

**Union Calendar No. 244**

112th Congress, 1st Session ----- House Report 112-359

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



DECEMBER 30, 2011.—Committed to the Committee of the Whole House  
on the State of the Union and ordered to be printed

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WASHINGTON : 2011



HOUSE COMMITTEE ON ARMED SERVICES

ONE HUNDRED TWELFTH CONGRESS

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**LETTER OF TRANSMITTAL**

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HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC, December 30, 2011.*

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

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

Sincerely,

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



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## Union Calendar No. 244

112TH CONGRESS }  
*1st Session* } HOUSE OF REPRESENTATIVES { REPORT  
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### SECOND SEMIANNUAL REPORTS ON THE ACTIVITIES OF THE COMMITTEE ON ARMED SERVICES FOR THE 112TH CONGRESS

DECEMBER 30, 2011.—Committed to the Committee of the Whole House on the State  
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Mr. MCKEON, from the Committee on Armed Services,  
submitted the following

#### R E P O R T

#### POWERS AND DUTIES

##### BACKGROUND

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

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

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

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

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

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

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

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

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

#### CONSTITUTIONAL POWERS AND DUTIES

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

- Raise and support Armies;
- Provide and maintain a Navy;
- Make rules for the Government and Regulation of the land and naval Forces;
- Provide for calling forth the militia;
- Provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States;

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

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

### HOUSE RULES ON JURISDICTION

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

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

(2) Common defense generally.

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

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

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

(6) Merchant Marine Academy and State Maritime Academies.

(7) Military applications of nuclear energy.

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

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

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

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

(12) Selective service.

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

(14) Soldiers' and sailors' homes.

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

(16) Cemeteries administered by the Department of Defense.

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

### INVESTIGATIVE AUTHORITY AND LEGISLATIVE OVERSIGHT

H. Res. 988 of the 93rd Congress, the Committee Reform Amendments of 1974, amended clause 1(b) of rule XI of the Rules of the House of Representatives, to provide general authority for each committee to investigate matters within its jurisdiction. That

amendment established a permanent investigative authority and relieved the committee of the former requirement of obtaining a renewal of the investigative authority by a House resolution at the beginning of each Congress. H. Res. 988 also amended rule X of the Rules of the House of Representatives by requiring, as previously indicated, that standing committees are to conduct legislative oversight in the area of their respective jurisdiction, and by establishing specific oversight functions for the Committee on Armed Services.

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

## COMMITTEE RULES

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

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

### RULE 1. GENERAL PROVISIONS

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

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

### RULE 2. FULL COMMITTEE MEETING DATE

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

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

### RULE 3. SUBCOMMITTEE MEETING DATES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on all matters referred to it. Insofar as possible, meetings of the Committee and its subcommittees shall not conflict. A subcommittee Chairman shall set meeting dates after consultation with the Chairman, other sub-

committee Chairmen, and the Ranking Minority Member of the subcommittee with a view toward avoiding, whenever possible, simultaneous scheduling of Committee and subcommittee meetings or hearings.

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

##### (A) JURISDICTION

(1) The Committee retains jurisdiction of all subjects listed in clause 1(c) and clause 3(b) of rule X of the Rules of the House of Representatives and retains exclusive jurisdiction for: defense policy generally, ongoing military operations, the organization and reform of the Department of Defense and Department of Energy, counter-drug programs, security and humanitarian assistance (except special operations-related activities) of the Department of Defense, acquisition and industrial base policy, technology transfer and export controls, joint interoperability, the Cooperative Threat Reduction program, Department of Energy nonproliferation programs, detainee affairs and policy, intelligence policy, force protection policy and inter-agency reform as it pertains to the Department of Defense and the nuclear weapons programs of the Department of Energy. While subcommittees are provided jurisdictional responsibilities in subparagraph (2), the Committee retains the right to exercise oversight and legislative jurisdiction over all subjects within its purview under rule X of the Rules of the House of Representatives.

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

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

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

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

Subcommittee on Seapower and Projection Forces: Navy acquisition programs, Naval Reserve equipment, and Marine Corps amphibious assault vehicle programs (except strategic weapons, space, special operations, science and technology pro-

grams, and information technology programs), deep strike bombers and related systems, lift programs, and seaborne unmanned aerial systems. In addition, the subcommittee will be responsible for Maritime programs under the jurisdiction of the Committee as delineated in paragraphs 5, 6, and 9 of clause 1(c) of rule X of the Rules of the House of Representatives.

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

Subcommittee on Emerging Threats and Capabilities: Defense-wide and joint enabling activities and programs to include: Special Operations Forces; counter-proliferation and counter-terrorism programs and initiatives; science and technology policy and programs; information technology programs; homeland defense and Department of Defense related consequence management programs; related intelligence support; and other enabling programs and activities to include cyber operations, strategic communications, and information operations.

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

(b) Membership of the Subcommittees

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

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

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

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

**RULE 5. COMMITTEE PANELS AND TASK FORCES**

(a) Committee Panels

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

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

(3) Consistent with the party ratios established by the Majority party, all Majority members of the panels shall be appointed by the Chairman of the Committee, and all Minority members shall be appointed by the Ranking Minority Member of the Committee. The Chairman of the Committee shall choose one of the Majority members so appointed who does not currently chair another subcommittee of the Committee to serve as Chairman of the panel. The Ranking Minority Member of the Committee shall similarly choose the Ranking Minority Member of the panel.

(4) No panel shall have legislative jurisdiction.

(b) Committee and Subcommittee Task Forces

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

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

(3) No task force shall have legislative jurisdiction.

#### RULE 6. REFERENCE AND CONSIDERATION OF LEGISLATION

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

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

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

thereto and have such measure or matter considered by the Committee.

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

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

#### RULE 7. PUBLIC ANNOUNCEMENT OF HEARINGS AND MEETINGS

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

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

#### RULE 8. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

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

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



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

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

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

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

to the approval of the Committee, subcommittee, panel, or task force as dictated by national security requirements at that time. The attainment of any required security clearances is the responsibility of individual members of the Committee.

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

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

#### RULE 10. QUORUM

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

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

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

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

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

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

(b)(1) Members who are present at a hearing of the Committee or subcommittee when a hearing is originally convened shall be recognized by the Chairman or subcommittee chairman, as appropriate, in order of seniority. Those members arriving subsequently shall be recognized in order of their arrival. Notwithstanding the

foregoing, the Chairman and the Ranking Minority Member will take precedence upon their arrival. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the Majority to Minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of either party.

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

(3) The Chairman of the Committee or a subcommittee, with the concurrence of the respective Ranking Minority Member, may depart with the regular order for questioning which is specified in paragraphs (a) and (b) of this rule provided that such a decision is announced prior to the hearing or prior to the opening statements of the witnesses and that any such departure applies equally to the Majority and the Minority.

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

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

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

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

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

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

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

### RULE 13. WITNESS STATEMENTS

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

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

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

### RULE 14. ADMINISTERING OATHS TO WITNESSES

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

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

### RULE 15. QUESTIONING OF WITNESSES

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

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

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

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

The transcripts of those hearings conducted by the Committee, subcommittee, or panel will be published officially in substantially verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. The transcripts of markups conducted by the Committee or any subcommittee may be published officially in verbatim form. Any requests to correct any errors, other than those in transcription, will be appended to the record, and the appropriate place where the change is requested will be footnoted. Any transcript published under this rule shall include the results of record votes conducted in the session covered by the transcript and shall also include materials that have been submitted for the record and are covered under rule 19. The handling and safekeeping of these materials shall fully satisfy the requirements of rule 20. No transcript of an executive session conducted under rule 9 shall be published under this rule.

#### RULE 17. VOTING AND ROLLCALLS

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

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

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

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

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

#### RULE 18. COMMITTEE REPORTS

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

views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter.

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

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

#### RULE 19. PUBLIC INSPECTION OF COMMITTEE ROLLCALLS

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

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

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

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

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

**RULE 21. COMMITTEE STAFFING**

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

**RULE 22. COMMITTEE RECORDS**

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

**RULE 23. HEARING PROCEDURES**

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

**RULE 24. COMMITTEE ACTIVITY REPORTS**

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

## COMPOSITION OF THE COMMITTEE ON ARMED SERVICES

Pursuant to H. Res. 6, election of the Chairman (adopted January 5, 2011), H. Res. 7, election of the Ranking Member (adopted January 5, 2011), H. Res. 33, election of majority members (adopted January 12, 2011), H. Res. 39, election of minority members (adopted January 19, 2011), and H. Res. 377, election of a minority member (adopted July 28, 2011), the following members served on the Committee on Armed Services in the first session of the 112th Congress:

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

<sup>1</sup> Mrs. Castor resigned from the committee on June 22, 2011.

<sup>2</sup> Ms. Hochul was appointed to the committee on July 28, 2011.



## SUBCOMMITTEES OF THE COMMITTEE ON ARMED SERVICES

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

### SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

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

Mr. Thornberry, *Chairman*

Mr. Miller	Mr. Langevin, <i>Ranking Member</i>
Mr. Kline	Ms. Sanchez
Mr. Shuster	Mr. Andrews
Mr. Conaway	Mrs. Davis
Mr. Gibson	Mr. Ryan
Mr. Schilling	Mr. Ruppersberger
Mr. West	Mr. Johnson
Mr. Franks	Mrs. Castor <sup>1</sup>
Mr. Hunter	Ms. Hochul <sup>2</sup>

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<sup>1</sup> Mrs. Castor resigned from the committee on June 22, 2011.

<sup>2</sup> Ms. Hochul was assigned to the Subcommittee on Emerging Threats and Capabilities on August 2, 2011.

SUBCOMMITTEE ON MILITARY PERSONNEL

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

Mr. Wilson, *Chairman*

Mr. Jones  
Mr. Coffman  
Mr. Rooney  
Dr. Heck  
Mr. West  
Mr. Scott  
Mrs. Hartzler

Mrs. Davis, *Ranking Member*  
Mr. Brady  
Ms. Bordallo  
Mr. Loeb sack  
Ms. Tsongas  
Ms. Pingree

## SUBCOMMITTEE ON READINESS

*Jurisdiction pursuant to Committee Rule 4*—Military readiness, training, logistics and maintenance issues and programs. In addition, the subcommittee will be responsible for all military construction, depot policy, civilian personnel policy, environmental policy, installations and family housing issues, including the base closure process, and energy policy and programs of the Department of Defense.

Mr. Forbes, *Chairman*

Mr. Rogers  
Dr. Heck  
Mr. Scott  
Mr. LoBiondo  
Mr. Gibson  
Mrs. Hartzler  
Mr. Schilling  
Mr. Runyan  
Mr. Griffin  
Mr. Palazzo  
Mrs. Roby

Ms. Bordallo, *Ranking Member*  
Mr. Reyes  
Mr. Courtney  
Mr. Loeb sack  
Ms. Giffords  
Mr. Kissell  
Mr. Owens  
Mr. Ryan  
Mrs. Hanabusa

## SUBCOMMITTEE ON SEAPOWER AND PROJECTION FORCES

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

Mr. Akin, *Chairman*

Mr. Hunter  
 Mr. Coffman  
 Mr. Rigell  
 Mr. Griffin  
 Mr. Palazzo  
 Mr. Young  
 Mr. Bartlett  
 Mr. Forbes  
 Mr. Wittman  
 Mr. Platts

Mr. McIntyre, *Ranking Member*  
 Mrs. Davis  
 Mr. Langevin  
 Mr. Larsen  
 Mr. Courtney  
 Ms. Pingree  
 Mr. Critz  
 Mr. Johnson  
 Ms. Sutton

SUBCOMMITTEE ON STRATEGIC FORCES

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

Mr. Turner, *Chairman*

Mr. Franks  
Mr. Lamborn  
Mr. Brooks  
Mr. Thornberry  
Mr. Rogers  
Dr. Fleming  
Mr. Rigell  
Mr. Scott

Ms. Sanchez, *Ranking Member*  
Mr. Langevin  
Mr. Larsen  
Mr. Heinrich  
Mr. Garamendi  
Mr. Ruppertsberger  
Ms. Sutton

## SUBCOMMITTEE ON TACTICAL AIR AND LAND FORCES

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

Mr. Bartlett, *Chairman*

Mr. LoBiondo  
Dr. Fleming  
Mr. Rooney  
Mr. Platts  
Mrs. Hartzler  
Mr. Runyan  
Mrs. Roby  
Mr. Jones  
Mr. Akin  
Mr. Wilson  
Mr. Turner  
Mr. Shuster  
Mr. Lamborn

Mr. Reyes, *Ranking Member*  
Mr. McIntyre  
Mr. Cooper  
Ms. Giffords  
Ms. Tsongas  
Mr. Kissell  
Mr. Heinrich  
Mr. Owens  
Mr. Garamendi  
Mr. Critz  
Mrs. Castor<sup>1</sup>  
Ms. Hochul<sup>2</sup>

<sup>1</sup> Mrs. Castor resigned from the committee on June 22, 2011.

<sup>2</sup> Ms. Hochul was assigned to the Subcommittee on Tactical Air and Land Forces on August 2, 2011.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

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

Mr. Wittman, *Chairman*

Mr. Conaway  
Mr. Brooks  
Mr. Young  
Mr. Rooney  
Mr. Coffman

Mr. Cooper, *Ranking Member*  
Mr. Andrews  
Ms. Sanchez  
Mrs. Hanabusa

## COMMITTEE PANELS

The following panel of the committee was appointed on July 13, 2011, and reappointed on November 17, 2011.

### PANEL ON DEFENSE FINANCIAL MANAGEMENT AND AUDITABILITY REFORM

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

Mr. Conaway, *Chairman*

Mr. Rigell  
Mr. Palazzo  
Mr. Young

Mr. Andrews, *Ranking Member*  
Mr. Courtney  
Mr. Ryan



The following panel of the committee was appointed on September 12, 2011.

PANEL ON BUSINESS CHALLENGES WITHIN THE DEFENSE  
INDUSTRY

*Jurisdiction pursuant to Committee Rule 5*—The panel has been tasked to examine the current defense business environment and to seek to understand how the Department of Defense could spur innovation, competition, and cost savings by encouraging new entrants into the industrial base and fostering the transition of technology.

Mr. Shuster, *Chairman*

Mr. Schilling  
Mr. Runyan  
Mr. West

Mr. Larsen, *Ranking Member*  
Ms. Sutton  
Ms. Hanabusa

## COMMITTEE STAFF

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

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

Michele Pearce, *Counsel*  
 Famid Sinha, *Staff Assistant* (resigned May 9, 2011)  
 Katie Sendak, *Research Assistant*  
 Ben Runkle, *Professional Staff Member*  
 Melissa Tuttle, *Staff Assistant* (resigned July 27, 2011)  
 Catherine A. McElroy, *Counsel*  
 Michael Amato, *Professional Staff Member*  
 Robert J. McAlister, *Communications Assistant*  
 Anna Hagler, *Intern* (appointed January 3, 2011, resigned May 5, 2011)  
 Jonathan Shepard, *Intern* (appointed January 4, 2011, resigned February 18, 2011)  
 Dustin Walker, *Staff Assistant* (appointed February 7, 2011)  
 Thomas MacKenzie, *Professional Staff Member* (appointed March 7, 2011)  
 Lauren Huhn, *Research Assistant* (appointed March 8, 2011)  
 John Noonan, *Deputy Communications Director* (appointed March 21, 2011)  
 Brian Garrett, *Professional Staff Member* (appointed April 1, 2011)  
 Arthur Milikh, *Intern* (appointed April 1, 2011, resigned July 15, 2011)  
 Elizabeth Nathan, *Professional Staff Member* (appointed April 8, 2011)  
 Elizabeth McWhorter, *Executive Assistant* (appointed April 18, 2011)  
 Nicholas Rodman, *Staff Assistant* (appointed May 2, 2011)  
 Stephen Bosco, *Intern* (appointed May 17, 2011, resigned July 29, 2011)  
 Aaron Applbaum, *Intern* (appointed May 23, 2011, resigned July 8, 2011)  
 Kelly McRaven, *Intern* (appointed June 1, 2011, resigned August 4, 2011)  
 Andrew T. Walter, *Professional Staff Member* (appointed June 2, 2011)  
 Ken Orvick, *Intern* (appointed June 16, 2011, resigned August 12, 2011)  
 Claude Chafin, *Communications Director* (appointed July 12, 2011)  
 Aaron Falk, *Staff Assistant* (appointed August 1, 2011)  
 Arthur Milikh, *Staff Assistant* (appointed August 1, 2011)  
 Tim Morrison, *Counsel* (appointed August 1, 2011)  
 Jonathan D. Roger, *Intern* (appointed August 29, 2011, resigned December 8, 2011)  
 Kimberly Shaw, *Professional Staff Member* (appointed September 1, 2011)  
 Ryan Jacobs, *Intern* (appointed September 8, 2011, resigned December 15, 2011)  
 Stephen Bosco, *Intern* (appointed September 9, 2011, resigned December 16, 2011)  
 Martin Hussey, *Intern* (appointed September 9, 2011, resigned December 16, 2011)  
 Stephen Kitay, *Professional Staff Member* (appointed October 11, 2011)  
 James Mazol, *Staff Assistant* (appointed December 5, 2011)

## COMMITTEE MEETINGS

A total of 153 meetings and markups have been held by the Committee on Armed Services, its subcommittees, and panels during the 112th Congress. A breakdown of the meetings follows:

FULL COMMITTEE .....	47
SUBCOMMITTEES:	
Subcommittee on Emerging Threats and Capabilities .....	16
Subcommittee on Military Personnel .....	20
Subcommittee on Readiness .....	15
Subcommittee on Seapower and Projection Forces .....	6
Subcommittee on Strategic Forces .....	16
Subcommittee on Tactical Air and Land Forces .....	11
Subcommittee on Oversight and Investigations .....	7
PANELS:	
Panel on Defense Financial Management and Audibility Reform .....	9
Panel on Business Challenges within the Defense Industry .....	6

## LEGISLATIVE ACTIVITIES

### LEGISLATION PASSED BY BOTH HOUSES OF CONGRESS

#### H.R. 1540—TO AUTHORIZE APPROPRIATIONS FOR FISCAL YEAR 2012 FOR MILITARY ACTIVITIES OF THE DEPARTMENT OF DEFENSE, FOR MILITARY CONSTRUCTION, AND FOR DEFENSE ACTIVITIES OF THE DEPARTMENT OF ENERGY, TO PRESCRIBE MILITARY PERSONNEL STRENGTHS FOR SUCH FISCAL YEAR, AND FOR OTHER PURPOSES

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

ference report was agreed to in Senate, 86–13 (Record Vote Number: 230).

The conference report on H.R. 1540 would: (1) Authorize appropriations for fiscal year 2012 for procurement and for research, development, test, and evaluation (RDT&E); (2) Authorize appropriations for fiscal year 2012 for operation and maintenance (O&M) and for working capital funds; (3) Authorize for fiscal year 2012: (a) the personnel strength for each active duty component of the military departments; (b) the personnel strength for the Selected Reserve for each Reserve Component of the Armed Forces; (c) the military training student loads for each of the active and Reserve Components of the military departments; (4) Modify various elements of compensation for military personnel and impose certain requirements and limitations on personnel actions in the defense establishment; (5) Authorize appropriations for fiscal year 2012 for military construction and family housing; (6) Authorize appropriations for Overseas Contingency Operations; (7) Authorize appropriations for fiscal year 2012 for the Department of Energy national security programs; (8) Modify provisions related to the National Defense Stockpile; and (9) Authorize appropriations for fiscal year 2012 for the Maritime Administration.

H.R. 1540 is a key mechanism through which Congress fulfills one of its primary responsibilities as mandated in Article I, Section 8 of the Constitution of the United States, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; and to make rules for the government and regulation of the land and naval forces. Rule X of the Rules of the House of Representatives provides jurisdiction over the Department of Defense generally, and over the military application of nuclear energy, to the Committee on Armed Services. The conference report on H.R. 1540 includes the large majority of the findings and recommendations resulting from its oversight activities in the current year, as informed by the experience gained over the previous decades of the committee's existence.

The conference report on H.R. 1540 would authorize \$662.4 billion for national defense discretionary programs and includes \$530.0 billion for the base budget of the Department of Defense, \$115.5 billion for Overseas Contingency Operations, and \$16.9 billion for national security programs in the Department of Energy and the Defense Nuclear Facilities Safety Board.

#### *Division A*

Division A of the conference report on H.R. 1540 would authorize funds for fiscal year 2012 for the Department of Defense.

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

Subtitle A of title II would authorize \$ 71.6 billion for research, development, test, and evaluation for the Armed Forces and the defense agencies, including amounts for basic research and development-related matters. Subtitle B of title II would establish certain program requirements, restrictions, and limitations on separate re-

search and development-related matters. Subtitles C through E of title II addresses missile defense programs, reports and miscellaneous matters.

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

Title IV would provide military personnel authorizations for the active and reserve forces for fiscal year 2012 and would authorize appropriations of \$142.0 billion for military personnel for fiscal year 2012.

The end strengths for active duty personnel for fiscal year 2012 would be as follows:

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

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

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

The end strengths for reserves on active duty in support of the Reserve Components for fiscal year 2012 would be as follows:

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

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

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

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

Title VIII addresses acquisition policy and management, amendments to general contracting authorities, procedures, and limita-

tions; provisions relating to major defense acquisition programs; provisions relating to contracts in support of contingency operations in Iraq or Afghanistan; defense industrial base matters; and other matters.

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

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

Title XI addresses Department of Defense civilian personnel matters.

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

Title XIII addresses Cooperative Threat Reduction.

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

Title XV includes authorization of \$115.5 billion for overseas contingency operations.

#### *Division B*

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

#### *Division C*

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

#### *Division D*

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

*Division E*

Division E would reauthorize the Small Business Innovation Research (SBIR) and the Small Business Technology Transfer (STTR) programs for 6 years. The conference agreement would also expand the allowance of venture capital firms to include participation by firms that are majority owned by multiple hedge funds or private equity firms.

(H. Rept. 112–78, Parts I & II; H. Rept. 112–329)

LEGISLATION REPORTED BY THE COMMITTEE ON ARMED SERVICES

H. RES. 208—RESOLUTION DIRECTING THE SECRETARY OF DEFENSE TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES COPIES OF ANY OFFICIAL DOCUMENT, RECORD, MEMO, CORRESPONDENCE, OR OTHER COMMUNICATION OF THE DEPARTMENT OF DEFENSE IN THE POSSESSION OF THE SECRETARY OF DEFENSE THAT REFERS OR RELATES TO ANY CONSULTATION WITH CONGRESS REGARDING OPERATION ODYSSEY DAWN OR NATO OPERATION UNIFIED PROTECTOR

H. Res. 208 was introduced by Representative Tom Cole on April 7, 2011, and referred to the Committee on Armed Services. The resolution, as introduced, would direct the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya.

On May 11, 2011, the Committee on Armed Services held a mark-up session to consider H. Res. 208, as introduced. The committee, a quorum being present, ordered to be reported H. Res. 208, as amended, to the House with a favorable recommendation by a voice vote. H. Res. 208 was amended to direct the Secretary of Defense to transmit to the House of Representatives, not later than 14 days after the date of the adoption of such resolution, copies of any official document, record, memo, correspondence, or other communication of the Department of Defense in the possession of the Secretary of Defense that was created on or after February 15, 2011, and refers or relates to any of the following: (1) consultation or communication with Congress regarding the employment or deployment of the United States Armed Forces for Operation Odyssey Dawn or North Atlantic Treaty Organization Operation Unified Protector; and (2) the War Powers Resolution and Operation Odyssey Dawn or Operation Unified Protector. Additionally, the title of H. Res. 208 was amended.

On May 12, 2011, H. Res. 208 was placed on the House Calendar, Calendar No. 38. No further action has been taken.

(H. Rept. 112–77)



LEGISLATION NOT REPORTED BUT MANAGED BY THE COMMITTEE ON ARMED SERVICES ON THE FLOOR OF THE HOUSE OF REPRESENTATIVES

H.R. 1246—TO REDUCE THE AMOUNTS OTHERWISE AUTHORIZED TO BE APPROPRIATED TO THE DEPARTMENT OF DEFENSE FOR PRINTING AND REPRODUCTION

H.R. 1246, “To reduce the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction” was introduced on March 29, 2011, by Representative Allen B. West and was referred to the House Armed Services Subcommittee on Readiness. Chairman Forbes of the Subcommittee on Readiness waived subcommittee consideration of H.R. 1246, and Chairman McKeon waived full committee consideration of the bill. On April 4, 2011, Mr. West moved to consider H.R. 1246, as introduced, under suspension of the rules of the House, and the motion to suspend the rules and pass the bill was agreed to by the yeas and nays, 393–0 (Roll no. 225). On April 5, 2011, H.R. 1246 was received in the Senate and read twice and referred to the Senate Committee on Armed Services. No further action has been taken.

H. RES. 292—DECLARING THAT THE PRESIDENT SHALL NOT DEPLOY, ESTABLISH, OR MAINTAIN THE PRESENCE OF UNITS AND MEMBERS OF THE UNITED STATES ARMED FORCES ON THE GROUND IN LIBYA, AND FOR OTHER PURPOSES

H. Res. 292, “Declaring that the President shall not deploy, establish, or maintain the presence of units and members of the United States Armed Forces on the ground in Libya, and for other purposes” was introduced on June 2, 2011, by Speaker John Boehner, and was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. Pursuant to the provisions of H. Res. 294, H. Res. 292 was considered under a closed rule by the House on June 3, 2011. H. Res. 294 waived all points of order against consideration of H. Res. 292, and provided one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. On June 3, 2011, H. Res. 292 was agreed to in the House by the yeas and nays, 268–145–1 (Roll no. 441).

H.J. RES. 68—AUTHORIZING THE LIMITED USE OF THE UNITED STATES ARMED FORCES IN SUPPORT OF THE NATO MISSION IN LIBYA

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

quently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. Pursuant to the provisions of H. Res. 328, H.J. Res. 68 was considered by the House under a closed rule on June 24, 2011. The resolution provided one hour of debate on H.J. Res. 68 with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. The resolution waived all points of order against consideration of H.J. Res. 68 as well as all provisions in H.J. Res. 68. H. Res. 328 also provided one motion to recommit H.J. Res. 68. On June 24, 2011, H.J. Res. 68 was agreed to in the House by the yeas and nays, 240–167 (Roll no. 492).

**H.R. 2278—TO LIMIT THE USE OF FUNDS APPROPRIATED TO THE DEPARTMENT OF DEFENSE FOR UNITED STATES ARMED FORCES IN SUPPORT OF NORTH ATLANTIC TREATY ORGANIZATION OPERATION UNIFIED PROTECTOR WITH RESPECT TO LIBYA, UNLESS OTHERWISE SPECIFICALLY AUTHORIZED BY LAW**

H.R. 2278, “To limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law” was introduced on June 22, 2011, by Representative Thomas J. Rooney and was referred to the House Committee on Armed Services. Pursuant to the provisions of H. Res. 328, H.R. 2278 was considered by the House under a closed rule on June 24, 2011. H. Res. 328 provided one hour of debate on H.R. 2278 equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. The resolution waived all points of order against consideration of H.R. 2278 as well as provisions in H.R. 2278, and provided that H.R. 2278 shall be considered as read. Finally, the resolution provided one motion to recommit H.R. 2278. On June 24, 2011, passage of H.R. 2278 failed in the House by a recorded vote, 180–238 (Roll no. 494).

## BUDGET ACTIVITY

On March 18, 2011, the Chairman of the Committee on Armed Services forwarded his views and estimates regarding the budget request for National Defense Budget Function (050) for fiscal year 2012 to the Committee on the Budget.

The committee noted that the President’s fiscal year 2012 budget request totaled \$578.2 billion in discretionary budget authority for national defense. Of this total, \$553.1 billion was for the Department of Defense, \$18.1 billion was for the Department of Energy’s defense activities, and \$7.0 billion was for other defense-related activities. The President’s budget also included \$6.8 billion in mandatory budget authority.

In addition to the base budget request, the committee noted that as required by section 1008 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), the

President's budget for fiscal year 2012 included a separate request of \$117.8 billion for war-related expenditures in support of ongoing military operations in the Islamic Republic of Afghanistan and the Republic of Iraq, presented as Overseas Contingency Operations.

Given the spectrum of threats to our national security, the diverse missions performed by our military, and the funding required for reset from current contingency operations, the Chairman of the Committee on Armed Services considered the budget request to be below the minimum level necessary to support our national security requirements, and recommended an increase in funding for national defense by \$7 billion for fiscal year 2012 and \$44 billion across fiscal years 2012–16 above the budget request. The Chairman believed that an increase would ensure a smooth transition from one fiscal year to the next, move toward resolution of certain programmatic and economic concerns, ease the Department of Defense's concerns on pricing fluctuations such as fuel, and provide service members with a larger funding stream.

In review of the budget request, the Chairman of the Committee on Armed Services highlighted several concerns to the Committee on the Budget. First, with respect to proposed reductions by the Department of Defense, they were not performed from a strategic perspective. The reduction of \$13 billion in fiscal year 2012 was directed by the Office of Management and Budget. Second, the Chairman noted that the reductions in Army and Marine Corps manpower, totaling 47,000 persons as programmed in the Future Year's Defense Program, were premature, both from a national security strategy standpoint and for the potential impact on the time between deployments, dwell time, experienced by members of the Armed Forces. Third, the Chairman suggested that high-profile programs such as the Air Force's new bomber program and the Navy's *Ohio class* ballistic missile submarine replacement may not be realized within currently planned cost and schedule constraints. Finally, the Chairman argued that the President's budget request may have adverse implications on the readiness of the Armed Forces due to funding shortfalls and inaccurate economic assumptions.

The Ranking Member of the Committee on Armed Services did not join the Chairman in making these assertions, nor did he join the Chairman in recommending budgetary increases over the President's budget request. Instead, the Ranking Member expressed to the Committee on the Budget his support for the President's budget request as a balanced platform for military effectiveness from which justifiable savings may be realized.

## OVERSIGHT ACTIVITIES

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

## POLICY ISSUES

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

During the 112th Congress, the committee has continued its traditional interest in the broad spectrum of national security challenges facing the United States, and how the Nation might best prepare itself to face such challenges in the near- and long-term. The committee particularly focused on conducting oversight of issues pertaining to the drawdown of U.S. military operations in the Republic of Iraq, the ongoing International Security Assistance Force operations in the Islamic Republic of Afghanistan, the strategic relationship with the Islamic Republic of Pakistan, and the security challenge posed by the Islamic Republic of Iran. Throughout the second half of the first session of the 112th Congress, the committee received numerous briefings from representatives of the Office of the Secretary of Defense, the military services, the joint staff, academics, and other experts.

The committee also held a series of seven hearings beginning on September 8, 2011, and concluding on November 2, 2011, that examined the lessons learned for our military in the 10 years since the September 11, 2001 terrorist attacks, and to apply those lessons to the future of national defense. The committee sought to thoroughly examine the national security consequences of budget cuts to the military, proposed by the President in April and enacted by Congress in the Budget Control Act of 2011 (Public Law 112–25). To date, over \$465 billion in cuts have been adopted. Should sequestration of the defense budget take effect in January 2013, the cuts to the military could exceed \$1 trillion over 10 years. The hearings included testimony from former senior military leaders, outside defense experts, former chairmen of the Senate and House Committees on Armed Services, economists, the military service chiefs, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff.

In the conference report on H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012, the conferees included several provisions relating to defense policy, such as improving interagency coordination in matters of national security; additional reporting on the military capabilities of certain potential aggressors, such as the Democratic People's Republic of Korea and the Islamic Republic of Iran; independent assessments of global force posture, with a particular focus on East Asia; an assessment of the energy security risk to the North Atlantic Treaty Organization and U.S. Armed Forces stationed in Europe; and reporting on the national security risk posed by U.S. Federal debt owned by the People's Republic of China. The conferees also provided robust authorities for building partnership capacity, agreeing to extend section 1206 authorities through fiscal year 2013 and enhanced the reporting requirements for a better understanding of counter terrorism. The conference report on H.R. 1540 included a provision creating the Global Security Contingency Fund (GSCF), a joint fund between the Department of State and the Department of Defense, to provide assistance to a foreign country to enhance the capabilities of that country's military forces and other security forces. The provision limited the total

amount the Department of Defense may transfer into GSCF in any fiscal year to \$200 million. The provision also provides authority, during the period prior to the date the GSCF becomes operational, for the Secretary of Defense to provide assistance to certain security forces in the Republic of Yemen, in the Horn of Africa, or those participations in the African Union Mission in Somalia to conduct counter terrorism operations.

Much of the committee's oversight on overarching defense policy resulted from numerous hearings detailed elsewhere in this report.

#### AFGHANISTAN AND PAKISTAN

The committee held several full committee hearings and briefings as part of its oversight of U.S. military operations in Afghanistan and security assistance to Pakistan. On June 23, 2011, the committee held a hearing on Recent Developments in Afghanistan and the Proposed Drawdown of U.S. Forces. Witnesses included Under Secretary of Defense for Policy Michèle Flournoy and Admiral Michael G. Mullen, Chairman of the Joint Chiefs of Staff. On July 20, 2011, the full committee received a classified briefing on Pakistan Assistance from representatives of the Department of State and Department of Defense. On July 27, 2011, the full committee held a hearing on The Way Ahead in Afghanistan. Witnesses included former Vice Chief of Staff of the Army, General (Retired) Jack Keane; former Commander, Combined Forces Command-Afghanistan, Lieutenant General (Retired) David Barno; and former Assistant Secretary of Defense, the Honorable Bing West. On September 22, 2011, the full committee held a hearing on Afghan National Security Forces. Witnesses included Under Secretary of Defense Michèle Flournoy and Lieutenant General Robert B. Neller, Director for Operations, J-3, Joint Staff.

The committee held a full committee briefing on U.S. assistance to the Islamic Republic of Pakistan, to help combat Al Qaeda and other militant extremists within Pakistan. Committee members and professional staff also participated in numerous delegations to Pakistan to meet with U.S. diplomats, U.S. military officers, and Pakistani government officials in order to gain a better understanding of Pakistan-related policy issues.

The conferees included a number of legislative provisions as part of the conference report on H.R. 1540 relating to Afghanistan and Pakistan. The conference report on H.R. 1540 would extend the Afghanistan Infrastructure Fund established under section 1217 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383). The conference report on H.R. 1540 also extended the Commanders' Emergency Response Program (CERP), and extended section 1232 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), authorizing the Secretary of Defense to reimburse any key cooperating nation for logistical, military, and other support provided by that nation to or in connection with U.S. military operations in Afghanistan. H.R. 1540 also extended the "Report on Progress toward Stability and Security in Afghanistan," as required by section 1230(a) of Public Law 110-181, thereby continuing its oversight role in the war in Afghanistan.

The conference report on H.R. 1540 would also authorize the Secretary of Defense to reimburse Pakistan for logistical support provided in connection with U.S. military operations in the Islamic Republic of Afghanistan and for logistical and military support provided to confront the threat posed by Al Qaeda and other militant extremists in Pakistan. This provision would also require the Secretary to examine alternative options to achieve these objectives and to provide additional detail to Congress regarding operations reimbursed under this authority. The conferees extended the Pakistan Counterinsurgency Fund (PCF) to provide assistance to Pakistan's security forces to build and maintain their counterinsurgency capability. However, acknowledging concerns regarding Pakistan's political will to combat militant extremists, this provision would withhold authority to obligate more than 40 percent of the funds authorized to be appropriated for PCF until the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate congressional committees a report on the strategy to utilize the fund, a discussion of the terrorist or extremist groups that the United States encourages Pakistan to combat, the gaps in capabilities of Pakistani security units, Pakistan's efforts to counter improvised explosive devices, how assistance provided utilizing the fund will address these capability gaps, and metrics of progress. This provision also would direct that future updates of the report be submitted concurrently with the President's budget request, and would require quarterly reporting on progress in achieving U.S. strategic objectives in Pakistan and progress made by programs supported by PCF. Thus, the conferees have continued a critical program for training and equipping the Pakistani security forces to be able to conduct counterinsurgency operations in the Federally Administered Tribal Areas of Pakistan, while strengthening congressional oversight of these programs.

(H.A.S.C. 112-48; H.A.S.C. 112-56; H.A.S.C. 112-70)

#### IRAQ

The committee held two full committee briefings as part of its exercise over U.S. military operations in the Republic of Iraq and the drawdown of troops from the country. On June 22, 2011, the full committee received a briefing on Iraq Withdrawal and Transition from representatives of the Government Accountability Office, the Department of Defense and the Department of State. On November 16, 2011, the full committee received a classified briefing on the impending withdrawal of U.S. forces from Iraq from representatives of the Department of Defense and the Department of State.

In addition to these hearings, the conferees included a provision and reporting requirements relating to the Republic of Iraq as part of the conference report on H.R. 1540 would authorize the Secretary of Defense to utilize funds available for operations and maintenance by the Air Force to support operations and activities of the Office of Security Cooperation in Iraq (OSC-I). This provision would also require Secretary of Defense, in cooperation with the Secretary of State, to submit a report outlining how Department of Defense participation in OSC-I programs will address capability gaps of the Iraqi Security Forces, should the Government of the Republic of Iraq request such assistance.

## FORCE PROTECTION

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

The committee continued to have concerns regarding the Department's ability to effectively combat and counter the IED threat, specifically in Afghanistan. During the 112th Congress, the committee has focused on activities and solutions being developed, procured, and fielded to address the IED threat in dismounted operations. In the committee report (H. Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012, the committee indicated that the number of dismounted operations conducted by U.S. and coalition forces continue to rise in the Islamic Republic of Afghanistan. The committee noted that although overall enemy IED efficacy has decreased since October 2010, primarily due to early detection from dismounted forces, the severity of casualties increased when a dismounted IED effective attack occurred. The committee stated that efforts to mitigate the IED threat to dismounted forces should be a top priority for the Department of Defense. The committee, at the staff level, continues to receive monthly updates on the Department of Defense's efforts to mitigate the IED threat to dismounted operations.

The committee, through formal activity, to include open hearings and classified briefings has also continued to maintain close oversight of the Joint IED Defeat Organization (JIEDDO), the Department of Defense's focal point for the battle against IEDs, during the 112th Congress. To date, Congress has provided approximately \$21.0 billion to JIEDDO to address the IED threat through JIEDDO's three lines of operation: attacking the network, defeating the device, and training the force. The nearly 3,100-person strong JIEDDO obligates and executes approximately \$3.0 billion annually and JIEDDO reports significant progress in the Counter-IED (C-IED) fight. The committee continued to examine and provide oversight on JIEDDO's current roles and missions, operational functions, organizational and force structure requirements, and current metrics for measuring success against countering the IED threat. The committee paid particular attention to whether JIEDDO has rectified previously identified deficiencies to include a

lack of rigor in internal management and reporting, questions surrounding their reporting structure to the Deputy Secretary of Defense, and JIEDDO's overall effectiveness in transferring counter-IED technologies to the military services, and why JIEDDO is not actively leading all DOD C-IED efforts. The committee continues to work with JIEDDO in developing a comprehensive counter IED program database that would effectively track and manage all DOD counter IED efforts. Further, the committee continues to receive monthly updates on JIEDDO's financial management and funding rates of obligation and execution. Committee staff has also traveled to the JIEDDO Counter-IED Operations/Intelligence Center to continue oversight activities and review potential duplication of effort.

The committee maintained its intensive oversight of individual body armor and personnel protection programs through informal discussions with the Army's senior leadership, briefings, hearings, coordination with Government Accountability Office investigators, and other formal activities. The committee continued to maintain strong interest in: significant ergonomic and ballistic improvements in body armor to include combat helmet technology and ballistic protection for the face; advances in light-weight and flexible solutions; and improvements in non-ballistic, blast and blunt-impact protection against traumatic brain injury. The committee also continued to encourage fidelity and transparency in body armor test and evaluation procedures; monitored the development and validation of operationally realistic performance specification requirements; and provide oversight on current body armor policy for Operation New Dawn and Operation Enduring Freedom. Finally, the committee continued to direct the Department of Defense to adequately plan, program, and budget for body armor and personnel protection programs as a specific area of research and development.

The conference report on H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012 authorized \$2.5 billion for JIEDDO and continued to require the Director of JIEDDO to report to the congressional defense committees on monthly obligation rates. The conference report also authorized \$2.7 billion for continued MRAP vehicle procurement and sustainment.

#### GLOBAL WAR ON TERRORISM AND EMERGING THREATS

The committee conducted extensive oversight, often in classified form, over terrorism issues and emerging threats, with particular attention given to special operations capabilities, the changing nature of Al Qaeda's organization and operations, and efforts to build partner nation counter-terrorism capability. Related hearings included: June 22, 2011, Hearing on the Evolution of the Terrorist Threat and, at the full committee level, members received testimony on special operations forces and emerging threats from Admiral Eric Olson, Commander of U.S. Special Operations Command (SOCOM) during the SOCOM posture hearing on March 3, 2011.

Committee members and staff made numerous trips to countries impacted by terrorism, to include areas where U.S. forces are engaged in combat operations to understand the resources leveraged against terrorism and other emerging threats, the authorities applied in these efforts, and the Department of Defense's interaction



with its interagency and international partners. Additionally, the committee received a classified briefing on the Osama Bin Laden raid on May 4, 2011; a classified briefing on Al Qaeda on October 4, 2011; and a classified briefing on Counter-Terrorism Policy and Initiatives in Yemen, Somalia, and the region on November 17, 2011.

The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House on May 26, 2011, contained several provisions related to terrorism, emerging threats, and building partnership capabilities, to include: a provision to modify and extend authority provided under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) to build the capacity of foreign military forces; a provision to extend authority provided under section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) to reimburse certain coalition nations for support provided to U.S. military operations; and several provisions directing reports on military capabilities of nations such as the People’s Republic of China and the Democratic People’s Republic of Korea and on the national security risk posed by U.S. federal debt held by China. Additionally, recognizing terrorist use of cyberspace to conduct terrorist operations against U.S. forces, the committee included a provision that would affirm the authority for the Secretary of Defense to conduct military activities in cyberspace.

The conference report on H.R. 1540 affirmed the authority for the Secretary of Defense to conduct military activities in cyberspace; and extended the authority for the Department of Defense to make rewards to persons providing information and non-lethal aid to U.S. personnel through September 30, 2013.

The Subcommittee on Emerging Threats and Capabilities conducted detailed oversight of specific issues related to special operations capabilities, counter-proliferation efforts, and counter-insurgency and unconventional warfare operations. Further details on these subcommittee activities are provided in the “Additional Oversight Activities of the Subcommittees and the Panels” section.

(H.A.S.C. 112–14)

#### DETAINEE POLICY, MILITARY COMMISSIONS, AND RELATED MATTERS

The committee continued to conduct extensive oversight over detainee policy, military commissions, and related matters. On July 26, 2011, the committee held a full committee hearing to discuss Ten Years After the 2001 AUMF: Current Status of Legal Authorities, Detention, and Prosecution in the War on Terror. Witnesses included former Attorney General and Chief Judge of the United States District Court for the Southern District of New York, Michael B. Mukasey; former Deputy General Counsel and Acting General Counsel, Daniel Dell’Orto; former Deputy Assistant Attorney General, Steven Engel; and Professor Robert Chesney. In addition to the full committee hearing, the committee conducted numerous member and staff level briefings.

While much of the committee’s oversight of detainee issues was conducted in classified form and cannot be addressed in this report, committee members and staff generally focused on issues relating to the legal authorities under which detention operations are un-

dertaken, policies regarding future captures, reengagement amongst former detainees, resources devoted to the Office of Military Commissions, detention operations in the Islamic Republic of Afghanistan, and detention operations during the withdrawal of forces from the Republic of Iraq.

Committee staff traveled to the Republic of Iraq in order to discuss counterterrorism, detention matters, and to evaluate lessons learned for detention operations in the Islamic Republic of Afghanistan. Committee staff also traveled to Morocco, Algeria, France, and Kuwait specifically to further study counterterrorism and issues relating to detention as well.

There were numerous legislative provisions relating to detainee policy in the conference report on H.R. 1540. Specifically, the conference report includes provisions that would clarify the right to plead guilty in a trial of a capital offense by military commission; affirm the President's authority to detain Al Qaeda terrorists; require a national security protocol regarding detainee communications; require military custody for certain foreign Al Qaeda terrorists; establish an administrative review procedure for detainees held at U.S. Naval Station, Guantanamo Bay, Cuba; prohibit the use of funds to construct or modify facilities in the United States to house Guantanamo detainees; prohibit transfers or releases of Guantanamo and certain other detainees to the United States; and require rigorous certification requirements for certain transfers or releases of Guantanamo detainees elsewhere overseas.

(H.A.S.C. 112-53)

#### IRAN AND THE MIDDLE EAST

The committee held several full committee briefings as part of its oversight of U.S. response to strategic threats in Iran and the Middle East. On June 2, 2011, the full committee held a classified operations and intelligence briefing on NATO military operations in Libya from the Department of State, Department of Defense, and from the Office of the Director of National Intelligence (ODNI). On June 15, 2011, the full committee received a classified operations and intelligence briefing on developments in the Middle East and their impact on U.S. strategic interests from representatives of the Department of Defense and ODNI. On July 13, 2011, the full committee received a classified briefing on Iranian Activity in the Middle East from representatives of the Department of Defense and the Office of the Director of National Intelligence. On September 14, 2011, the full committee received a classified briefing on the National Military Strategy to Counter Iran from representatives of the Department of Defense and the Office of the Director of National Intelligence. The committee held a full committee briefing in October as part of its oversight of U.S. military training operations in Africa. On October 25, 2011, the full committee received a classified briefing on the Deployment of U.S. Forces to Central Africa from representatives of the Department of Defense.

## FISCAL RESPONSIBILITY AND EFFICIENCY

## ORGANIZATION AND MANAGEMENT OF THE DEPARTMENT OF DEFENSE

The committee continued to undertake a review of the organization and management of the Department of Defense in order to ensure that it is properly postured to meet the complex and evolving security threats of the 21st century. In addition to examining this issue from the perspective of lessons learned 10 years after 9/11, as discussed elsewhere in this report, the committee held a hearing on July 14, 2011, to examine Human Capital Management: a High-Risk Area for the Department of Defense. Specifically, the committee remains concerned that the Department of Defense's recent focus on efficiencies without a thorough business case analysis and risk assessment potentially undermines the Department's ability to appropriately plan and budget for its total manpower requirements. The committee believes that the Department of Defense should aggressively undertake a more holistic look at its manpower requirements in order to achieve the appropriate balance in its total workforce, rather than managing simply to an arbitrary civilian authorization level. The committee notes that total force management would improve manpower requirements determination and planning to facilitate decisions on which sector is most appropriate to perform the requirement with consideration of the distinct value of each component, whether military, civilian, or contractor personnel. To achieve that end, the conference report on H.R. 1540 includes several provisions related to total force management, including provisions requiring the Secretary of Defense to develop a total force management plan that would establish the most appropriate and cost-efficient mix of manpower (military, civilian and contractor personnel) and ensuring that in making such determinations risk mitigation should be considered over cost.

## FINANCIAL MANAGEMENT

The Comptroller General of the United States has consistently identified the Department of Defense's financial management as a high-risk area since 1995. The Department's inability to track and account for billions of dollars annually in funding and tangible assets continues to undermine its management approach. It also creates a lack of transparency that significantly limits congressional oversight. The Department's inability to produce auditable financial statements undermines its efforts to reform defense acquisition processes and to realize efficiencies. Without these objective tools, neither the Department nor Congress can verify that greater value is being created. As a result, the committee continues to monitor the Department's efforts to implement the Financial Improvement and Audit Readiness (FIAR) plan to correct the weaknesses in its financial statements and monitor closely the interdependencies between FIAR and the hundreds of millions of dollars being spent on business systems modernization programs that the Department has proposed to address its financial management problems. The conference report on H.R. 1540 contains several provisions that would strengthen the Department's financial management, improve the reliability of defense financial statements, increase the competency

of the financial management workforce, and add additional requirements to the FIAR plan. The conference report also includes a provision that would direct the Comptroller General to assess the extent to which the Department is tracking and realizing savings proposed pursuant to the Secretary of Defense's efficiencies initiatives through fiscal year 2016.

Elsewhere in this report, the committee organized a panel on defense financial management and auditability reform pursuant to Committee rule 5(a) to carry out a comprehensive review of the Department's financial management system. The review was initiated to oversee the Department's financial management system's capacity for providing timely, reliable, and useful information for decision making and reporting.

#### ACQUISITION ISSUES

##### *The acquisition system and acquisition policy*

The committee conducted oversight of the Department's process for reviewing and certifying requirements for major defense acquisition programs, development of the acquisition workforce, protection of strategic materials, and management of services contracting. The committee also continued oversight of the implementation of the Weapon System Acquisition Reform Act of 2008 (Public Law 110-181) and the IMPROVE Acquisition Act of 2010, as included in the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to ensure these major acquisition reform efforts are implemented in a timely and effective manner.

The committee remains concerned that the Department of Defense acquisition system fails to fully consider the total ownership costs of a weapon system when making decisions. Therefore, the conferees included a provision in the conference report for the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, which amends the requirements for Milestone A and Milestone B exit criteria to increase consideration and planning for sustainment of the weapon system. The provision also requires that before entering into a low-rate initial production contract, the Secretary of Defense shall ensure that detailed requirements for core depot-level maintenance and repair capabilities, as well as the associated logistics capabilities, be defined. Furthermore, the conferees included a provision in the conference report on H.R. 1540 that requires the Secretary to issue guidance on actions to be taken to assess, manage, and control Department of Defense costs for the operation and support of major weapon systems.

The committee maintains that competition reduces costs, increases quality, and improves vendor performance. For this reason, the conferees included several provisions in the conference report to foster competition in defense acquisitions and weapon systems sustainment. Department of Defense acquisition officials often find that they are locked into sole-source acquisition strategies because the government does not own sufficient technical data rights to enable competition. As a result, the conference report includes a provision that ensures that in addition to technical data that is already subject to a contract delivery requirement, any data that per-

tains to an item or process developed with Federal funds, shall be made available for only the reasonable costs incurred by the contractor for having to convert and deliver the data to the government in the required form.

According to the recently submitted Inventory of Contracts for Services, the Department of Defense obligated \$204 billion in contracts to the private sector for services provided during fiscal year 2010, an amount greater than the \$166 billion obligated for supplies and equipment (i.e., hardware). The committee continues its oversight activities in this area and worked closely with the Department to improve its inventory on contracting for services for all the military departments and defense agencies. The conferees also included a provision in the conference report on H.R. 1540 which requires the development of a plan and procedures for the use of this information in the development of service contracting budgets and strategic workforce planning. In addition, the conference report includes a provision calling for the Under Secretary of Acquisition, Technology and Logistics to develop a plan for implementing the recommendations of the Defense Science Board Task Force on Improvements to Service Contracting.

The committee continued its efforts to strengthen the acquisition workforce and enhance professional development of government personnel working in acquisition. The committee continued oversight of implementation of the Department of Defense Acquisition Workforce Development Fund, and other efforts by the Department to expand and improve the acquisition workforce and the financial management community. The conference report on H.R. 1540 includes a provision clarifying the use of the Defense Acquisition Workforce funds, as well as a provision that would promote acquisition training on a government-wide basis. In addition, the Act includes language that would strengthen the authority of the Secretary of Defense to establish certification and training requirements for Department of Defense financial management positions and to include planning for the financial management workforce in the Department's biennial strategic workforce plan.

While the committee has done a significant amount of work to improve the contingency contracting practices of the Department of Defense, the committee took additional steps to ensure that contingency contracting can be used as an effective tool of counter-insurgency operations. At the request of General Petraeus, the former Commander, United States Central Command, the conference report on H.R. 1540 provides the Secretary of Defense specific authorities to address cases where it is determined that an insurgency is directly benefitting from a Department of Defense contract. The provision prohibits contracting with the enemy and allows the Secretary to void or terminate for default any contract in the Central Command theater of operations if it is determined that a person who is actively supporting the insurgency is receiving funds under the contract. In addition, the conferees acted on findings from the Commission on Wartime Contracting and included provisions in the conference report aimed at addressing shortfalls in Operational Contract Support, increasing competition in contingency contracting, and enhancing contract management.

In order to keep the acquisition process free from political influence, the conferees included a provision in the conference report on H.R. 1540 that prohibits the Secretary of Defense from requiring potential contractors to first declare their political contributions before applying for business with the Department of Defense.

*Rapid acquisition authority and joint urgent operational needs process*

The natures of the conflicts in the Republic of Iraq and the Islamic Republic of Afghanistan have illustrated the need for the defense acquisition cycle to be flexible enough to respond to the rapid changes on the battlefield. In the conference report on H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012, the conferees expanded the Rapid Acquisition Authority provided by the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314) to include not only supplies, but also the associated support services needed in connection with the deployment of supplies procured under the authority. The committee continued its oversight of the joint urgent operational needs (JUONS) process and included authority in the conference report on H.R. 1540 for the establishment of a JUONS fund to ensure the Secretary of Defense has immediate access to funding for capabilities that he determines are suitable for rapid fielding in response to urgent operational needs.

*Defense industrial base and technology transfers*

The committee continued its close monitoring of the health of the defense industrial base. Elsewhere in this report, the committee organized a panel on Defense Challenges within the Business Industry. The panel was instated to examine the current defense business environment and to better understand how the Department can encourage growth in the defense industrial base [DIB]. In addition to the work done in this area by the panel, the committee continued its broader oversight efforts in this area. The industrial base for complex major weapons systems has shrunk dramatically in the last decade, limiting the ability of the Department of Defense to control costs and encourage innovation through the use of competition. The committee is greatly concerned about the impact of cuts to defense funding and worked aggressively to ensure that Congress and, specifically, the members of the Joint Select Committee on Deficit Reduction were aware of the consequences of proposed reductions on the defense industrial base. The committee examined the policies and funding tools available to the Department to ensure the health of the DIB and, as a result, the conferees included provisions in the conference report for the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, for enhancing the Department's ability to monitor and manage supplier risk, and to address supplier-base vulnerabilities. The conference report also includes a provision that would improve detection and avoidance of counterfeiting of electronic parts in the defense supply chain and would improve contractor systems for detecting counterfeit electronic parts before they could impact the warfighter.

The committee continues to await the Department's delivery of the assessment required by Section 1248 of the National Defense

Authorization Act for Fiscal Year 2010 (Public Law 111–84). In that assessment, the Secretary of Defense and the Secretary of State are required to examine national security risks of removing satellites and related components from the U.S. Munitions List. The committee plans to hold an oversight hearing to review space export control policy once that report is received. The consolidation of the defense industry and its increasingly global nature will continue to challenge the capabilities of current systems for industrial security.

#### *Information technology*

The committee continued its oversight of information technology acquisition issues, to include implementation of section 804 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84). The committee scrutinized the Department of Defense’s plan for budget reductions and efficiencies initiatives, and the impacts those changes would have on information technology programs. As the military services are the primary acquirers of information technology systems, particular attention was given to service information technology programs during the service posture hearings and during other committee oversight activities.

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

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

The conference report on H.R. 1540 included a provision directing the Comptroller General of the United States to report on the major automated information system programs of the Department of Defense, and a provision extending the Defense mentor-protégé program through September 30, 2018; a provision updating and clarifying the management of Department of Defense business systems; and clarifying language for key milestones and definitions for business IT systems.

## OTHER POLICY ISSUES

### INTELLIGENCE

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

Committee members and staff also made several trips to areas of ongoing hostilities during which intelligence activities were carefully evaluated. The committee continued its efforts to ensure that the Department of Defense has the resources and legal authorities

needed to provide effective and efficient intelligence support to military operations.

While much of the committee's oversight of intelligence issues was conducted in classified form and cannot be addressed in this report, the committee specifically began an examination of how Department of Defense intelligence programs are designated as part of either the Military Intelligence Program or the National Intelligence Program and efforts to reform guidelines related to these designations. The committee also continued its examination of the Department's security practices following recent extensive unauthorized disclosures of classified information. This effort resulted in a legislative provision that would require a comprehensive insider threat detection program being included in the conference report on H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012.

#### NATIONAL GUARD AND RESERVES

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

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

An initiative to make the Chief of the National Guard Bureau a member of the Joint Chiefs of Staff, and providing a Vice Chief of Staff in the leadership of the Bureau was included in the conference report on H.R. 1540.

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

#### READINESS

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

The committee visited numerous overseas bases to assess the skills of assigned forces, the material condition of equipment, the readiness of capabilities provided, and appropriate application of military construction in an overseas and sometimes contingency environment. Specifically, the committee has extensively visited the Islamic Republic of Afghanistan and examined U.S. Central Command's plans to sustain operations in theater. The committee also



has continued to assess the logistics and readiness challenges facing the Department of Defense as it withdraws forces from the Islamic Republic of Iraq and its ability to maintain a capable force structure in theater to respond to emerging threats.

#### FORCE READINESS

The committee held several hearings focused on the challenges facing the military services to provide trained and ready forces for ongoing operations while maintaining the capability to meet other commitments and to posture the force for long-term required readiness to respond to future real-world contingencies. The committee also held a series of hearings on the potential impact of possible large cuts to the Department of Defense's budget and the resulting challenges in maintaining readiness. The committee found that while deployed ground forces have, in most cases, the equipment, personnel, and training they require for their missions, this deployed readiness has come at the continued expense of non-deployed ground-force units. The committee remains concerned about the number of non-deployed units reporting that they are not ready for combat operations, or would need additional time, personnel, and equipment to prepare for deployment, and intends to hold additional hearings to conduct further oversight on force readiness levels. In addition, the committee found that these personnel challenges are especially acute in key categories such as warrant officers and certain enlisted specialties which have experienced shortages as the number of medically non-deployable personnel has increased. The committee also is concerned that these manning challenges will become more acute as the Army executes its planned end strength reduction from 579,000 to 520,000 or lower as future budgets may dictate. Therefore, the committee tasked the Government Accountability Office (GAO) to conduct a review of Army personnel readiness.

Restoring equipment readiness is a key element of the Army reset process. The budget request for fiscal year 2012 moved an increasing share of the enduring depot maintenance requirements back to the base budget, providing funds for the restoration of equipment, damaged or worn out through nearly 10 years of constant operations. However, the committee remains concerned about the Army's ability to accurately forecast its total reset liability and the amount of synchronization of reset needed for current operations and those likely to be undertaken in the future. The committee's concerns are especially acute in regard to the growing amount of theater-provided equipment (TPE) on which scheduled reset has been deferred to support current operations. The committee has taken numerous briefings from the Army Materiel Command on the current execution and status of its reset efforts. To ensure the proper materiel readiness of another key enabler, the prepositioned stocks, the committee tasked the Secretary of Defense to annually certify prepositioned stocks as meeting operation plans requirements. The committee has also tasked the Secretary of Defense to report in greater detail on the condition, composition, and status of such stocks in an effort to increase materiel readiness. Finally, to further ensure that prepositioned stocks properly support future missions, the conference report on H.R. 1540 included a provision

to prohibit the placement of U.S. European Command prepositioned ships into a reserve status back in the United States until the impacts on the joint force are fully understood.

The Army also has increased funding for home-station full spectrum training, reflecting anticipated increases in training tempo as the Army commits fewer units to overseas combat operations. Because of concerns that the full-spectrum training mile may not adequately measure training tempo, the committee directed GAO to review the Army's transition to the full-spectrum training mile as a readiness metric. Additionally, the committee has visited numerous Army Training and Doctrine Command (TRADOC) installations to assess the Army's progress and its challenges in returning to full spectrum operations training.

The committee also remains concerned that while the Army has made targeted investments in the Reserve's critical combat service support capabilities, the Guard and Reserve may not have the level of access to training resources necessary for a return to full spectrum operations training. The committee also requested GAO conduct a review of the Department's mix of live versus simulated training for all the military services, including the Reserve Components.

The committee found that the Air Force continues to experience a high operational tempo, which has resulted in detrimental effects on equipment such as engine and structural fatigue, deterioration, corrosion, and increased rates of component failures. The increased tempo also delays routine maintenance. As a result, the committee intends to continue its review of the significant shortfalls experienced by the Air Force in depot maintenance, particularly in its baseline program for Active and Reserve forces which the Air Force has made up only through Overseas Contingency Operations funding. The committee also has found that challenges are expected to persist as operational tempo is anticipated to remain at high levels after the scheduled redeployment from Operation New Dawn in Iraq and the drawdown of U.S. forces supporting Operation Enduring Freedom in Afghanistan, such as occurred with Operation Northern Watch following Desert Storm, or even more recently with the simultaneous operations in Libya. This will be particularly problematic for the Air Guard and Reserve as they also continue to provide support for U.S. domestic operations, which was highlighted during the Subcommittee on Readiness hearing on the Army and Air Reserve components. For example, the continued high operational tempo can cause significant challenges for those Air Guard air sovereignty alert (ASA) units that must train for their primary contingency operations support missions while simultaneously training and manning their ASA mission.

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

tional Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, the committee included additional funds for ship and aircraft depot maintenance to address the backlog of requirements and to prevent further degradation to the fleet. Additional funding to address ship depot maintenance was also included in the conference report on H.R. 1540. To garner a greater appreciation for organic and private-sector depot capabilities, in September 2011, the chairman and ranking member of the Subcommittee on Readiness led a visit to Portsmouth Naval Shipyard and Electric Boat Shipbuilding.

Furthermore, the Marine Corps recently concluded a Force Posture Review that emphasized “rebalancing” the Marine Corps to better “focus on future contingencies.” As such, the budget request for fiscal year 2012 reflects some initial investments in special skill sets needed to move the Marine Corps toward a force more fully attuned to the lessons learned during nine years of combat. Despite this positive trend, the Marine Corps faces significant challenges in migrating its core maintenance and logistical requirements into the base budget.

Based on testimony before the Subcommittee on Readiness by General Joseph F. Dunford, Jr., Assistant Commandant of the Marine Corps, the committee is also concerned about the Marine Corps’ ability to reset its force in a budget-constrained environment as well as its ability to meet the current one Major Contingency Operation construct with an end strength that could drop below the FRP-recommended level of 186,800 Marines.

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

#### LIFE-CYCLE SUSTAINMENT

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

Despite a 38-to-1 return on investment from corrosion mitigation and control projects, the Department of Defense consistently underfunds corrosion efforts. The Government Accountability Office recently determined that the Department of Defense requested \$11.1 million of its total projected funding requirements of \$43.2 million. Therefore, the committee included several provisions in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, that address corrosion. Specifically, the committee increased funding for corrosion mitigation by an additional \$33 million, directed the Department of Defense to take corrective action regarding the F–22 Raptor and F–35 Joint Strike Fighter aircraft, and directed the Department of

Defense to evaluate corrosion for facilities and infrastructure and report the findings.

#### DEPOT AND ARSENAL CAPABILITY

A critical piece of equipment sustainment is the capability provided by the nation's organic arsenals and depots, including air logistics centers and shipyards. In February, the committee received a study on the future capability of the Department of Defense maintenance depots directed by section 322 of the Duncan Hunter Authorization Act for Fiscal Year 2009 (Public Law 110-417). The study assessed organic depot maintenance capabilities and made several recommendations to address the challenges facing the organic depots. The committee included several of the study's recommendations in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, including revising the statutory definitional framework for depot maintenance, strengthening the core determination process, expanding the designation for Centers of Industrial and Technical Excellence, and improving depot maintenance reporting. In addition to these steps, the committee continues to closely monitor the location and types of maintenance performed at the depots and in forward-deployed locations. The committee also has participated in an extensive series of exchanges, in coordination with the National Defense University's Center for Joint and Strategic Logistics, with Department of Defense, industry and union representatives and other interested stakeholders on the recommendations detailed in the report required by Section 322 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 and the resulting statutory changes proposed in the House-passed version of the National Defense Authorization Act for Fiscal Year 2012 (H.R. 1540). Many of these provisions were included in the conference report on H.R. 1540. The committee also has provided oversight of the implementation of a new, consolidated command structure within the new Marine Corps' depot enterprise and is closely monitoring the changes and challenges associated with a reduction in workload. Furthermore, the committee will continue oversight of the planned reorganization of the Air Force Materiel Command's air logistics centers and the potential impacts on manpower and workload.

#### CIVILIAN PERSONNEL

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

The committee also included provisions in the House-passed version of the National Defense Authorization Act for Fiscal Year 2012 (H.R. 1540), that would require the Secretary of Defense to

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

In addition, the committee continued its oversight of the Department's transition from the National Security Personnel System (NSPS) and implementation of the authorities provided to the Department for performance management and hiring flexibilities which would apply across the Department's civilian workforce, within the context of the existing General Schedule system. The committee is aware that the NSPS transition office has been moving forward in its efforts to develop the new authorities, starting with a "New Beginnings" conference and establishing design teams to begin the development of a plan for implementing the performance management and hiring flexibilities. Recognizing that additional legislative authorities may be necessary as the process moves forward, the committee included provisions in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, to further facilitate the Department's ability to implement a fair and transparent performance management system. The conference report on H.R. 1540 included these provisions. The committee also focused on the Department's process for recruiting, selecting and hiring qualified individuals. The committee subsequently has met on a regular basis with the New Beginnings design teams (comprised of both Department of Defense management and employee union representatives). In November 2011, the committee was made aware that the work of the New Beginnings design teams has been completed and is awaiting the results of their recommendations and the Department's proposals for moving forward with a performance management system.

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

## ENERGY AND ENVIRONMENT

### ENERGY SECURITY

The committee conducted vigorous oversight of the Department's energy activities and closely examined the strategies and policies for both installations energy and operational energy to reduce consumption and dependence on foreign oil. The committee believes that Department of Defense installations provide significant opportunity for advancing renewable energy technologies, pursuing energy security, and reducing overall demand through demonstrated return on investment. The Subcommittee on Readiness took action in this area in the National Defense Authorization Act of Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, and

carried through in the conference report on H.R. 1540, to include Navy metering of piers, as well as other activities that will help advance energy efficient technologies and reduce overall demand for energy. There were several legislative provisions that also sought to enhance installation energy security, to include a requirement to establish a core curriculum and certification for Department of Defense energy managers, metering of navy piers, and consideration for energy security when contracting for renewable energy projects through third-party financing.

The Subcommittee on Readiness continued its oversight and emphasis of reducing demand for operational energy at forward-deployed locations to relieve the significant logistical burden and force protection requirements, and decrease operational vulnerabilities. Specifically, the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, increased funding for operational energy capability improvement and the U.S. Marine Corps' Experimental Forward Operating Base. The conference report on H.R. 1540 contains several legislative provisions that seek to advance operational energy security by streamlining alternative fuels investments through the Assistant Secretary of Defense for Operational Energy, and designate a Department of Defense policy for energy efficient technologies in logistics support contracts for contingency operations.

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

As directed by House Report 111-491, accompanying the National Defense Authorization Act for Fiscal Year 2011, committee staff received a briefing from the Departments of Defense, Energy, and Homeland Security regarding the domestic petroleum refining industry and the significance to national security.

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

#### ENVIRONMENT

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

mitigate encroachment on military installations. Additionally, the committee directed language regarding requirements relating to ongoing investigations and studies of exposure to contaminated drinking water at Camp Lejeune, North Carolina.

## MILITARY CONSTRUCTION AND INFRASTRUCTURE

### BASING

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

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

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

(H.A.S.C. 112-21)

### MILITARY CONSTRUCTION PROGRAMMING

The Department of Defense programs construction projects at 25 to 40 percent above market pricing to account for several programmatic initiatives to include Federal contracting requirements (including Davis-Bacon wages, Federal subcontracting and small business goals, and bonding requirements), Federal design requirements (including Anti-Terrorism, Force Protection standards) and energy efficiency objectives. In the committee report (H. Rept. 112-

78) accompanying the National Defense Authorization Act for Fiscal Year 2012, the committee directed the Secretary of Defense to submit a report that assesses these program increases and provides a plan to reduce these costs.

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

#### REAL PROPERTY ACQUISITION, MAINTENANCE, AND DISPOSAL

The real property management process requires extensive oversight to maintain more than \$810.0 billion in infrastructure at an annual cost of almost \$50.0 billion, or nearly 11 percent, of the Department of Defense's budget. The Subcommittee on Readiness in the 112th Congress reviewed issues pertaining to military construction, family housing, and Base Realignment and Closure (BRAC) activities of the Department of Defense. The Subcommittee on Readiness held a hearing on April 13, 2011, to examine the fiscal year 2012 budget request to review military construction, family housing, BRAC activities, and facility operations and maintenance. The Readiness Subcommittee also provided additional oversight as the Department of Defense completed almost all of the BRAC 2005 recommendations on September 15, 2011.

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

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

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



## MILITARY INFRASTRUCTURE PRIVATIZATION

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

## TOTAL FORCE, PERSONNEL, AND HEALTH CARE ISSUES

MANPOWER SUFFICIENT IN QUANTITY AND QUALITY TO MEET  
GLOBAL COMMITMENTS

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

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

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

The Subcommittee on Military Personnel met in a closed session on October 5, 2011, to receive a classified brief in order to better understand the capability of the Marine Corps' currently planned force reduction to 186,800 and its ability to meet the range of Marine Corps mission requirements, especially those most stressful wartime requirements, based on the combatant commander requirements. The briefing provided the committee with a better understanding of the current level of risk associated with the Marine Corps' 186,800 force and to begin to assess the levels of risk when funding levels drop below those associated with an 186,800 force.

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

(H.A.S.C. 112-28)

#### SUSTAINING COST EFFICIENT OPERATION OF MORALE, WELFARE AND RECREATION PROGRAMS, MILITARY RESALE PROGRAMS AND DEPARTMENT OF DEFENSE SCHOOL SYSTEM

During the 112th Congress, the committee acted to improve the effectiveness and quality of military exchanges and commissaries and morale, welfare, and recreation (MWR) programs and to protect these critical programs for future generations of service members. The Subcommittee on Military Personnel conducted two hearings during the 1st session of the 112th Congress that explored policy issues and the fiscal status of the commissary and military exchange stores and the service-operated MWR programs. The Department of Defense consulted the committee on a wide range of management proposals regarding new construction or facility renovation, store expansions or closures, public-private ventures, business practices, and new business opportunities and models. In each case, the committee provided guidance and decisions, as requested. The committee included legislative initiatives in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, to address the concerns that had been brought to the attention of the committee and to improve the policies and processes used to manage military resale and MWR programs. These issues included: expansion of the authority for non-

appropriated fund activities to employ a uniform funding concept to include permanent change of station and temporary duty billeting facilities; clarification of the multi-year contracting authority by nonappropriated funding activities; authorization for the Secretary of the Navy to select categories of merchandise to sell in ship stores; authorization for military retail stores to borrow funding for business operations from the Federal Financing Bank; and authorization for the Defense Commissary Service to conduct a pilot program to test the cost effectiveness of enhanced commissary stores. Of these initiatives, the conference report on H.R. 1540 included the authorization for the Secretary of the Navy to select categories of merchandise to sell in ship stores and the authorization for military retail stores to borrow funding for business operations from the Federal Financing Bank.

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

#### MENTAL HEALTH SERVICES FOR MEMBERS OF THE ARMED FORCES

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

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

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

#### SEXUAL ASSAULT IN THE MILITARY

The committee remained vigilant on ensuring that the efforts to prevent sexual assault and sexual harassment in the military continue as a priority for the Department of Defense. The committee was concerned that the Department of Defense and the military service sexual assault and prevention programs were not consistent or coordinated resulting in unnecessary confusion for military service members. To address these concerns legislation in the conference report on H.R. 1540 improved sexual assault prevention and response in the Armed Forces by requiring standardized training for sexual assault response coordinators and victim advocates

and requiring at least one full time sexual assault response coordinator and victim advocate be assigned to each brigade equivalent military unit. In addition, access to legal assistance counsel and victim advocates was expanded to include dependents of active duty service members who live on or in the vicinity of a military post.

#### MILITARY HEALTH CARE SYSTEM

Since the start of the 112th Congress, the committee exercised vigorous oversight on the military health system. The committee focused substantial attention on the cost of military health care to the Department of Defense (DOD) and to military beneficiaries and the long term viability of the military health system for future generations of military beneficiaries. The committee is aware of the rising cost of providing health care to military beneficiaries and the potential negative impact of health care costs on other critical readiness programs. The committee received detailed input from DOD health affairs and comptroller personnel on the five cost saving initiatives proposed by the department. The Subcommittee on Military Personnel held a hearing devoted to understanding the views of various beneficiary organizations impacted by the Department of Defense proposed changes. The committee also heard the views of health care organizations and retail drug store chains impacted by the proposals. The Congressional Budget Office assisted the committee to fully understand estimates of costs and savings inherent in the DOD proposals. As a result, the conference report on H.R. 1540 included a provision that caps TRICARE Prime enrollment fee increases, beginning in fiscal year 2013, to the percentage of a COLA increase in military retired pay. Additional health care legislation required beneficiaries who are enrolled in the U.S. Family Health Plans to transition to TRICARE for Life when they reach age 65.

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

#### WOUNDED WARRIOR CARE (WOUNDED AND DISABLED SERVICE MEMBERS AND THEIR FAMILIES)

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

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

wounded warriors to receive a disability assessment and be processed for separation or retirement.

(H.A.S.C. 112-28)

#### MILITARY VOTING

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

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

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

#### PRISONER OF WAR AND MISSING IN ACTION

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

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

## INNOVATIVE READINESS TRAINING

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

## MODERNIZATION AND INVESTMENT ISSUES

During the 112th Congress, particular attention has been given by the committee to examination of military equipment modernization with respect to military capability. How the Congress chooses to fund Department of Defense future acquisition programs will dramatically affect the size, health, age, and supporting industrial base of the air, sea, and land force structure available to U.S. forces to support the National Military Strategy and the Nation's vital interests. The ground vehicles, ships, and aircraft available to support the vital national interests will have to be greatly reduced under the annual budgets projected for the next decade.

The negative impact on national security of currently projected budgets for major weapons system development and procurement programs is compounded by continued cost growth and schedule delays. The committee continued to assess the need for legislative action by examining causes of these problems including: late determination of requirements, requirements growth, and failure to properly control requirements changes; inadequate analyses of alternatives, military services proceeding prematurely with development with immature technology; poor cost estimating; improper funding profiles; over estimating potential production rates; and program instability.

The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, included the following action to, in part, address the committee's concern with the force structure and supporting industrial base available to U.S. forces to support the National Military Strategy: provided authorization of an additional \$272.0 million for sustainment of the Abrams Tank industrial base; and the authorization of an additional \$153.0 million for Bradley Infantry Fighting Vehicle industrial base. The conference report on H.R. 1540 included authorization of \$255.0 million for the Abrams Tank industrial base and no funding for the Bradley Infantry Fighting vehicle industrial base.

The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, also included the following legislative provisions to, in part, address acquisition-related cost, schedule, and performance issues with programs: multiyear procurement authority for airframes, mission avionics, and common cockpits for Army UH-60M/HH-60M helicopters and

Navy MH-60R/MH-60S helicopters; a limitation on obligation of funds for the Ground Combat Vehicle program until the Army provides an update analysis of alternatives; a requirement for submission of an analysis of alternatives for the individual carbine program; a limitation on the obligation of funds for performance improvements to the F-35 aircraft propulsion system unless the Secretary of Defense ensures the competitive development and production of such a propulsion system; a limitation on the obligation of funds for the Joint Replacement Fuze program until submission of a report on the feasibility of such a program; and a limitation on the obligation of funds for the future unmanned carrier-based strike system until 60 days after specified certification and a report is provided on the program. The conference report on H.R. 1540 removed the provision which limited the obligation of funds for improvements to the F-35 aircraft propulsion system unless the Secretary of Defense ensures the competitive development and production of such a propulsion system.

#### ARMY ARMORED VEHICLE MODERNIZATION

The committee focused closely on the Army's plans for upgrading current combat vehicles and starting new replacement programs. With regard to existing armored vehicles, the committee sought to protect and strengthen vehicle upgrade programs, for which the Army showed varying levels of support. The committee maintained its high priority on upgrades to the M1 Abrams tank, M2 Bradley Fighting Vehicles, Stryker Vehicles, and Paladin Artillery Vehicles on a firm footing for the future by ensuring the Army carried through with upgrade plans and used authorized funds as directed. In particular, the committee took necessary initial actions to prevent a production break of the Abrams tank and Bradley fighting vehicle programs. These oversight efforts included hearings, site visits, close coordination with Army leadership, and careful scrutiny of reprogramming requests. The conference report on H.R. 1540 authorized an additional \$255.0 million for upgrades to the M1 Abrams tank.

#### ARMY TACTICAL NETWORK PROGRAMS

Due to a significant increase in Army funding for tactical communications equipment, the committee pursued aggressive oversight efforts to shape the Army's plans for future battlefield networking equipment. These efforts stemmed from the committee's concern that the Army was procuring an incompatible combination of commercial and military communications equipment based on redundant programs, unclear requirements, and uncoordinated acquisition plans. In response, the committee pursued a combination of legislative restrictions, funding adjustments to select programs, hearings, reprogramming decisions, and outside expert reports to help guide the Army to a more suitable and affordable path forward. The committee included a legislative provision in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, that would restrict procurement funds for the Joint Tactical Radio System (JTRS) until the Secretary of the Army submits written certification that the acqui-

sition strategy for full rate production includes full and open competition.

#### ARMY AVIATION PROGRAMS

The Army sustained limited operations in the Republic of Iraq in the first half of 2011 and continued the drawdown of forces while Army operations maintained at surge levels in the Islamic Republic of Afghanistan. Large numbers of legacy rotorcraft deployed to the Central Command area of operations continued to be operated at high tempos. Aircraft deployed included the CH-47, UH-60, AH-64, and OH-58. The committee fully supported funding requirements for these aircraft, including research and development and procurement of significant aircraft survivability equipment upgrades to provide warning and protection against the insurgent surface-to-air missile threat. Further, due to committee concerns that the Army may not be fully utilizing the UH-72A Lakota helicopter in all operational situations, the committee requested in the report (H. Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, that the Army define “permissive” versus “non-permissive” environments. In addition, the committee requested additional information on what the associated survivability modifications would be required and if such modifications would be feasible given, size, weight, and power limitations, if the mission envelope of the UH-72A was expanded beyond “permissive” environments.

#### COMBAT SEARCH AND RESCUE PROGRAMS

The committee continued to remain concerned about the Air Force combat search and rescue (CSAR) programs since the Combat Search and Rescue-X (CSAR-X) program was canceled by the Department of Defense in 2009. Currently, the Air Force has 99 HH-60G CSAR helicopters which is 13 short of its program of record requirement for 112 HH-60Gs, and over 50 percent of the HH-60G fleet has major structural cracks. At a hearing on March 15, 2011 before the Subcommittee on Tactical Air and Land Forces, the Air Force witnesses testified that on-going HH-60G modification programs are attempting to keep the HH-60G as a viable asset until the Air Force’s replacement programs are complete. The Air Force is procuring replacement rotary wing aircraft based upon currently fielded CSAR capabilities with the HH-60 Operational Loss Replacement (OLR) program and the HH-60 recapitalization program. The OLR program is designed to bring the fleet back to the program of record of 112 helicopters and is procuring UH-60M aircraft that will be modified with CSAR equipment to create an airframe comparable to the HH-60G, and will be designated the HH-60M. The HH-60G recapitalization program is designed to recapitalize the entire CSAR fleet and the Air Force is currently examining acquisition strategies to determine how to ensure the warfighter receives the best product, on schedule and within budget. The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, authorized \$34.8 million for one HH-60M which was two fewer than the budget re-



quest since those two helicopters were provided for in the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10). The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, also authorized the Overseas Contingency Operations request for \$39.3 million for two additional HH–60M helicopters, and the \$34.3 million budget request for H–60 modifications. The conference report on H.R. 1540 authorized the budget request of \$104.7 million for three HH–60M helicopters, and the \$34.3 million budget request for H–60 modifications.

#### F–22 AIRCRAFT PROGRAM

During the 112th Congress, the committee has continued oversight of the Air Force F–22 aircraft procurement program. Fiscal Year 2009 was the final year of a 3 year, 60-aircraft F–22 aircraft multiyear procurement program that will result in a force structure of 187 F–22 aircraft, including the 4 additional F–22s appropriated in the Supplemental Appropriations Act, 2009 (Public Law 111–32). The final F–22 aircraft will be delivered in 2012. The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, authorized the F–22 modification budget request for \$232.0 million and the F–22 research, development, test, and evaluation budget request for \$718.4 million. The conference report on H.R. 1540 authorized the budget request of \$232.0 million for F–22 modification, but decreased the research, development, test and evaluation budget request by \$147.0 million due to program cost growth.

#### F–35 FIGHTER AIRCRAFT PROGRAM

During the 112th Congress, the committee has continued oversight of the F–35 program, particularly the competitive propulsion system, the F136 alternate engine, program. The F–35 competitive propulsion system program was developing the F136 engine, which was intended to eventually provide F–35 equipped forces a competitive choice between the primary F135 engine and the F136 engine. Congress and the Department of Defense had originally supported the competitive engine initiative beginning in 1996, but the Department of Defense has not included funding for the competitive propulsion system program in its budget requests since 2006. At the Tactical Air and Land Forces Subcommittee hearing on March 15, 2011, the Air Force Acquisition Executive and the F–35 Program Executive Officer testified that the Department of Defense believes that maintaining a single engine supplier provides the best balance of cost and risk. The Department of Defense terminated the F136 development program on April 25, 2011. However, the F136 contractor offered to continue F136 development at its expense, and the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, included a provision that would ensure that the Secretary of Defense, at no cost to the Federal Government, provides support and allows for the use of F136 property by the contractor under a contract to conduct research, development, test, and evaluation of the F136 engine, if such activities are self-funded by the contractor. The National Defense Au-

thorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, also included a provision that would limit the obligation or expenditure of funds for performance improvements to the F-35 Lightning II propulsion system unless the Secretary of Defense ensures the competitive development and production of such propulsion system.

Since the House passed H.R. 1540 on May 26, 2011, the F136 contractor withdrew its offer to continue F136 development at its expense, and as a result, the conference report on H.R. 1540 included a provision that would require that the Secretary of Defense develop a plan that would provide for the long-term sustainment and repair of F136 property pending a determination of whether such property: (1) can be used within the F-35 Lightning II aircraft program, in other Government development programs, or in other contractor-funded development activities; (2) should be stored for use in future Government development programs; or (3) should be disposed. The provision would also require the Secretary to identify how he intends to obtain maximum benefit to the U.S. Government from the investment already made in developing the F136. The conference report on H.R. 1540 also changed the House-passed provision concerning the expenditure of funds for performance improvements to the F-35 Lightning II propulsion system to a provision that would prevent the obligation of more than 80 percent of the research and development funding for the F-35 program until the Secretary of Defense certifies to the congressional defense committees that the acquisition strategy for the F-35 program includes a plan for achieving competition throughout operation and sustainment, in accordance with section 202(d) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23).

#### FIGHTER AIRCRAFT FORCE STRUCTURE ADEQUACY

During the 112th Congress, the committee investigated the adequacy of fighter force structure in both the Navy and the Air Force. The Subcommittee on Tactical Air and Land Forces held a hearing on March 15, 2011. The Navy witness testified that F/A-18A/B/C/D aircraft are reaching their projected service-life and will require replacement or modifications to further extend their service-life to eventual deployment of the F-35 aircraft, and noted that the Department of the Navy's strike fighter shortfall would reach a manageable level of 65 aircraft in 2018. The committee later learned that Department of the Navy's estimated strike fighter shortfall is further, projected to be reduced to 52 aircraft in 2018 with the increase of nine additional F/A-18E/F aircraft for fiscal year 2011. Also at the hearing on March 15, 2011, the Air Force witness testified to an Air Force requirement for 2,000 fighter aircraft, and noted that a comprehensive review of current and projected force structure revealed a shortfall of approximately 3 to 5 percent in the future years defense program. The Air Force officials also noted that shortfall mitigation will include executing funded sustainment and fleet management actions for older F-16 Block 25, 30 and 32 aircraft, newer block 40 and 50 service life extension, and targeted modernization and examination of the overall force structure to ensure viable warfighting capabilities are maintained. At a hearing held by the Subcommittee on Tactical Air and Land Forces on No-

vember 2, 2011, the Air Force witness testified that 300–350 F–16 block 40 and 50 aircraft would receive a service life extension modification which would allow these aircraft to be flown until approximately 2030. The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, authorized the budget request for 40 F/A–18E/F and EA–18G aircraft for the Navy, other Navy and Air Force requests for the modification of existing fighter aircraft, and the budget request for 32 F–35s for the Navy, Marine Corps, and Air Force. The conference report on H.R. 1540 authorized the 40 F/A–18E/F and EA–18G aircraft for the Navy but decreased the budget request by a total of \$211.3 million for cost growth in certain procurement components. For the Air Force, the conference report on H.R. 1540 decreased the A–10 wing replacement modification request by \$140.0 million. The conference report on H.R. 1540 also decreased the Air Force F–35A budget request by \$51.0 million and F–35A aircraft, authorized a total of 31 F–35 aircraft for the Navy, Marine Corps and Air Force.

The committee has also been concerned about the Air Force fighter aircraft used to conduct the aerospace control alert (ACA) mission, many of which are assigned to the Air National Guard. On October 26, 2011, the Chairman of the Subcommittee on Tactical Air and Land Forces and one other subcommittee Member formally requested that the Secretary of the Air Force provide the committee with a plan by the end of the 2011 calendar year for modernizing the Air National Guard's ACA mission fleet and applicable fighter wings. At the Subcommittee on Tactical Air and Land Forces hearing on November 2, 2011, the Air Force witness testified that most of the Air National Guard's F–16 block 30 ACA mission fleet would be replaced by F–16 block 40 and 50 aircraft when the F–35A completes the development process and becomes an operational Air Force fighter asset.

#### GROUND COMBAT VEHICLE PROGRAM

The committee devoted considerable oversight efforts to the Ground Combat Vehicle (GCV) program. The committee included a legislative provision in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, that restricts the use of funds until the Secretary of the Army provides and updated analysis of alternatives to the congressional defense committees that includes a quantitative comparison of upgraded existing systems against the revised GCV design concept. In addition, the committee encouraged the Army to establish another red team prior to the milestone B review to assess the cost, schedule, and technical risks of the GCV acquisition strategy. The conference report on H.R. 1540 withholds 20 percent of funds for the Ground Combat Vehicle program until the Army provides additional information in regards to the dynamic Analysis of Alternatives and alternative assessment.

#### INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE PROGRAMS

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

The Department of Defense employs a large inventory of manned and unmanned vehicles to perform tactical, non-space-based, intelligence, surveillance, and reconnaissance (ISR). For fiscal year 2012, the budget request included over \$3.6 billion for new tactical ISR aircraft and unmanned aerial vehicles (UAV) for the Army, Navy, Marines, and Air Force. Nearly 20 different ISR acquisition programs were requested by the Army, Air Force, and Department of the Navy. The committee has consistently sought to avoid the unnecessary proliferation and duplication of ISR capabilities among the services. The committee has also acted to facilitate the operation in U.S. air space of UAVs in support of training and operational requirements and to provide support to civil emergencies.

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

#### RAPID ACQUISITION AUTHORITY AND JOINT URGENT OPERATIONAL NEEDS PROCESS

The conflicts in the Republic of Iraq and Islamic Republic of Afghanistan, and particularly the evolution of the improvised explosive device (IED) as a highly effective weapon of strategic influence, have illustrated the ability of an adaptive enemy to work to advantage inside a normal defense acquisition cycle. The committee continued its oversight of the urgent operational needs system (UONS) process across the Department of Defense and the military services and continued to leverage and evaluate recommendations put forth by the congressionally mandated Defense Science Board report required by the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417), as well as recent reports issued by the Government Accountability Office in April 2010 and March 2011. These reports noted there were significant shortcomings in existing Department of Defense processes for meeting urgent operational needs for the warfighter in a timely, expeditious manner.

The Subcommittee on Tactical Air and Land Forces fully engaged the Office of the Secretary of Defense and the military services with formal requests for information regarding the processes used to address urgent operational needs through official correspondence, classified briefings, and open hearings. Further, in the committee report (H. Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012, the committee noted the Department of Defense lacks complete visibility to readily identify the total cost of its urgent operational needs and lacks the internal controls necessary to manage these efforts. For instance, the Department has no comprehensive database for which to track, monitor, and evaluate urgent operational requests and no set of universal metrics used to effectively evaluate their performance once the system is fielded. The committee highlighted that the Secretary of Defense has not issued Department-wide policy guidance that provides for a unified approach for managing quick reaction programs and urgent need efforts to include managing funding requirements. Given the escalating budgetary challenges, the com-

mittee believed that it was and continues to be critical for the Department to reevaluate the current processes of how it fulfills its urgent needs and whether there is potential to reduce duplication, fragmentation, and overlap to achieve increased efficiencies or cost savings, or both. The committee will continue to work with the Department and the military services to improve upon the rapid acquisition process used to address urgent operational need requests from the warfighter. The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House on May 26, 2011, authorized \$50.0 million, for a joint urgent operational needs fund, a reduction of \$150.0 million from the President's request because of the concerns noted by the committee in the current process.

Additionally the conference report on H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012, authorized a joint urgent operational needs fund.

The committee also continued to urge the Secretary of Defense to leverage previous efforts of the committee to take advantage of the rapid acquisition authority provided to the Department of Defense as part of Section 806(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314), as amended by Section 811 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) and section 803 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) wherever necessary, in order to guarantee that military personnel receive required equipment in a timely manner. This authority provided the Secretary of Defense with \$200.0 million in authority, each fiscal year, to waive any necessary statutes for quick response to immediate warfighter capability requirements in response to combat fatalities.

#### TACTICAL WHEELED VEHICLES

From 2003 to 2011, Congress provided \$43.0 billion for the procurement and recapitalization of tactical wheeled vehicles (TWVs), averaging approximately \$6.0 billion per year. The Army's TWV fleet alone currently consists of 260,000 light, medium and heavy vehicles and represents an investment of over \$70.0 billion. The magnitude of the TWV fleet will present many challenges and warrants intensive oversight by the committee. The committee continued to monitor and examine the Department's attempt to develop a comprehensive, joint tactical wheeled vehicle strategy that would limit the potential risk of unplanned overlap in capabilities throughout the military services, takes into consideration the development of realistic and affordable joint requirements, and incorporates sustainment costs. The committee continued to focus on the Joint Light Tactical Vehicle (JLTV) program, the integration of the family of mine resistant ambush protected vehicles into the current fleet, and other TWV modernization efforts, most notably the Up-Armor High Mobility Multipurpose Wheeled Vehicle (UAH) recapitalization program.

The committee devoted particular attention towards the JLTV program and the UAH Recapitalization program in the committee report (H. Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the

House May 26, 2011. The committee noted that the Army and the Marine Corps both plan to competitively recapitalize their respective UAH fleets with improvements to automotive performance and survivability in order to improve overall capability and extend life cycles. The committee supported this competitive approach to improving the Army and the Marine Corps UAH fleets and noted this strategy should be based on a best value, full and open competition among public, private, and/or public-private partnerships. The committee encouraged the Army and the Marine Corps to accelerate this program as a means to stabilize the industrial base and provide a bridge to the JLTV program.

The JLTV program is the largest new procurement of tactical wheeled vehicles planned for DOD. No firm quantities have been determined for the JLTV, but the current estimate is that the Army alone would like to have one-third of the light tactical vehicle fleet be JLTVs, approximately 50,000 vehicles. The committee expressed concerns over the JLTV program's projected costs of at least \$9.7 billion for fiscal years 2011–2015. The committee noted that initial test results indicate that the JLTV program faces many operational and technical challenges. Because of the ambitious schedule which has resulted in several delays, projected cost estimates, and lack of stable requirements, the committee recommended a reduction of \$50.0 million for the JLTV program in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011. Also, the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, authorized the President's request of \$2.4 billion for tactical wheeled vehicle acquisition.

The conference report on H.R. 1540 authorized \$2.4 billion for tactical wheeled vehicle procurement, to include \$155.0 million for the JLTV program.

#### DEPARTMENT PROJECTION AVIATION (BOMBERS, MOBILITY, UAV AND TANKER) PROGRAMS

Through its oversight activities, the committee recognized the Air Force planned to retire 6 B–1 bomber aircraft and reduce the current combat-coded force structure from 36 B–1 bomber aircraft down to 30 in fiscal year 2012. The committee supported the Air Force's plan to retire six B–1 bomber aircraft but did not support the plan to reduce the combat-coded force structure of B–1 bomber aircraft. In the report "2007 Long-Range Strike White Paper" required by the committee report (S. Rept. 109–254) accompanying the National Defense Authorization Act for Fiscal Year 2007, the Air Force stated that 96 combat-coded bomber aircraft total (36 B–1s, 16 B–2s, and 44 B–52s) were required to meet combatant commander requirements until a next-generation long-range strike aircraft is fielded. Furthermore, the 2010 Quadrennial Defense Review validated the requirement to maintain up to 96 combat-coded bomber aircraft. The committee will continue to emphasize that retirement of any bomber aircraft that reduces the combat-coded force structure below 96 total bombers is premature prior to a replacement long-range strike bomber aircraft reaching initial operational capability status.

The committee supports the decision to restart the development of a new bomber aircraft and acknowledges that the current fleet of bomber aircraft are still effective and relevant in meeting the combatant commanders' warfighting requirements in the near and mid-terms, but believes that the long-range strike requirements have been sufficiently analyzed on numerous occasions over the last 18 years against forecasted threats and that a recapitalization program must begin. The committee maintained oversight through staff-level briefings and is encouraged by the development effort completed thus far and looks forward to engaging with the Air Force in future briefings once firm key performance parameters are documented. The committee will continue to work with Air Force program officials in understanding intentions regarding nuclear capability and nuclear certification plans of the new bomber.

The committee remains concerned with the workload being levied on the Air Force Rapid Capabilities Office (AFRCO) and will monitor the acquisition governance structure to ensure that AFRCO is staffed with acquisition officials that represent an appropriate and sufficient cross-section of recent operational experience, major defense acquisition program management, requirements development, technology integration, and cost estimation to effectively execute the bomber program. The committee remains concerned that the Secretary of the Air Force has not performed a comprehensive life-cycle cost analysis comparing the development of one bomber platform, integrating all long-range strike capabilities, to a "family of long-range strike systems" to determine the affordability of the Department of Defense's long-range strike portfolio strategy. The committee continues to work with the Department as the life-cycle cost analysis is being formulated and will continue to receive regular updates through staff-level briefings.

Through its oversight activities, the subcommittee recognized that the Secretary of the Air Force requested to repeal section 8062(g) of title 10, United States Code, which provides that the Secretary of the Air Force maintain a minimum inventory of 316 strategic inter-theater airlift aircraft. The committee did not support repeal and believes that a minimum inventory of 316 airlift aircraft provides a prudent balance of operational risk, affordability and sufficient organic capabilities in meeting the ever-increasing mobility requirements in support of the National Military Strategy and combat operations. The committee's actions stemmed from concerns regarding the questionable viability of the Civil Reserve Airlift Fleet, the reliance of transporting oversize and outsize cargo using foreign aircraft leasing arrangements, the unforeseen overutilization rates of the current fleet of inter-theater airlift aircraft, the consistent under-estimation of deploying units Time-Phased Force and Deployment Data regarding the amount of equipment to support combat operations, and the Mobility Capability and Requirements Study of 2016 did not address or characterize the operational risk in meeting combatant commander warfighting requirements or timelines. The committee also understands that the force planning constructs used to justify the most recent mobility study were not the same force planning constructs used to develop the most recent Quadrennial Defense Review which sets the military strategy for the Department.

Through its oversight activities, the committee recognized that the Department of Defense continues to struggle with sufficiently, and comprehensively, analyzing and defining intra-theater airlift mobility requirements for active and reserve components, as well as National Guard units supporting both title 10 and title 32, United States Code, airlift mobility operations. The committee recognized that a reduction in the C-130H/J inventory from 395 to 335 aircraft, a reduction in the inventory of C-27J aircraft from 78 to 38, and a wholesale inventory reduction by the Army of 42 C-23 aircraft was unjustified, premature and based on insufficient analytics, and moreover, likely executed for budgetary reasons. Furthermore, the subcommittee recognized that neither the “2006 Mobility Capability Study” or the “2010 Mobility Capability and Requirements Study” did not comprehensively analyze all aspects of intra-theater airlift requirements in the mission areas of time sensitive-direct support, homeland security, Air Force and Army National Guard domestic airlift operations in support of contingencies resulting from natural disasters, humanitarian crises, emergencies, and combatant commander warfighting requirements. The committee will continue to emphasize that without a comprehensive analysis of the aforementioned mission areas, it is impossible to justify such a decrease in intra-theater airlift capabilities. The committee is also concerned that the Army has begun divestment of the C-23 aircraft despite congressional concerns and disagrees with that current action.

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

The committee’s concerns include: the Navy plans not to accomplish a thorough future unmanned carrier-based strike system analysis of alternatives; the desired aircraft fielding date of fiscal year 2018 was randomly selected and was not derived through a threat-based analysis for the system; the current engineering and technology development strategy is considered high-risk by Navy officials to meet the fiscal year 2018 date; the Navy has been unable to articulate to the committee the required capabilities and performance characteristics of the system; and the lessons learned from the technology demonstrator known as the unmanned combat air system, which is a precursor to the future unmanned carrier-based strike system, is not sufficiently integrated into the acquisition strategy.

Through its oversight activities, the committee supported the attributes and benefits regarding the KC-46A competition and acknowledged that the source-selection process was conducted fairly amongst all competitors. The committee discovered, according to Department of Defense acquisition officials, that the competition resulted in at least a 20 percent savings for the unit cost of the aircraft and a savings of \$3.0 to \$4.0 billion as compared to the source-selection competition held for the tanker in 2008.



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

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

#### SHIPBUILDING PROGRAMS

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

Through its oversight activities, the committee was pleased that the Navy has apparently reversed the downward spiral in battle force ship quantities, and believes the plan to achieve the floor of 313 ships is achievable. To obtain the required capability and to provide the required stability to the fragile shipbuilding industrial base, the committee focused on the major shipbuilding programs.

CVN-78 is the lead ship of the *Ford*-class of aircraft carriers. The subcommittee was critical when the Navy changed construction starts of these carriers from 4 year to 5 year centers. The committee has encouraged the Navy to keep these aircraft carriers on 5 year centers at the most, with fiscal year 2013 being the first year of detail design and construction funding for CVN-79. The committee has also expressed that it is essential to minimize changes from ship to ship in the class.

The committee was impressed with the progress of the *Virginia*-class submarine program, which has proven to be a model shipbuilding program. Cost reduction efforts and ever-decreasing span time for construction and delivery have allowed the Navy to fund two ships a year starting in fiscal year 2011, a year earlier than previously contemplated.

The committee is most concerned about how the Navy will fund and maintain the current shipbuilding plan once the Navy begins to acquire replacements for the *Ohio*-class ballistic missile submarine fleet.

The committee, in reviewing the budget request, and knowing that the Navy has re-started the DDG-51 *Arleigh Burke*-class of destroyers, included authorization of a multi-year procurement program. These ships are vital for their traditional roles, as well as

modifications that make them a key component for ballistic missile defense.

The committee received testimony that the Marine Corps' requirement for amphibious ships is 38 ships, but that the number of ships that are absolutely necessary with acceptable risk is 33. The committee encouraged the Navy to continue pursuing a minimum of 33 amphibious ships.

Through its oversight activities, the committee examined the schedule for the Littoral Combat Ship, both the sea frame and the mission modules. The committee included two provisions in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, that would increase the transparency and allow for adequate oversight of this program.

Through its oversight activities, the committee delved into the Department's rationale for cancelling the Expeditionary Fighting Vehicle program. The committee included a provision in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, that would not allow expenditure of funds on a replacement for this vital capability until adequate analyses are completed.

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

Committee staff also traveled to San Diego, California, and Norfolk, Virginia, to visit private shipyards and operational Navy ships.

#### DIRECTED ENERGY PROGRAMS

The committee continued its oversight of the Department of Defense's directed energy programs, to specifically include directed energy technologies with missile defense applications. During the Subcommittee on Strategic Forces' March 31, 2011, hearing on the Fiscal Year 2012 National Defense Authorization Budget Request for Missile Defense Programs, subcommittee members inquired about the status of directed energy research and development efforts, testing, and resources. Concerns about the sufficiency of funds to maintain the Airborne Laser Test-bed platform and conduct further testing, continue technology development, and retain a uniquely skilled workforce led the committee to recommend additional resources for the directed energy research programs of the Missile Defense Agency in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House. Division A of the Consolidated Appropriations Act, 2012 (H.R. 2055) ultimately cut the MDA directed energy program to \$50 million; MDA has had to take steps to severely curtail the program as a result.

#### NUCLEAR DETERRENCE

The committee continued its oversight of the atomic energy defense activities of the Department of Energy (DOE) and nuclear policies and programs of the Department of Defense (DOD) to en-

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

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

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

The committee included several legislative provisions and reporting requirements related to the nuclear enterprise in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House. These include reporting requirements on U.S. and Russian nuclear forces, nuclear modernization plans, New START implementation plans, NNSA construction project management, nuclear employment strategy, limitations on nuclear force reductions, security at nuclear facilities, and efficiencies at nuclear complex sites.

The conference report on H.R.1540 included several modified versions of the House provisions.

#### MISSILE DEFENSE

The Subcommittee on Strategic Forces held several missile defense sessions in support of its oversight of the Department of Defense's efforts to develop, test and field layered missile defense capabilities to protect the United States, its deployed forces, and its friends and allies against the full range of ballistic missile threats. On March 31, 2011, the Subcommittee on Strategic Forces con-

ducted a hearing on the Fiscal Year 2012 National Defense Authorization Budget Request for Missile Defense Programs. Members' oversight questions addressed a range of missile defense programs and issues, including Ground-based Midcourse Defense (GMD), Aegis Ballistic Missile Defense (BMD), Medium Extended Air Defense System (MEADS), and directed energy research, as well as U.S. homeland missile defense capabilities, implementation of the European Phased Adaptive Approach (EPAA), testing, force structure and inventory requirements, cooperative international missile defense activities, and workforce issues.

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

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

The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House, contains several missile defense-related legislative provisions and funding recommendations, to include: reporting requirements on acquisition accountability, the Department's homeland defense hedging strategy, a plan for addressing GMD flight-test failures, and study on space-based interceptor technology. It also included a limitation on funds for the MEADS program and a limitation on providing the Russian Federation with access to sensitive U.S. missile defense technology. The conference report to H.R. 1540 included a modified version of this provision that would require that no classified United States ballistic missile defense information may be provided to Russia unless, 60 days prior to any instance in which the U.S. Government plans to provide such information to the Russian Federation, the President provides notification (which must include specific terms spelled out in the provision) to the appropriate congressional committees.

#### NATIONAL SECURITY SPACE

The committee continued its oversight of the Department's national security space programs. On March 15, 2011, the Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2012 National Defense Authorization Budget Request for National Security Space Activities. Members' oversight questions addressed a range of topics, including: space policy; a new space acquisition

approach, Evolutionary Acquisition for Space Efficiency; space launch; space industrial base; Operationally Responsive Space, space situational awareness; space intelligence analysis; and concerns about potential interference with the Global Positioning System (GPS). Additionally, on April 6, 2011, the subcommittee received a classified briefing from the intelligence community on Threats to U.S. Space Capabilities.

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

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

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

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

#### EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities provided oversight of Department of Defense science and technology,

cyber, and counter-terrorism programs and other activities under the subcommittee's jurisdictional responsibility. The subcommittee considered and reported legislation on May 4, 2011, that was included in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011.

#### INVESTMENT IN FUTURE CAPABILITIES SCIENCE AND TECHNOLOGY

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

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

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

(H.A.S.C. 112-9)

#### CYBERSECURITY INFORMATION TECHNOLOGY

The committee devoted substantial attention to cyber operations and information technology to ensure the Department appropriately defends its networks and has needed capability to conduct its mission across the operational spectrum. Related hearings included: February 11, 2011, What Should the Department of Defense's Role in Cyber Be?; and March 16, 2011, Fiscal Year 2012

National Defense Authorization Budget Request for U.S. Cyber Command.

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

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

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

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

#### STRATEGIC COMMUNICATION AND INFORMATION OPERATIONS

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

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

## ADDITIONAL OVERSIGHT ACTIVITIES OF THE FULL COMMITTEE

### FULL COMMITTEE HEARINGS

The committee held numerous hearings in preparation for completing the National Defense Authorization Act for Fiscal Year 2012. These hearings are a central element in the discharge of the committee's oversight responsibilities.

In upholding its responsibilities to mitigate waste, fraud, abuse, or mismanagement in federal government programs, and pursuant to clauses 2(n) and (o) rule XI of the House of Representatives, the committee met several times to conduct oversight over Department of Defense activities, as noted in this report. On June 23, 2011, the committee convened a hearing on Recent Developments in Afghanistan and the Proposed Drawdown of U.S. Forces with the Honorable Michèle Flournoy, Undersecretary of Defense for Policy, and Admiral Michael Mullen, Chairman, Joint Chiefs of Staff.

Pursuant to clause 2(p) of rule XI of the House of Representatives, the committee also held a hearing on Human Capital Management: A High Risk Area for the Department of Defense, as identified by the Comptroller General in his High Risk Series. Witnesses included Ms. Brenda Farrell, Director, Defense Capabilities and Management, U.S. Government Accountability Office; Mr. John Hutton, Director, Acquisition and Sourcing Management Team, U.S. Government Accountability Office; Mr. Pasquale (Pat) M. Tamburrino, Jr., Deputy Assistant Secretary of Defense, Civilian Personnel Policy; and Mr. Keith Charles, Director, Human Capital Initiatives, Office of the Under Secretary of Acquisition, Technology and Logistics.

As discussed elsewhere in this report, the committee held a hearing on July 26, 2011 to receive testimony on Ten Years After the 2001 Authorization for Use of Military Force: Current Status of Legal Authorities. Witnesses included the Honorable Michael B. Mukasey, Former Attorney General of the United States and Former Chief Judge of the United States District Court for the Southern District of New York; Daniel Dell Orto, Former Principal Deputy General Counsel and Acting General Counsel, U.S. Department of Defense; Steven Engel, Former Deputy Assistant Attorney General, U.S. Department of Justice Office of Legal Counsel; and Robert Chesney, Charles I. Francis Professor in Law, University of Texas Law School and Former Advisor to the Detainee Policy Task Force created by Executive Order 13493.

The committee met again on July 27, 2011, to receive testimony on The Way Ahead in Afghanistan. Witnesses included General (ret.) Jack Keane, Chairman of the Board, Institute for the Study of War, Former Vice Chief of Staff of the United States Army; Lieutenant General (ret.) David Barno, Center for a New American Security, Former Commander, Combined Forces Command-Afghanistan (2003–2005); and the Honorable Bing J. West, Author, "The Wrong War: Grit, Strategy, and the Way Out of Afghanistan", Former Assistant Secretary of Defense for International Security Affairs.



The committee held a series of hearings to examine the Future of National Defense and the U.S. Military Ten Years after 9/11. The seven-part series focused on the Department of Defense's role in the past decade of conflict and sought to examine the consequences of these lessons learned to the future of our force. Likewise, the committee sought to examine the consequences of cuts to the future budget of the Department of Defense, as a result of the Budget Control Act of 2011.

On September 8, 2011, the committee held the first hearing in this series regarding the Future of National Defense and the U.S. Military Ten Years after 9/11 with former Chairmen and a Vice Chairman of the Joint Chiefs of Staff. These witnesses included General (ret.) Richard Myers, USAF; General (ret.) Peter Pace, USMC; and Admiral (ret.) Edmund Giambastiani, USN.

The committee's second hearing in the series was held on September 13, 2011 to solicit outside experts views on the Future of National Defense and the U.S. Military Ten Years after 9/11. The witnesses included Mr. Jim Thomas, Vice President and Director of Studies, Center for Strategic and Budgetary Assessments; Dr. Michael E. O'Hanlon, Director of Research and Senior Fellow, Brookings Institution; Mr. Thomas Donnelly, Resident Fellow and Director, Center for Defense Studies, American Enterprise Institute; and Mr. Max Boot, Jeane J. Kirkpatrick Senior Fellow for National Security Studies, Council on Foreign Relations.

On September 22, 2011, the committee paused from its hearing series to conduct further oversight on contingency operations in the Islamic Republic of Afghanistan, with a hearing on the Afghan National Security Forces. Witnesses included the Honorable Michèle Flournoy, Under Secretary of Defense for Policy, U.S. Department of Defense; and Lieutenant General Robert B. Neller, Director for Operations, J-3, Joint Staff.

On October 4, 2011, the committee resumed its Future of National Defense and the U.S. Military Ten Years after 9/11 series with testimony from former Service Chiefs and Vice Chiefs. The witnesses were General (ret.) John Jumper, Former Chief of Staff, U.S. Air Force; General (ret.) Richard Cody, Former Vice Chief of Staff, U.S. Army; and Lieutenant General (ret.) H. Steven Blum, Former Chief, National Guard Bureau, USA.

The committee's fourth hearing in this series was held on October 12, 2011. The committee received perspectives from former Chairmen of the House and Senate Armed Services Committee including Senator John Warner, Congressman Duncan Hunter, and Congressman Ike Skelton.

On October 13, 2011, the committee held the fifth hearing in the series of examining the future of National Defense and the U.S. Military Ten Years after 9/11 with the Secretary of Defense, the Honorable Leon E. Panetta; and General Martin Dempsey, USA, Chairman, Joint Chiefs of Staff. This hearing was the first conducted in this series with current administration officials and military leaders to examine these issues.

The sixth hearing in the series was conducted on October 26, 2011. This hearing examined the economic consequences of defense sequestration. The witnesses included Mr. Martin Feldstein, President Emeritus, National Bureau of Economic Research; Dr. Ste-

phen Fuller, Director, Center for Regional Analysis at the School of Public Policy, George Mason University; and Dr. Peter Morici, Professor of International Relations, University of Maryland.

On November 2, 2011, the committee held its last hearing in the series with the current military service chiefs to receive testimony on the Future of the Military Services and Consequences of Defense Sequestration. The witnesses were General Raymond T. Odierno, Chief of Staff of the Army; Admiral Jonathan W. Greenert, Chief of Naval Operations; General Norton A. Schwartz, Chief of Staff of the Air Force; and General James F. Amos, Commandant of the Marine Corps.

(H.A.S.C. 112-48; H.A.S.C. 112-51; H.A.S.C. 112-53; H.A.S.C. 112-56; H.A.S.C. 112-61; H.A.S.C. 112-63; H.A.S.C. 112-70; H.A.S.C. 112-72; H.A.S.C. 112-74; H.A.S.C. 112-76; H.A.S.C. 112-81; H.A.S.C. 112-86)

## ADDITIONAL OVERSIGHT ACTIVITIES OF THE SUBCOMMITTEES AND THE PANELS

### SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

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

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

The subcommittee considered and reported legislation on May 4, 2011, that was included in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House on May 26, 2011. The legislative provisions covered a range of issues, to include: cybersecurity, counter terrorism, and funding for procurement and research and development programs. The subcommittee included several legislative provisions related to terrorism authorities and special operations in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, to include: a provision to extend the authority for the Secretary of Defense to make combating terrorism rewards; a provision to enhance section 1208 authority by increasing the amount authorized from \$45.0 million to \$50.0 million and extending the authority through fiscal year 2014; a provision directing quarterly briefings on counterterrorism operations; and a provision extending the authorization for the Department of

Defense to develop Non-Conventional Assisted Recovery capabilities through fiscal year 2016. The subcommittee also included several legislative provisions related to information technology in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, to include: a provision revising the structure and process of the defense business systems investment review boards; and a provision to amend reporting of critical changes to Major Automated Information Systems.

The conference report on H.R. 1540 extended the authority provided under section 1208 of the National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) through fiscal year 2015 and increased the authorized amount from \$45 million to \$50 million; included a provision establishing increased oversight mechanisms on U.S. Special Operations Command undersea mobility and non-standard aviation programs; directed U.S. Special Operations Command to develop memoranda of agreement with the military services regarding enabling capabilities to support special operations forces; directed quarterly briefings on counterterrorism operations; and extended the authorization for the Department of Defense to develop Non-Conventional Assisted Recovery capabilities through fiscal year 2013.

In addition to formal hearings, the subcommittee hosted an introduction to U.S. Special Operations Forces display and presentation on February 11, 2011, held a classified briefing on April 1, 2011, covering U.S. Special Operations Command Fiscal Year 2012 Request and Future Challenges for U.S. Special Operations Forces, and a briefing on June 15, 2011, on counter-proliferation research and development programs for the Defense Threat Reduction Agency, Defense Advanced Research Projects Agency, and U.S. Special Operations Command, and a classified briefing on April 22, 2011, covering the future of U.S. Special Operations Forces.

(H.A.S.C. 112-18; H.A.S.C. 112-39)

#### SUBCOMMITTEE ON MILITARY PERSONNEL

##### *Gay men, lesbians, and bisexuals in the military*

During the 112th Congress, the Subcommittee on Military Personnel continued the process of examining the law and policy surrounding the repeal of the law limiting the military service of gay men, lesbians, and bisexuals known as “Don’t Ask, Don’t Tell.” The subcommittee held a hearing to determine if the Department of Defense (DOD) is prepared to implement repeal of Don’t Ask, Don’t Tell without jeopardizing morale, unit cohesion, good order, discipline, and combat readiness. Committee members had particular concerns about the effectiveness of training programs, the impact of repeal on recruiting and retention programs, and the adequacy of service policies for dealing with billeting issues, public displays of affection, and the religious freedom rights of service members with strong beliefs opposed to gay and lesbian lifestyles, to include military chaplains. During consideration of the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House on May 26, 2011, amendments were adopted to: include the views of the service chiefs concerning readiness of the force in the formal repeal certification process; preclude the use of DOD facili-

ties and resources and the participation of DOD personnel in same sex marriage ceremonies; and reaffirm that the provisions of the Defense of Marriage Act (1 U.S.C. 7) regarding the definition of marriage as being between a man and woman shall apply to the process for determining the meaning of any Act of Congress or any ruling, regulation, or interpretation within the Department of Defense applicable to military personnel or DOD civilian employees.

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

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

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

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

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

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

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

The conference report on H.R. 1540 does not contravene or amend the Defense of Marriage Act (DOMA), nor is the Department of Defense relieved from the prohibition on federal recognition of same sex marriage therein. The conference report does include a conscience clause provision to protect chaplains' rights to not perform same sex marriages on the basis of their conscience or moral principles. The conference report on H.R. 1540 does retain the current UCMJ Article 125 prohibition on sodomy.

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

*Armed forces retirement home*

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

*Casualties inflicted on U.S. personnel by Afghan nationals working as contractors, police, or security forces*

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

*Hiring of a highly qualified expert for the defense health program*

The Under Secretary of Defense for Personnel and Readiness hired former Maine governor John Baldacci as a highly qualified expert to review military health care and propose reforms to it. The Chairman of the Subcommittee on Military Personnel, out of concern that such a hiring was duplicative of capabilities and personnel already available to the undersecretary and wasteful of funding and resources, sought a fuller explanation of the rationale for the hiring. In addition, the chairman sought an explanation of how the hiring and individual hired met the Department of Defense criteria for highly qualified experts. The inquiry will be continued.

*Military retirement*

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

(H.A.S.C. 112-80)

*Treatment of service member remain at the Dover Port Mortuary*

On November 17, 2011, the Subcommittee on Military Personnel held a briefing in which all committee members were invited to attend to hear from the Air Force and the Office of Special Counsel about the investigation into allegations of improper handling, processing and transport of human remains of military personnel and

family members by the Air Force Mortuary Affairs Operations, Port Mortuary Division, Dover Air Force Base, Delaware, and the Office of Special Counsel analysis of the Air Force Investigation.

The briefing highlighted concerns by the Special Counsel about the findings and conclusions in the Air Force investigation report. The Air Force focused on the way ahead and the plan to address the findings by the Air Force Inspector General. The committee examined how the Air Force will support the Secretary of Defense directed independent review of the corrective actions taken at Dover Mortuary and the appropriateness of the disciplinary action taken by the Air Force. The briefing highlighted the need for the Subcommittee to provide additional oversight of these issues in the future.

### SUBCOMMITTEE ON READINESS

The Subcommittee on Readiness continued oversight of military readiness, training, logistics and maintenance issues; military construction, installations, and family housing issues; energy policy and programs of the Department of Defense; and civilian personnel and service contracting issues. The subcommittee conducted six oversight hearings and a markup of the National Defense Authorization act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011.

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

The subcommittee met in a follow-on session on March 10, 2011, to receive testimony on the President's Fiscal Year 2012 Budget Request and Global Challenges to Readiness. In this hearing, the services provided testimony on the required readiness of the U.S. forces to respond to a range of near- and far-term global threats.

On March 15, 2011, the subcommittee met to receive testimony on Long-Term Readiness Challenges in the Pacific; which addressed the readiness of U.S. forces to respond to conflicts in the Pacific region.

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

The subcommittee met in open session on April 13, 2011, to receive testimony on the Fiscal Year 2012 National Defense Authorization Budget Request for Military Construction, Base Closure, Environment, Facilities Operation and Maintenance. The subcommittee met in open session on July 12, 2011 to receive testimony on "How Does the Navy Get Ready and Where Are We Today." The subcommittee met in open session on July 26, 2011 to

receive testimony on “Total Force Readiness.” The subcommittee also met in open session on September 21, 2011 to receive testimony on the Army Reserve, Army National Guard, and Air National Guard training and operations. The subcommittee met in open session on October 27, 2011 to receive testimony on “Readiness in the Age of Austerity.” The subcommittee met in open session jointly with the Seapower Subcommittee on November 3, 2011, to receive testimony about a day without seapower and projection forces.

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

#### SUBCOMMITTEE ON SEAPOWER AND PROJECTION FORCES

The Subcommittee on Seapower and Projection Forces conducted a series of hearings to review programs included in the Department of Defense (DOD) acquisition budget request for fiscal year 2012 during the 112th Congress, including; March 9, 2011, Navy Shipbuilding Acquisition Programs and Budget Requirements of the Navy’s Shipbuilding and Construction Plan.

In addition to its traditional oversight responsibilities regarding DOD budget requests, the subcommittee conducted oversight hearings on the following topics: March 16, 2011, Amphibious Operations; October 13, 2011, Update on KC–46A and Legacy Aerial Refueling Aircraft Programs.

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

In addition to formal hearings, the subcommittee conducted numerous briefings on the following topics: February 11, 2011, Necessary Considerations in Challenging Times for Effective Projection of Navy and Air Force Forces; March 2, 2011, OHIO-class Ballistic Missile Submarine Replacement Program (SSBN(X)); March 30, 2011, Air Force Long-Range Strike Efforts; April 7, 2011, Expeditionary Fighting Vehicle; July 28, 2011, KC–46A and Legacy Tankers.

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

The subcommittee considered and reported legislation on May 5, 2011, that was included in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011. The legislation covered a range of issues, including authorization of appropriations for procurement programs and research, development, test and evaluation programs for the Department of the Navy.

(H.A.S.C. 112–16; H.A.S.C. 112–25; H.A.S.C. 112–77; H.A.S.C. 112–90)

#### SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces addressed strategic forces programs (except deep strike systems), space programs, ballistic missile defense programs, intelligence policy and national pro-

grams, as well as Department of Energy national security programs (except nuclear non-proliferation programs), by conducting hearings during its consideration of the fiscal year 2012 budget request, including: March 15, 2011, national security space activities; March 31, 2011, missile defense programs; and April 5, 2011, Department of Energy Atomic Energy Defense Activities and Department of Defense Nuclear Programs.

In addition to its oversight responsibilities regarding the budget requests, the subcommittee conducted an oversight hearing on March 2, 2011, on the Status of United States Strategic Forces.

The subcommittee also held several briefings on the following oversight topics: February 10, 2011 and March 30, 2011, Status of the Ground-based Midcourse Defense Program; March 10, 2011, Status of the United States Nuclear Weapons Stockpile; April 14, 2011, Joint Capability Mix-III Study; and June 15, 2011, Nuclear Fuel Cycle and Countries of Proliferation Concern.

The committee held informal educational briefings on the following topics: February 9, 2011, missile defense policy and posture; February 15, 2011, history and evolution of nuclear policy and posture; March 1, 2011, Administration's nuclear policy and posture; March 9, 2011, space fundamentals and space policy and strategy; March 30, 2011, missile defense programs; April 6, 2011, space and ballistic missile threats; and April 13, 2011, Department of Energy environmental management programs.

The subcommittee considered and reported legislation on May 4, 2011, that was included in the National Defense Authorization Act for Fiscal Year 2012.

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

#### SUBCOMMITTEE ON TACTICAL AIR AND LAND FORCES

The Subcommittee on Tactical Air and Land Forces provided oversight of all Departments of the Army, Navy, Marine Corps, Air Force and Office of the Secretary of Defense Acquisition programs providing tactical aircraft and missile; armor and ground vehicle; munitions; and associated support equipment, including Reserve and National Guard equipment programs. The subcommittee conducted five oversight hearings prior to the markup of the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House May 26, 2011, during its consideration of the fiscal year 2012 Department of Defense budget request. Hearings included: March 1, 2011: Equipping the Warfighter in Afghanistan; March 9, 2011: Army Modernization Programs; March 15, 2011: Air Force Tactical Aviation Programs; March 17, 2011: Soldier and Marine Equipment for Dismounted Operations; April 1, 2011: and Army and Air Force National Guard and Reserve Component Equipment Posture. The subcommittee conducted an additional four oversight hearings subsequent to the passage of H.R. 1540 by the House: October 12, 2011: Army and Air Force National Guard and Reserve Component Acquisition Programs; October 26, 2011: Army Acquisition and Modernization; November 2, 2011: Fiscal Year 2012 Combat Aviation Programs Update; and, November 16, 2011: United States Marine Corps Acquisition and Modernization.



In addition to formal hearings, the subcommittee received a briefing from representatives of the Department of Defense on the following: a classified briefing on provision of force protection for forces in Afghanistan and a classified briefing on special access programs included in the budget request for fiscal year 2012.

(H.A.S.C. 112–10; H.A.S.C. 112–15; H.A.S.C. 112–20; H.A.S.C. 112–27; H.A.S.C. 112–35; H.A.S.C. 112–75; H.A.S.C. 112–82; H.A.S.C. 112–87; and H.A.S.C. 112–91)

#### SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

The Subcommittee on Oversight and Investigations was reestablished by the 112th Congress to conduct investigations as directed by the Chairman and Ranking Member of the Committee on Armed Services after coordination with the Chairman and Ranking Member of the Subcommittee on Oversight and Investigations. The subcommittee spent nearly one year investigating the drawdown of the detainee population at the U.S. Naval Station, Guantanamo Bay, Cuba (GTMO) and the escalating rate at which detainees have reengaged in the fight against the United States and its allies. Currently, the publically reported confirmed or suspected reengagement rate is twenty-seven percent.

In addition to the long-term investigation, the subcommittee worked closely with the Subcommittees on Military Personnel, Tactical Air and Land Forces, and Seapower and Projection Forces to conduct oversight on a number of issues, including accountability at Arlington National Cemetery and the Dover Air Force Base Port Mortuary, and DOD's 30-Year Aviation and Shipbuilding plans.

##### *Transfer and release of Guantanamo Bay detainees and reengagement*

In connection with a March 16, 2011 request from the Chairman and Ranking Member, the subcommittee conducted an in-depth investigation focused on transfers and releases of GTMO detainees and related reengagement issues and trends. Specifically, the subcommittee was tasked to review and analyze “the circumstances and mechanisms for post-transfer security measures and assurances for humane treatment for those transferred from Guantanamo Bay.” The subcommittee's draft report, accompanied by a classified annex, provides a comprehensive policy review detailing assessments of past practices accompanied by recommendations for future policy determinations. The draft classified annex details reengagement numbers and rates and provides analysis by country and timeframe of transfer or release.

The subcommittee conducted a classified briefing followed by a public hearing on April 13, 2011 entitled “Guantanamo Detainee Transfer Policy and Recidivism.” Witnesses included Ambassador Daniel Fried, the Special Envoy for the Closure of the Guantanamo Bay Detention Facility from the Department of State, the Honorable William K. Lietzau, Deputy Assistant Secretary of Defense for Detainee Policy, and representatives from the Office of the Director of National Intelligence and Department of Justice.

On June 2, 2011, the subcommittee conducted a briefing entitled “The Terrorist Threat: A Profile on Reengagement—The Abdullah Rassoul Zakir Story.” Witnesses for the briefing included Dr. Seth

Jones, a senior political scientist at the RAND Corporation and Mr. Thomas Joscelyn, Executive Director of the Center for Law and Counterterrorism, Foundation for Defense of Democracies. Finally, on June 15, 2011, the subcommittee conducted a briefing entitled “Al-Qaeda in Yemen: Profiles in Terror—The Othman Ahmed al Ghamdi and Abu Sufyanal-Azdi al-Shihri stories.” Witnesses included Mr. Jeremy Sharp, a Specialist in Middle East Affairs with the Congressional Research Service, Ms. Katherine Zimmerman, the Gulf of Aden Team Lead for the American Enterprise Institute’s Critical Threats Project; and Mr. Benjamin Wittes, a senior fellow in Governance Studies at Brookings.

Subcommittee members conducted two oversight delegations to the Islamic Republic of Afghanistan in March and November 2011. Additionally, members traveled to the Islamic Republic of Pakistan and the U.S. Naval Station, Guantanamo Bay, Cuba. Staff conducted oversight delegations to the United Kingdom, U.S. Naval Station, Guantanamo Bay, Cuba, the Kingdom of Morocco, the People’s Democratic Republic of Algeria, the French Republic, the Russian Federation, the Republic of Tajikistan, Turkey, the Islamic Republic of Pakistan, the State of Kuwait, and the Kingdom of Saudi Arabia. In each country, with the exception of Russia where officials refused repeated meeting requests, staff met with United States embassy officials and foreign government officials from relevant ministries of justice, defense, and foreign affairs. Staff also met with foreign non-governmental agencies including the International Federation for Human Rights, International Committee of the Red Cross, Sidi Moumen Cultural Center for Children, and Pakistan Human Rights Commission.

Committee staff conducted over 100 formal and informal meetings and interviews with officials and senior policymakers from the Department of State and Department of Defense, including United States Southern Command and the Defense Intelligence Agency. Staff also reviewed approximately 2,000 pages of documentary evidence.

The following organizations provided information and data for subcommittee consideration: the Center for Law and Counterterrorism, Foundation for Defense of Democracies, American Civil Liberties Union, Carnegie Endowment for International Peace, Center for Constitutional Rights, Columbia Law School’s Counterterrorism and Human Rights Project, Human Rights Watch, Human Rights First, the Brookings Institution, and the Center for Terrorism Law at St. Mary’s University.

*Arlington National Cemetery/Dover Air Force Base Port Mortuary*

The subcommittee conducted two hearings on accountability at Arlington National Cemetery. On April 14, 2011, the subcommittee held a hearing entitled “Accountability at Arlington National Cemetery” with Ms. Kathryn Condon, Executive Director of the Army National Cemeteries Program, and Mr. Patrick Hallinan, Superintendent of Arlington National Cemetery appearing as witnesses. A second hearing entitled “Update on Arlington Cemetery Reforms” was held on September 23, 2011 aimed at addressing the progress of implementation of reform measures. Witnesses for the second hearing included Major General William McCoy, Deputy Inspector

General, United States Army, Ms. Kathryn Condon, and Mr. Patrick Hallinan. In connection with the latter hearing, the subcommittee received a statement for the record from the American Legion and a report entitled “Implementation of Army Directive on Army National Cemeteries Program” dated September 18, 2011. Subcommittee members also conducted an on-site inspection of the cemetery and received monthly updates from senior officials on management practices, accountability issues, and reform implementation efforts.

The subcommittee conducted a joint briefing with members of the Subcommittee on Military Personnel focused on accountability and management issues at the Dover Port Mortuary on November 17, 2011. Air Force and Office of Special Counsel officials briefed members on allegations of improper handling, processing and transport of human remains of military personnel and family members. Witnesses from the Department of Defense included the Honorable Michael Donley, Secretary of the Air Force, Lieutenant General Marc Rogers, Inspector General, United States Air Force, and Mr. Charles Blanchard, General Counsel, United States Air Force. Witnesses from the Office of Special Counsel included: Ms. Carolyn Lerner, Special Counsel, Office of the Special Counsel and Ms. Jennifer Pennington, Attorney, Disclosure Unit, Office of the Special Counsel.

*Department of Defense 30-year aviation and shipbuilding plans*

Working with the Subcommittees on Tactical Air and Land Forces and Seapower and Projection Forces, the subcommittee conducted a briefing entitled, “Efficacy of DOD’s 30-Year Shipbuilding and Aviation Plans.” Witnesses from the Department included Vice Admiral John Blake, Lt. General George Flynn, and Vice Admiral P. Stephen Stanley. A separate panel of civilian experts included Dr. Eric Labs of the Congressional Budget Office, Mackenzie Eaglen, of the Heritage Foundation, and Mr. Ronald O’Rourke of the Congressional Research Service.

(H.A.S.C. 112–42; H.A.S.C. 112–45; H.A.S.C. 112–46)

PANEL ON DEFENSE FINANCIAL MANAGEMENT AND  
AUDITABILITY REFORM

On July 13, 2011, the committee organized a panel on defense financial management and auditability reform pursuant to Committee Rule 5(a) to carry out a comprehensive review of the Department’s financial management system. The review was initiated to oversee the Department’s financial management system’s capacity for providing timely, reliable, and useful information for decision making and reporting. The panel was established for an initial period of 6 months, but has been extended to January 31, 2012.

The Panel on Defense Financial Management and Auditability Reform held seven hearings and two briefings in support of its mandate to examine the Department of Defense’s financial management system. The panel focused its examination on: the Department of Defense’s Financial Improvement and Audit Readiness (FIAR) strategy and methodology; the challenges facing the Department in achieving financial management reform and auditability; financial management workforce competency; and the Depart-

ment's enterprise resource planning (ERP) system implementation efforts.

To provide context on the scope of the Department's financial management activities, the panel, on July 21, 2011, received an overview briefing from the Under Secretary of Defense (Comptroller), the Honorable Robert Hale, on the mission, organizational structure, and functions performed within the Department's financial management.

On July 28, 2011, the panel met to receive testimony on the Department's strategy and methodology for improving its financial management system and achieving audit readiness and a high level description of the challenges the Department faces in achieving its financial improvement goals.

On September 8, 2011, the panel met to receive testimony on the Department's components' approach to implementing the FIAR strategy and methodology and the challenges faced and lessons learned from this effort. As part of the hearing, the panel received testimony on the challenges faced and lessons learned from the U.S. Army Corps of Engineers financial statement audit and the U.S. Marine Corps Statement of Budgetary Resources audit.

On September 15, 2011, the panel met to receive testimony to offer more detail on the challenges faced by a select cross-section of Department organizations that play a key role in the FIAR effort. These organizations represented military commands, the logistics community, and the Defense Finance and Accounting Service.

On September 22, 2011, the panel met to receive testimony on the Department's efforts to improve payment and funds control. The hearing examined efforts to address improper payments, anti-deficiency act violations, and problematic disbursements.

The Department's financial management workforce needs to be well-grounded in specific skills to perform duties that include: financial and budgetary accounting, information systems, internal control, audit readiness, and related functions. Ensuring that the financial management workforce is adequately staffed, proficiently skilled, and well-trained is instrumental to the Department's improvement efforts. On October 6, 2011, the panel met to receive testimony on whether the Department's financial management workforce (including those individuals involved in the audit readiness effort) has the appropriate skills, performance incentives, and staffing levels for the successful accomplishment of financial management.

The Department of Defense maintains that successful implementation of ERP systems is critical to transforming its business and logistical operations, and it is key to improving financial management and achieving audit readiness. On October 27, 2011, the panel met to receive testimony on how the implementation of the ERPs is intended to improve the Department of Defense's financial management, the scope of the ERP efforts, the resources required for the ERP efforts, and the impact of ERP delays and cost overruns on financial management reform and audit readiness milestones.

On November 3, 2011, the panel received a briefing from on the November 2011 FIAR Plan Status Report from Mr. Mark E. Easton, Deputy Chief Financial Officer, Department of Defense; and

Mr. Joseph O. Quinn, Director, Financial Improvement and Audit Readiness, Department of Defense. On November 17, 2011, the panel convened a hearing to receive testimony from independent public accounting firm representatives to obtain their perspective on the impediments to the Department of Defense achieving audit readiness and the actions the Department needs to take to become audit ready.

The panel is in process of drafting its report and plans to hold a final hearing in January 2012 to obtain the Department's views on the panel's findings and recommendations.

(H.A.S.C. 112-59; H.A.S.C. 112-60; H.A.S.C. 112-64; H.A.S.C. 112-68; H.A.S.C. 112-73; H.A.S.C. 112-83; H.A.S.C. 112-92)

#### PANEL ON BUSINESS CHALLENGES WITHIN THE DEFENSE INDUSTRY

On September 20, 2011, the Chairman and Ranking Member of the committee formally announced the Panel on Business Challenges within the Defense Industry. This seven-member panel was initiated to examine the challenges of the private sector in doing business with the Department of Defense. The panel is tasked to examine the current defense business environment and to seek to understand how the Department of Defense could better spur innovation, competition, and cost savings by encouraging new entrants into the industrial base and fostering the transition of technology. Although it does not have legislative jurisdiction, the panel will report its findings, including any recommendations for possible legislation, to the full committee. The panel was established for 6 months, pursuant to rule 5(a) of the Rules of the Committee on Armed Services.

The panel looked at a variety of issues and topics covering the broad scope of contracting, industrial base security, small business programs, and efforts to increase innovation and transition technology for the warfighter. The panel held four hearings, several briefings and three industry roundtable sessions.

The panel's first hearing was on September 20, 2011 on Challenges to Doing Business with the Department of Defense. The focus of the hearing was to gain a better understanding of the opportunities and challenges facing businesses looking to participate in the development and procurement of critical technologies or the provision of services for national security. The second hearing was held on October 24, 2011 and focused on The Defense Industrial Base: A National Security Imperative. This hearing concentrated on gaining a better understanding of the Defense Industrial Base [DIB] and the role of the DIB in the future of national defense.

On November 1, 2011, the panel held a hearing addressing The Defense Industrial Base: The Role of the Department of Defense. This hearing was complementary to the panel's second hearing focusing on understanding DOD's conception of the DIB, the Department's role in shaping the industrial base's future and to receive testimony on how Congress might strengthen the DIB and improve the defense business environment, with particular attention paid to the Department's Small Business Office. The fourth hearing of the panel was held on November 18th, 2011. This hearing took at a look at understanding how our current defense industrial base

practices compare with the strategies of other nations, what characteristics a 21st century defense industrial base strategy should have, and changes that might be necessary to areas such as workforce and acquisition policies in order to transform to achieve that 21st century vision.

In addition to the hearings, the panel conducted three industry roundtables at field sites. The purpose of these events is to visit various U.S. communities that have a strong defense industry presence. Events included roundtable discussions with 15 to 20 industry participants and offered an opportunity for panel members and industry to connect and discuss in an open dialogue about strengths and weaknesses of the defense acquisition system. In addition, the panel also used the events to meet with representatives from local colleges and universities who conduct research and provide analysis for the Department of Defense on a myriad of issues.

The panel's first roundtable event was held at Blackhawk Community College in Moline, Illinois on October 7, 2011. Moline borders with Rock Island Arsenal in Illinois. At this field roundtable, there were several points of discussion. These included concerns about the backlogs at the Defense Contract Audit Agency (DCAA), concerns about the Department not meeting its small business goals and contracting officials not doing enough to hold prime contractors accountable for meeting the Small Business Contracting Plans. In addition, the roundtable discussed flexibility in contract cost and pricing. There was discussion about the Small Business Innovation Research (SBIR) Program and difficulties in utilizing the Program. There was general consensus from roundtable participants that partnering with defense organic industrial facilities, such as arsenals and depots, was complicated but good for small businesses.

The panel's second roundtable event was held at the University of Akron in Akron, Ohio on October 28, 2011. The University is most widely known for its research programs in polymers and advanced materials, both of which have significant implications for the defense industry. The industry roundtable included 12 industry participants. Points of discussion included export controls delays, International Trafficking of Arms Regulations (ITAR) issues, dealing complacency on the part of those responsible for making decisions and lack of capital to sustain businesses' programs/technology to make it through the ITAR process. In addition, DCAA was again listed as an issue of concern regarding their processes and conduct of audits. Participants indicated the need for better direct access to the customers in order for industry to find out what the true requirements are for services/products. Department programs such as SBIR and the Mentor-Protégé program were discussed with positive feedback.

The panel's third roundtable event was held in Mt. Laurel, New Jersey at Burlington County College on December 9, 2011. In addition to the panel members, there were approximately 20 roundtable participants from industry, trade associations and universities. Among the issues discussed were growing pains resulting from base realignment effecting Joint Base Maguire-Dix-Lakehurst, as well as concerns about multiple award contracts being costly and ineffective. In addition, industry participants expressed frustration

at a perceived bias against small business in the Department of Defense and in general, among contracting officers. The relationships with contracting officers were a point of concern for many participants in receiving information and competing for contracts.

In addition to these industry roundtables, the panel had two briefings. The first briefing was with the Director, Counterintelligence Directorate of the Defense Security Service to discuss security threats to the industrial base.

The second briefing was held with the Director of DCAA, Mr. Patrick Fitzgerald and the Director of the Defense Contract Management Agency, Mr. Charlie Williams, to discuss the functions of these government oversight agencies and the challenges they face in auditing and managing defense contracts.

(H.A.S.C. 112-66; H.A.S.C. 112-79; H.A.S.C. 112-85; H.A.S.C. 112-93)

## PUBLICATIONS

### COMMITTEE PRINTS

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

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

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

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

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

### PUBLISHED PROCEEDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

H.A.S.C. 112-36—Subcommittee on Strategic Forces hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request for De-

partment of Energy Atomic Energy Defense Activities and Department of Defense Nuclear Forces Programs. April 5, 2011.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

H.A.S.C. 112-85—Panel on Business Challenges within the Defense Industry hearing on H.A.S.C. 112-79—Panel on Business Challenges within the Defense Industry. November 1, 2011.

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

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

H.A.S.C. 112-88—Subcommittee on Strategic Forces hearing on The Current Status and Future Direction for U.S. Nuclear Weapons Policy and Posture. November 2, 2011.

H.A.S.C. 112-89—Subcommittee on Emerging Threats and Capabilities hearing on Institutionalizing Irregular Warfare Capabilities. November 3, 2011.

H.A.S.C. 112-90—Subcommittees on Seapower and Projection Forces and Readiness hearing on A Day Without Seapower and Projection Forces. November 3, 2011.

H.A.S.C. 112-91—Subcommittee on Tactical Air and Land Forces hearing on United States Marine Corps Acquisition and Modernization. November 16, 2011.

H.A.S.C. 112-92—Panel on Defense Financial Management and Audibility Reform hearing on Industry Perspectives on Achieving Audit Readiness. November 17, 2011.

H.A.S.C. 112-93—Panel on Business Challenges within the Defense Industry hearing on Creating a 21st Century Defense Industry. November 18, 2011.

HOUSE REPORTS

Report number	Date filed	Bill number	Title
112-77	May 12, 2011	H. Res. 208	Resolution directing the Secretary of Defense to transmit to the House of Representatives copies of any official document, record, memo, correspondence, or other communications of the Department of Defense in the possession of the Secretary of Defense that relates to any consultation with Congress regarding Operation Odyssey Dawn or NATO Operation Unified Protector.
112-78 Part 1	May 17, 2011	H.R. 1540	To authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.
112-78 Part 2	May 23, 2011	H.R. 1540	To authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.
112-123	June 24, 2011	N/A	First Semiannual Report on the Activities of the Committee on Armed Services for the 112th Congress.
112-329	December 12, 2011	Conference Report to accompany H.R. 1540	To authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## PRESS RELEASES

### FIRST SESSION

January 6, 2011—McKeon: New \$78 Billion in Defense Cuts Is a Dramatic Shift for a Nation at War

January 6, 2011—McKeon Supportive of New Troop Deployment to Afghanistan

January 7, 2011 —McKeon: Presidential Signing Statement Out of Touch with Public Will to Keep Terrorists off American Soil

January 8, 2011—McKeon Statement on Rep. Gabrielle Giffords  
January 20, 2011—Armed Services Committee Leaders Announce Subcommittee Membership for the 112th Congress

January 25, 2011—McKeon Statement on President's State of the Union Address

February 18, 2011—New Report on Maintenance Depots Wins Bipartisan Praise

February 24, 2011—Armed Services Committee Leaders Comment on Air Force Aerial Refueling Tanker Award

March 1, 2011—McKeon Testifies before the Administration Committee on Armed Services Committee Budget for the 112th Congress

March 7, 2011—McKeon Criticizes White House Executive Fiat on Detainees

March 8, 2011—McKeon, Armed Services Members Introduce Legislation regarding America's Terrorist Prosecution and Detention Policies

March 20, 2011—McKeon Statement on Operation Odyssey Dawn

March 22, 2011—McKeon Welcomes John Noonan to the House Armed Services Committee Staff

March 24, 2011—McKeon Criticizes Pentagon Decision to Issue Stop Work Order on Joint Strike Fighter Competitive Engine Program

March 29, 2011—McKeon Statement on President's Speech on Libya Operations

April 4, 2011—McKeon Statement on Administration Decision to Try 9/11 Co-Conspirators through Military Commissions Process

April 4, 2011—McKeon Statement Applauds West YouCut Proposal

April 5, 2011—McKeon Statement Applauds Ryan Budget

April 13, 2011—McKeon Responds to White House Plan to Cut \$400 Billion from National Security Spending

April 15, 2011—McKeon Applauds Passage of Ryan Budget

April 28, 2011—McKeon on National Security Leadership Changes within the Administration; Praises Gates for His Service

May 2, 2011—McKeon Statement on Death of Osama bin Laden

May 3, 2011—Military Personnel Subcommittee Chairman Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Emerging Threats and Capabilities Subcommittee Leadership Release Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Strategic Forces Subcommittee Chairman Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Bartlett Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Seapower and Projection Forces Subcommittee Chairman Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Readiness Subcommittee Chairman Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 5, 2011—McKeon Praises GE, Rolls Royce for Funding Joint Strike Fighter Engine Without Taxpayer Support

May 9, 2011—McKeon Releases Details about National Defense Authorization Act for Fiscal Year 2012

May 12, 2011—Armed Services Committee Overwhelmingly Approves Defense Authorization Bill

May 20, 2011—Former US Attorney General Lauds Affirmation of the 2001 Authorization for the Use of Military Force

May 26, 2011—House Approves Defense Authorization Bill with Bipartisan Support

May 30, 2011—McKeon Welcomes New Senior Military Leaders; Praises Admiral Mullen for His Service

June 11, 2011—McKeon Presses Defense Department for Details on Libya Operations

June 16, 2011—McKeon Statement on White House Libya Report

June 21, 2011—McKeon: Don't Reverse Progress in Afghanistan

June 21, 2011—McKeon Congratulates Director Panetta on Confirmation

June 23, 2011—Armed Services Chairman Expresses Concern over Afghanistan Drawdown

June 23, 2011—McKeon Statement on Recent Developments in Afghanistan and the Proposed Drawdown of U.S. Forces

June 24, 2011—McKeon Releases Committee Activities Report and Highlights Transparency Efforts

July 7, 2011—McKeon on 9th Circuit Don't Ask Don't Tell Ruling

July 12, 2011—Armed Services Committee Leadership Announces Bipartisan Fiscal Management Panel

July 19, 2011—Republican National Security Leadership Calls On Obama To Define Detainee Policy

July 30, 2011—McKeon Statement on Reid Plan and Defense Cuts

August 1, 2011—McKeon Statement on the Debt Ceiling Compromise

August 24, 2011—China's Increasing Assertiveness and Military Capabilities a Growing Concern

September 12, 2011—Armed Services Committee Leadership Announces Bipartisan Defense Business Panel



September 13, 2011—McKeon Statement for hearing on “The Future of National Defense and the U.S. Military Ten Years After 9/11: Perspectives from Outside Experts”

September 30, 2011—McKeon Statement on Death of Anwar al-Awlaki Death

October 21, 2011—McKeon Statement on Withdrawal of U.S. Combat Forces from Iraq

October 19, 2011—McKeon Hails Reid Pledge To Pass Defense Bill

October 21, 2011—McKeon Statement on Withdrawal of U.S. Combat Forces from Iraq

November 10, 2011—McKeon Thanks America’s Veterans

November 21, 2011—Chairman McKeon on the Joint Select Committee and Sequestration

December 2, 2011—McKeon Statement on the Discontinuation of Self-funded Development of F-35 Engine

December 12, 2011—Chairman McKeon Files NDAA’s Conference Report

December 14, 2011—McKeon hails passage of 50th National Defense Authorization Act

December 15, 2011—McKeon Statement on the End of American Military Presence in Iraq