Speed Vessel, Mobile Landing Platform, V-22 Osprey, and P-8 maritime patrol aircraft.
- Adds funding for various Navy programs to expand the capability of our forces to conduct new missions and survive in higher threat situations, including such programs as Phalanx self defense system, the NULKA decoy system, and the program to expand the capability for our submarines to carry new payloads.
- Improves the likelihood that shipbuilding programs will be successful by requiring that the Secretary of the Navy certify basic and functional designs are complete prior to starting construction of the first ship of a new shipbuilding program.
- Modifies title 10, United States Code, to expand the means by which DOD may transport civilian passengers and commercial cargo in response to natural disasters or other emergencies, and to allow DOD to use any amounts of reimbursements to offset the cost of providing the support.
- Reduces the budget request by \$22.5 million to reflect delayed execution of the FY 2010 contracting effort for the Navy's air and missile defense radar program.

## **SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT**

Subcommittee Chairman Evan Bayh (D-IN) and Ranking Member Richard Burr (R-NC) focused the subcommittee's efforts on (1) improving the readiness of our armed forces; (2) ensuring that members of the armed forces and their families have access to appropriate facilities, including family housing; and (3) addressing problems in the management and efficiency of DOD. The subcommittee included the following funding and legislative provisions:

### **Readiness**

- Provides full funding for readiness and depot maintenance programs, so as to ensure that forces preparing to deploy are trained and their equipment is ready.

- Adds funding for the highest priority unfunded priorities identified by the Chiefs of Staff aimed at restoring materiel readiness:
  - \$532 million to fund fully the Chief of Naval Operations' readiness-related unfunded requirements for ship depot maintenance (\$35 million), aircraft depot maintenance (\$74 million), and spare parts (\$423 million); and
  - \$337 million to fully fund the Chief of Staff of the Air Force's readiness-related unfunded requirements for weapon system sustainment, including added depot maintenance for the B-2, the B-1, the A-10, the KC-135, the C-5, and the C-135.
- Extends the authority for providing logistics support and services for weapon systems contractors in DOD, and extends the authority for working-capital funded Army industrial facilities and arsenals to sell articles and services outside DOD.

### **Military Construction and Basing Issues**

- Provides full funding (\$20 billion) for military construction and family housing, including OCO.
- Cuts \$300 million in funding associated with the move of the Marine Corps from Okinawa to Guam, as this funding was requested ahead of need.
- Reduces the amount for certain projects to match their proposed construction timeline.
- Adds \$618 million in additional military construction projects and an accompanying \$99 million for planning and design of those projects.
- Authorizes \$68.5 million in FY 2010 funds for the construction of an Aegis Ashore missile defense test facility at the Pacific Missile Range Facility in Hawaii. This facility will be critical to testing and demonstrating the capability of the Aegis Ashore and Standard Missile-3 missile defense system planned for deployment in Europe starting in 2015 as part of the Phased Adaptive Approach to missile defense in Europe.

### **Acquisition Policy**

- Enhances DOD's ability to rapidly acquire and field new capabilities in response to urgent needs on the battlefield by:
  - Clarifying and expanding DOD's authority to waive statutory requirements when needed to speed acquisitions that will save lives on the battlefield; and
  - Requiring DOD to establish a comprehensive process for evaluating and addressing urgent operational needs identified on the battlefield.
- Builds on the changes enacted in the Weapon Systems Acquisition Reform Act of 2009 by:
  - Adopting a DOD proposal for improvements to the structure of the Joint Requirements Oversight Council;

- Clarifying that conservative cost estimates developed for baseline descriptions and budgetary purposes should not become the basis for negotiations with contractors and the obligation of funds; and
  - Directing DOD to ensure that Configuration Steering Boards meet on an annual basis, as required by law.
- Addresses shortcomings in the management of private security contractors in Iraq and Afghanistan by:
    - Requiring contracting activities to assign an appropriate number of personnel to the oversight of contractors performing private security functions in areas of combat operations;
    - Making contractors expressly responsible for the conduct of their subcontractors who provide private security services; and
    - Establishing specific contractual remedies for failures to comply with the requirements of law or regulation, or with directives from combatant commanders, in the provision of private security services.
  - Streamlines acquisition processes and improves contractor oversight by:
    - Requiring the review and evaluation of contractor business systems to ensure that these systems are adequate to protect the government's interests;
    - Enhancing DOD's authority to take action against contractors who are found to have jeopardized the health or safety of government personnel;
    - Authorizing the Secretary of Defense to take steps needed to reduce supply chain risk in the acquisition of sensitive information technology systems;
    - Establishing a pilot program for the streamlined acquisition of military purpose items that have already been developed at private expense; and
    - Clarifying the government's right to use technical data that is developed exclusively at governmental expense when needed to ensure competition for follow-on contracts.

### **Energy and Environmental Policy**

- Provides full funding for requested DOD environmental restoration programs to help ensure active and former contaminated sites are restored to acceptable levels in a timely manner.
- Adds \$170 million to the Energy Conservation Improvement Program to fund competitively meritorious programs that have a savings-to-investment ratio of 1.25 or higher and a simple payback period of 10 years or less.
- Adds \$25 million for the Readiness and Environmental Protection Initiative to enhance funding of priority projects to protect critical mission training sites by preventing or reducing encroachment through the creation of compatible-use buffer zones.
- Requires the Secretary of Defense to develop a comprehensive master plan for improving the energy efficiency of DOD facilities, including specific consideration for rooftop solar and other energy-saving technologies in all new facilities and renovations.

- Establishes a commission to provide expert advice to the President and Congress on matters relating to exposures of current and former members of the Armed Forces and their dependants to environmental hazards on military installations.
- Requires the Secretary of the Navy to take certain actions to ensure the Agency of Toxic Substances and Disease Registry has access to all documents relevant to the water contamination at Camp Lejeune in North Carolina.

### **Other Defense Management Provisions**

- Adds \$33.8 million for the DOD IG, to enable the IG to continue growth designed to provide more effective oversight and help identify waste, fraud, and abuse in DOD programs, especially in the area of procurement.
- Prohibits the unauthorized sale or disposition of DOD property to prevent the circulation of sensitive military items in the private sector, as requested by DOD.

## **GENERAL PROVISIONS**

### **Building Partnership Capacity**

- Authorizes the Secretary of Defense to provide up to \$75 million in equipment, supplies, and training to the Yemen Ministry of Interior counterterrorism force.
- Provides increased flexibility under DOD’s “train and equip” authority to build the capacity of coalition partners in Afghanistan to conduct stabilization operations and special operations.

### **Afghanistan, Pakistan, and Iraq Authorities**

- Provides full funding (\$1.6 billion) for the train and equip program for the Afghan National Army and Afghan National Police, and permits these funds to be used to support the work of the Afghan Major Crimes Task Force.
- Cuts \$400 million from the CERP in Iraq and Afghanistan, based on concerns that CERP spending in Iraq should decline as we draw our forces down, and Afghanistan is not ready to absorb a significant increase in CERP funding, as proposed by the President’s budget.
- Reduces funding for the Iraq Security Forces Fund from \$2 billion to \$1 billion, in anticipation of the Government of Iraq assuming a greater responsibility for the financial burden of building Iraqi security forces as U.S. forces draw down in Iraq.
- Extends the Pakistan Counterinsurgency Fund, to be resourced with funds transferred from the Department of State, to build the capacity of the Pakistan Frontier Corps and the Pakistan Army to conduct counterinsurgency.

- Extends funding for the Coalition Support Fund to reimburse Pakistan and other key nations cooperating in contingency operations in Afghanistan and to provide specialized training and loan specialized equipment to coalition partners in Afghanistan.
- Authorizes funding to support the DOD Task Force on Business and Stability Operations in Afghanistan to promote economic development that enhances the counterinsurgency strategy and requires a comprehensive economic strategy for Afghanistan.

### **Islamic Republic of Iran**

- Requires companies to certify for all DOD contracts valued over \$1 million that they are not engaging in any activity for which sanctions may be imposed under the Iran Sanctions Act of 1996.
- Directs the President to submit to Congress a report on U.S. engagement with Iran. This report is similar to a report included in the NDAA for FY 2010.
- Directs the Comptroller General to provide a semi-annual report on commercial activity in Iran's oil, gas, and petrochemical sectors, as well as entities that have aided the Iranian government's efforts to filter the use of the internet, disrupt cell phone communications, monitor online activities, and jam the signals of U.S. and other international broadcasts into Iran.

### **Other Items**

- Requires the Secretary of Defense to establish a comprehensive strategy for addressing military impacts of renewable energy projects and other energy projects, with the objective of ensuring that the robust development of renewable energy sources and the expansion of the commercial electrical grid may move forward in the United States, while minimizing or mitigating any adverse impacts on military operations and readiness.
- Directs the Defense Policy Board to conduct a review and evaluation of DOD's strategy to counter violent extremism.
- Endorses in an item of special interest the Secretary of Defense's initiative to consolidate and improve the current export control regime.
- Requires the Secretary of Defense to develop a strategy for providing military, logistics, and intelligence support for the President's efforts, in line with the Lord's Resistance Army (LRA) Disarmament and Northern Uganda Recovery Act recently signed into law, to help mitigate and eliminate the threat to civilians and regional stability posed by the LRA atrocities in Central Africa.

- Directs the Secretary of Defense to submit to Congress a report on U.S. efforts to defend against potential future threats posed by the anti-access and area-denial capabilities of potentially hostile nation-states.
- Requires the Secretary of Defense to submit to Congress an assessment of the progress of preparation that have been made to transfer operational control of U.S. and Republic of Korea armed forces and to describe under what circumstances the planned April 2012 transfer of operational control would be adjusted.
- Eliminates availability of funding for the construction of a military detention facility in Thomson, Illinois.
- Restricts the transfer of detainees at Guantanamo Bay detention facility to certain countries where Al Qaeda has an active presence.
- Requires the Secretary of Defense to send 6,000 National Guard personnel to help secure the U.S.-Mexico border. The National Guard personnel would serve in State status, but would be paid out of Federal funds. The DOD estimates the costs of the deployment at \$700 million per year, including both personnel and operating costs.

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