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1st Session }

SENATE

{ REPORT
113-10

REPORT ON THE ACTIVITIES
OF THE
COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE

112TH CONGRESS
FIRST AND SECOND SESSIONS
2011-2012



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COMMITTEE ON ARMED SERVICES

113th Congress, 1st Session

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LETTER OF TRANSMITTAL

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, April 5, 2013.

Hon. JOSEPH R. BIDEN, Jr.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Senate Rule XXVI.8(b) requires the submission of a report of the activities of the Senate Committee on Armed Services for the previous Congress.

In accordance with the requirements, I am submitting the report of the activities of the Committee during the 112th Congress. This report outlines the most noteworthy legislative achievements and other achievements and activities of our Committee.

Sincerely,

CARL LEVIN,
Chairman.

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JURISDICTION

Part 1 of the Legislative Reorganization Act of 1946 (Public Law 601 of the Seventy-ninth Congress, approved August 2, 1946, as amended by Public Law 510 of the Ninety-first Congress, approved October 26, 1970) created the standing committees of the Senate and provided that the Committee on Armed Services should consist of 13 Senators. The history of changes in the Committee on Armed Services membership since 1946 is displayed below:

Congress:	Year:	Under Authority of:	Number of Senators:
82nd	1953	S. Res. 18	15
86th	1959	S. Res. 24	17
90th	1967	S. Res. 11	18
91st	1970	H.R. 17654	15
92nd	1971	S. Res. 15	16
93rd	1973	S. Res. 10	15
94th	1975	S. Res. 17	16
95th	1977	S. Res. 4 & S. Res. 82	18
100th	1987	S. Res. 14	20
103rd	1993	S. Res. 130	22
104th	1995	S. Res. 14	21
105th	1997	S. Res. 9	18
107th	2001	in part by S. Res. 8	25
109th	2005	S. Res. 5 & S. Res. 6	24
110th	2007	S. Res. 27 & S. Res. 28	25
111th	2009	S. Res. 18 & S. Res. 19	26
111th	2010	S. Res. 429 & S. Res. 450	28
112th	2011	S. Res. 42 & S. Res. 43	26

The Committee on Armed Services' jurisdiction is set forth in Rule XXV(c) (1) and (2) of the Standing Rules of the Senate. It states that the Committee shall be referred all proposed legislation, messages, petition, memorials and other matters related to the following subjects:

- (1) 1. Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.
2. Common defense.
3. Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force, generally.
4. Maintenance and operation of the Panama Canal, including administration, sanitation, and government of the Canal Zone.
5. Military research and development.
6. National security aspects of nuclear energy.
7. Naval petroleum reserves, except those in Alaska.
8. Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces, including overseas education of civilian and military dependents.

9. Selective service system.

10. Strategic and critical materials necessary for the common defense.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to the common defense policy of the United States, and report thereon from time to time.

COMMITTEE ON ARMED SERVICES MEMBERSHIP

112th Congress

(from January 5, 2011—January 2, 2013)

CARL LEVIN, Michigan, *Chairman*
*January 23, 1979**

JOSEPH I. LIEBERMAN, Connecticut <i>January 7, 1993*</i>	JOHN MCCAIN, Arizona <i>January 6, 1987*</i>
JACK REED, Rhode Island <i>January 7, 1999*</i>	JAMES M. INHOFE, Oklahoma <i>January 4, 1995*</i>
DANIEL K. AKAKA, Hawaii <i>January 25, 2001*</i>	JEFF SESSIONS, Alabama <i>January 7, 1999*</i>
E. BENJAMIN NELSON, Nebraska <i>January 25, 2001*</i>	SAXBY CHAMBLISS, Georgia <i>January 15, 2003*</i>
JIM WEBB, Virginia <i>January 12, 2007*</i>	ROGER F. WICKER, Mississippi <i>January 24, 2008*</i>
CLAIRE McCASKILL, Missouri <i>January 12, 2007*</i>	SCOTT P. BROWN, Massachusetts <i>March 2, 2010*</i>
MARK UDALL, Colorado <i>January 21, 2009*</i>	ROB PORTMAN, Ohio <i>February 3, 2011*</i>
KAY R. HAGAN, North Carolina <i>January 21, 2009*</i>	KELLY AYOTTE, New Hampshire <i>February 3, 2011*</i>
MARK BEGICH, Alaska <i>January 21, 2009*</i>	SUSAN M. COLLINS, Maine <i>January 25, 2001*</i>
JOE MANCHIN III, West Virginia <i>November 15, 2010*</i>	LINDSEY GRAHAM, South Carolina <i>January 15, 2003*</i>
JEANNE SHAHEEN, New Hampshire <i>February 3, 2011*</i>	JOHN CORNYN, Texas <i>February 3, 2011*</i>
KIRSTEN E. GILLIBRAND, New York <i>February 3, 2011*</i>	DAVID VITTER, Louisiana <i>January 21, 2009*</i>
RICHARD BLUMENTHAL, Connecticut <i>February 3, 2011*</i>	

*Date of appointment to the Senate Committee on Armed Services.

NOTES: The Senate Committees on Military Affairs; on the Militia; and Naval Affairs were established on December 10, 1816. The Committee on the Militia was merged with the Committee on Military Affairs in 1858 to form the Military Affairs and Militia Committee. However, in 1872 the Committee dropped "Militia" from its name. The Military Affairs and Naval Affairs Committees existed until 1947 when they were combined by the Legislative Reorganization Act of 1946 into a new standing committee, the current Committee on Armed Services.

ONE HUNDRED TWELFTH CONGRESS

SUBCOMMITTEES OF COMMITTEE ON ARMED SERVICES

March 9, 2011—January 2, 2013

Subcommittee on AirLand

SENATOR LIEBERMAN, <i>Chairman</i>	SENATOR BROWN, <i>Ranking Member</i>
SENATOR BEN NELSON	SENATOR INHOFE
SENATOR MCCASKILL	SENATOR SESSIONS
SENATOR MANCHIN	SENATOR WICKER
SENATOR GILLIBRAND	SENATOR VITTER
SENATOR BLUMENTHAL	

Subcommittee on Emerging Threats and Capabilities

SENATOR HAGAN, <i>Chairman</i>	SENATOR PORTMAN, <i>Ranking Member</i>
SENATOR REED	SENATOR CHAMBLISS
SENATOR MARK UDALL	SENATOR BROWN
SENATOR MANCHIN	SENATOR GRAHAM
SENATOR SHAHEEN	SENATOR CORNYN
SENATOR GILLIBRAND	

Subcommittee on Personnel

SENATOR WEBB, <i>Chairman</i>	SENATOR GRAHAM, <i>Ranking Member</i>
SENATOR LIEBERMAN	SENATOR CHAMBLISS
SENATOR AKAKA	SENATOR BROWN
SENATOR MCCASKILL	SENATOR AYOTTE
SENATOR HAGAN	SENATOR COLLINS
SENATOR BEGICH	SENATOR VITTER
SENATOR BLUMENTHAL	

Subcommittee on Readiness and Management Support

SENATOR McCASKILL, <i>Chairman</i>	SENATOR AYOTTE, <i>Ranking Member</i>
SENATOR AKAKA	SENATOR INHOFE
SENATOR BEN NELSON	SENATOR CHAMBLISS
SENATOR WEBB	SENATOR PORTMAN
SENATOR MARK UDALL	SENATOR COLLINS
SENATOR BEGICH	SENATOR GRAHAM
SENATOR MANCHIN	SENATOR CORNYN
SENATOR SHAHEEN	

Subcommittee on Seapower

SENATOR REED, <i>Chairman</i>	SENATOR WICKER, <i>Ranking Member</i>
SENATOR AKAKA	SENATOR SESSIONS
SENATOR WEBB	SENATOR AYOTTE
SENATOR HAGAN	SENATOR COLLINS
SENATOR BLUMENTHAL	

Subcommittee on Strategic Forces

SENATOR BEN NELSON, <i>Chairman</i>	SENATOR SESSIONS, <i>Ranking Member</i>
SENATOR LIEBERMAN	SENATOR INHOFE
SENATOR REED	SENATOR WICKER
SENATOR MARK UDALL	SENATOR PORTMAN
SENATOR BEGICH	SENATOR CORNYN
SENATOR SHAHEEN	SENATOR VITTER
SENATOR GILLIBRAND	

NOTE: Senator Levin and Senator McCain, as Chairman and Ranking Member of the Armed Services Committee, serve as *ex-officio* (non-voting) members of all Subcommittees.

RELATIONSHIP OF ANNUAL AUTHORIZATION TO DEPARTMENT OF DEFENSE APPROPRIATIONS

History of Section 114, Title 10, United States Code

The jurisdiction of the committee so far as specific annual authorizations are concerned was increased significantly in 1959 by the enactment of section 412(b) of Public Law 86-149 which required annual congressional authorization of appropriations for the procurement of aircraft, missiles and naval vessels. That law was amended and expanded as follows:

- In 1962 (Public Law 88-436) to require similar authorization of appropriations for research, development, test, or evaluation associated with aircraft, missiles and naval vessels;
- In 1963 (Public Law 88-174) to require similar authorization of appropriations for all research, development, test, or evaluation carried on by the Department of Defense;
- In 1965 (Public Law 89-37) to require authorization of appropriations for the procurement of tracked combat vehicles;
- In 1967 (Public Law 90-168) to require annual authorization of the personnel strengths of each of the Selected Reserves of the Reserve components as a prior condition for the appropriation of funds for the pay and allowances for the Reserve components;
- In 1969 (Public Law 91-121) to require authorization of appropriations for the procurement of other weapons to or for the use of any armed force of the United States. (Essentially, heavy, medium, and light artillery, anti-aircraft artillery, rifles, machine-guns, mortars, small arms weapons, and any crew-fired piece using fixed ammunition);
- In 1970 (Public Law 91-441) to require authorization of appropriations to or for the use of the Navy for the procurement of torpedoes and related support equipment; and to require authorization of the average annual active duty personnel strength for each component of the Armed Forces as a condition precedent to the appropriation of funds for this purpose;
- In 1971 (Public Law 92-436) to require annual authorization for the average military training student loads for each component of the Armed Forces, and modified the provision relating to authorization for active duty personnel strength;
- In 1973 (Public Law 93-155) to require authorization for end strength civilian employment for each component of the Defense Department in each fiscal year;
- In 1975 (Public Law 94-106) to require the annual authorization of military construction of ammunition facilities;
- In 1980 (Public Law 96-342) to require the annual authorization of appropriations of funds for the operation and maintenance;

nance of any armed force of the activities and agencies of the Department of Defense (other than the military departments) for fiscal years beginning after September 30, 1981; and

- In 1982 (Public Law 97–86) to require the annual authorization of appropriations of funds for procurement of ammunition or other procurement for any armed force or for agencies of the Department of Defense (other than military departments).

Also, in 1973 these enactments were codified by section 803(a) of Public Law 93–155 into Title 10, United States Code, as section 138. Section 138 was amended on several occasions and, in 1986, was divided into two sections redesignated as sections 114 and 115 of title 10, United States Code, by the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99–433). Both sections have subsequently been amended several times. The law today reads as follows:

§ 114. Annual authorization of appropriations

(a) No funds may be appropriated for any fiscal year to or for the use of any armed force or obligated or expended for—

- (1) procurement of aircraft, missiles, or naval vessels;
- (2) any research, development, test, or evaluation, or procurement or production related thereto;
- (3) procurement of tracked combat vehicles;
- (4) procurement of other weapons;
- (5) procurement of naval torpedoes and related support equipment;
- (6) military construction;
- (7) the operation and maintenance of any armed force or of the activities and agencies of the Department of Defense (other than the military departments);
- (8) procurement of ammunition; or
- (9) other procurement by any armed force or by the activities and agencies of the Department of Defense (other than the military departments); unless funds therefor have been specifically authorized by law.

(b) In subsection (a)(6), the term “military construction” includes any construction, development, conversion, or extension of any kind which is carried out with respect to any military facility or installation (including any Government-owned or Government-leased industrial facility used for the production of defense articles and any facility to which section 2353 of this title [10 USCS § 2353] applies), any activity to which section 2807 of this title [10 USCS § 2807] applies, any activity to which chapter 1803 of this title [10 USCS §§ 18231 et seq.] applies, and advances to the Secretary of Transportation for the construction of defense access roads under section 210 of title 23. Such term does not include any activity to which section 2821 or 2854 of this title [10 USCS § 2821 or 2854] applies.

(c)(1) The size of the Special Defense Acquisition Fund established pursuant to chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.) may not exceed \$1,070,000,000.

(2) Notwithstanding section 37(a) of the Arms Export Control Act (22 U.S.C. 2777(a)), amounts received by the United States pursu-

ant to subparagraph (A) of section 21(a)(1) of that Act (22 U.S.C. 2761(a)(1))—

(A) shall be credited to the Special Defense Acquisition Fund established pursuant to chapter 5 of that Act (22 U.S.C. 2795 et seq.), as authorized by section 51(b)(1) of that Act (22 U.S.C. 2795(b)(1)), but subject to the limitation in paragraph (1) and other applicable law; and

(B) to the extent not so credited, shall be deposited in the Treasury as miscellaneous receipts as provided in section 3302(b) of title 31.

(d) Funds may be appropriated for the armed forces for use as an emergency fund for research, development, test, and evaluation, or related procurement or production, only if the appropriation of the funds is authorized by law after June 30, 1966.

(e) In each budget submitted by the President to Congress under section 1105 of title 31, amounts requested for procurement of equipment for the reserve components of the armed forces (including the National Guard) shall be set forth separately from other amounts requested for procurement for the armed forces.

(f) In each budget submitted by the President to Congress under section 1105 of title 31, amounts requested for procurement of ammunition for the Navy and Marine Corps, and for procurement of ammunition for the Air Force, shall be set forth separately from other amounts requested for procurement.

§ 115. Personnel strengths: requirement for annual authorization

(a) Active-duty and Selected Reserve end strengths to be authorized by law. Congress shall authorize personnel strength levels for each fiscal year for each of the following:

(1) The end strength for each of the armed forces (other than the Coast Guard) for (A) active-duty personnel who are to be paid from funds appropriated for active-duty personnel unless on active duty pursuant to subsection (b), and (B) active-duty personnel and full-time National Guard duty personnel who are to be paid from funds appropriated for reserve personnel unless on active duty or full-time National Guard duty pursuant to subsection (b).

(2) The end strength for the Selected Reserve of each reserve component of the armed forces.

(b) Certain reserves on active duty to be authorized by law.

(1) Congress shall annually authorize the maximum number of members of a reserve component permitted to be on active duty or full-time National Guard duty at any given time who are called or ordered to—

(A) active duty under section 12301(d) of this title [10 USCS § 12301(d)] for the purpose of providing operational support, as prescribed in regulation issued by the Secretary of Defense;

(B) full-time National Guard duty under section 502(f)(2) of title 32 for the purpose of providing operational support when authorized by the Secretary of Defense;

(C) active duty under section 12301(d) of this title [10 USCS § 12301(d)] or full-time National Guard duty under

section 502(f)(2) of title 32 for the purpose of preparing for and performing funeral honors functions for funerals of veterans under section 1491 of this title [10 USCS § 1491];

(D) active duty or retained on active duty under sections 12301(g) of this title [10 USCS § 12301(g)] while in a captive status; or

(E) active duty or retained on active duty under 12301(h) or 12322 of this title [10 USCS § 12301(h) or 12322] for the purpose of medical evaluation or treatment.

(2) A member of a reserve component who exceeds either of the following limits shall be included in the strength authorized under subparagraph (A) or subparagraph (B), as appropriate, of subsection (a)(1):

(A) A call or order to active duty or full-time National Guard duty that specifies a period greater than three years.

(B) The cumulative periods of active duty and full-time National Guard duty performed by the member exceed 1095 days in the previous 1460 days.

(3) In determining the period of active service under paragraph (2), the following periods of active service performed by a member shall not be included:

(A) All periods of active duty performed by a member who has not previously served in the Selected Reserve of the Ready Reserve.

(B) All periods of active duty or full-time National Guard duty for which the member is exempt from strength accounting under paragraphs (1) through (8) of subsection (i).

(4) As part of the budget justification materials submitted by the Secretary of Defense to Congress in support of the end strength authorizations required under subparagraphs (A) and (B) of subsection (a)(1) for fiscal year 2009 and each fiscal year thereafter, the Secretary shall provide the following:

(A) The number of members, specified by reserve component, authorized under subparagraphs (A) and (B) of paragraph (1) who were serving on active duty or full-time National Guard duty for operational support beyond each of the limits specified under subparagraphs (A) and (B) of paragraph (2) at the end of the fiscal year preceding the fiscal year for which the budget justification materials are submitted.

(B) The number of members, specified by reserve component, on active duty for operational support who, at the end of the fiscal year for which the budget justification materials are submitted, are projected to be serving on active duty or full-time National Guard duty for operational support beyond such limits.

(C) The number of members, specified by reserve component, on active duty or full-time National Guard duty for operational support who are included in, and counted against, the end strength authorizations requested under subparagraphs (A) and (B) of subsection (a)(1).

(D) A summary of the missions being performed by members identified under subparagraphs (A) and (B).

(c) Limitation on appropriations for military personnel. No funds may be appropriated for any fiscal year to or for—

(1) the use of active-duty personnel or full-time National Guard duty personnel of any of the armed forces (other than the Coast Guard) unless the end strength for such personnel of that armed force for that fiscal year has been authorized by law;

(2) the use of the Selected Reserve of any reserve component of the armed forces unless the end strength for the Selected Reserve of that component for that fiscal year has been authorized by law; or

(3) the use of reserve component personnel to perform active duty or full-time National Guard duty under subsection (b) unless the strength for such personnel for that reserve component for that fiscal year has been authorized by law.

(d) Military technician (dual status) end strengths to be authorized by law. Congress shall authorize for each fiscal year the end strength for military technicians (dual status) for each reserve component of the Army and Air Force. Funds available to the Department of Defense for any fiscal year may not be used for the pay of a military technician (dual status) during that fiscal year unless the technician fills a position that is within the number of such positions authorized by law for that fiscal year for the reserve component of that technician. This subsection applies without regard to section 129 of this title [10 USCS § 129]. In each budget submitted by the President to Congress under section 1105 of title 31, the end strength requested for military technicians (dual status) for each reserve component of the Army and Air Force shall be specifically set forth.

(e) End-of-quarter strength levels.

(1) The Secretary of Defense shall prescribe and include in the budget justification documents submitted to Congress in support of the President's budget for the Department of Defense for any fiscal year the Secretary's proposed end-of-quarter strengths for each of the first three quarters of the fiscal year for which the budget is submitted, in addition to the Secretary's proposed fiscal-year end-strengths for that fiscal year. Such end-of-quarter strengths shall be submitted for each category of personnel for which end strengths are required to be authorized by law under subsection (a) or (d). The Secretary shall ensure that resources are provided in the budget at a level sufficient to support the end-of-quarter and fiscal-year end-strengths as submitted.

(2)(A) After annual end-strength levels required by subsections (a) and (d) are authorized by law for a fiscal year, the Secretary of Defense shall promptly prescribe end-of-quarter strength levels for the first three quarters of that fiscal year applicable to each such end-strength level. Such end-of-quarter strength levels shall be established for any fiscal year as levels to be achieved in meeting each of those annual end-strength levels authorized by law in accordance with subsection (a) (as such levels may be adjusted pursuant to subsection (f)) and subsection (d).

(B) At least annually, the Secretary of Defense shall establish for each of the armed forces (other than the Coast Guard) the maximum permissible variance of actual strength for an armed force at the end of any given quarter from the end-of-quarter strength established pursuant to subparagraph (A). Such variance shall be such that it promotes the maintaining of the strength necessary to achieve the end-strength levels authorized in accordance with subsection (a) (as adjusted pursuant to subsection (f)) and subsection (d).

(3) Whenever the Secretary establishes an end-of-quarter strength level under subparagraph (A) of paragraph (2), or modifies a strength level under the authority provided in subparagraph (B) of paragraph (2), the Secretary shall notify the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of that strength level or of that modification, as the case may be.

(f) Authority for Secretary of Defense variances for active-duty and Selected Reserve strengths. Upon determination by the Secretary of Defense that such action is in the national interest, the Secretary may—

(1) increase the end strength authorized pursuant to subsection (a)(1)(A) for a fiscal year for any of the armed forces by a number equal to not more than 3 percent of that end strength;

(2) increase the end strength authorized pursuant to subsection (a)(1)(B) for a fiscal year for any of the armed forces by a number equal to not more than 2 percent of that end strength;

(3) vary the end strength authorized pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of any of the reserve components by a number equal to not more than 3 percent of that end strength; and

(4) increase the maximum strength authorized pursuant to subsection (b)(1) for a fiscal year for certain reserves on active duty for any of the reserve components by a number equal to not more than 10 percent of that strength.

(g) Authority for service Secretary variances for active-duty end strengths. Upon determination by the Secretary of a military department that such action would enhance manning and readiness in essential units or in critical specialties or ratings, the Secretary may increase the end strength authorized pursuant to subsection (a)(1)(A) for a fiscal year for the armed force under the jurisdiction of that Secretary or, in the case of the Secretary of the Navy, for any of the armed forces under the jurisdiction of that Secretary. Any such increase for a fiscal year—

(1) shall be by a number equal to not more than 2 percent of such authorized end strength; and

(2) shall be counted as part of the increase for that armed force for that fiscal year authorized under subsection (f)(1).

(h) Adjustment when Coast Guard is operating as a service in the Navy. The authorized strength of the Navy under subsection (a)(1) is increased by the authorized strength of the Coast Guard during any period when the Coast Guard is operating as a service in the Navy.

(i) Certain personnel excluded from counting for active-duty end strengths. In counting personnel for the purpose of the end strengths authorized pursuant to subsection (a)(1), persons in the following categories shall be excluded:

(1) Members of a reserve component ordered to active duty under section 12301(a) of this title [10 USCS § 12301(a)].

(2) Members of a reserve component in an active status ordered to active duty under section 12301(b) of this title [10 USCS § 12301(b)].

(3) Members of the Ready Reserve ordered to active duty under section 12302 of this title [10 USCS § 12302].

(4) Members of the Selected Reserve of the Ready Reserve or members of the Individual Ready Reserve mobilization category described in section 10144(b) of this title [10 USCS § 10144(b)] ordered to active duty under section 12304 of this title [10 USCS § 12304].

(5) Members of the National Guard called into Federal service under section 12406 of this title [10 USCS § 12406].

(6) Members of the militia called into Federal service under chapter 15 of this title [10 USCS §§ 331 et seq.].

(7) Members of the National Guard on full-time National Guard duty under section 502(f)(1) of title 32.

(8) Members of reserve components on active duty for training or full-time National Guard duty for training.

(9) Members of the Selected Reserve of the Ready Reserve on active duty to support programs described in section 1203(b) of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952(b)).

(10) Members of the National Guard on active duty or full-time National Guard duty for the purpose of carrying out drug interdiction and counter-drug activities under section 112 of title 32.

(11) Members of a reserve component on active duty under section 10(b)(2) of the Military Selective Service Act (50 U.S.C. App. 460(b)(2)) for the administration of the Selective Service System.

(12) Members of the National Guard on full-time National Guard duty for the purpose of providing command, administrative, training, or support services for the National Guard Challenge Program authorized by section 509 of title 32.

(13) Members of the National Guard on full-time National Guard duty involuntarily and performing homeland defense activities under chapter 9 of title 32 [USCS §§ 901 et seq.].

KEY ACTIVITIES OF THE COMMITTEE ON ARMED SERVICES DURING THE 112TH CONGRESS (2011 AND 2012)

The following is a summary of key activities of the Committee on Armed Services during the 112th Congress:

National Defense Authorization Act for Fiscal Year 2012

The committee began the First Session of the 112th Congress with a series of oversight and review hearings and briefings on a variety of issues, including the continuing U.S. military involvement in Iraq and Afghanistan, the current and future worldwide threats to our national security, and updated information on Iran and Libya.

The committee's 10 full committee and 16 subcommittee hearings, with a total of 110 witnesses, on the President's budget request for national defense for fiscal year 2012 were structured to address the following ten committee priorities to:

- Improve the quality of life of the men and women of the all-volunteer force (active duty, National Guard, and Reserves) and their families, as well as Department of Defense civilian personnel, through fair pay, policies and benefits, and address the needs of the wounded, ill, and injured service members and their families.
- Provide our service men and women with the resources, training, technology, equipment (especially force protection), and authorities they need to succeed in accomplishing their missions.
- Enhance the capability of the armed forces to conduct counterinsurgency operations and apply the lessons of Iraq to Afghanistan, as appropriate.
- Address the threats from nuclear weapons and materials by strengthening and accelerating nonproliferation programs, maintaining a credible nuclear deterrent, reducing the size of the nuclear weapons stockpile, and ensuring the safety, security, and reliability of the stockpile, the delivery systems, and the nuclear infrastructure.
- Improve the ability of the armed forces to counter non-traditional threats, focusing on terrorism, cyber warfare, and the proliferation of weapons of mass destruction and their means of delivery.
- Enhance the capability of the security forces of allied and friendly nations to defeat al Qaeda, its affiliates, and other violent extremist organizations.
- Seek to reduce our Nation's strategic risk by taking action aimed at restoring, as soon as possible, the readiness of the military services to conduct the full range of their assigned missions.

- Terminate troubled, wasteful or unnecessary programs and activities, identify efficiencies, and reduce defense expenditures in light of the Nation's budget deficit problems.
- Emphasize the reduction of dependency on fossil fuels and seek greater energy security and independence and pursue technological advances in traditional and alternative energy storage, power systems, operational energy tactical advantages, renewable energy production, and more energy efficient ground, air, and naval systems.
- Promote aggressive and thorough oversight of the Department's programs and activities to ensure proper stewardship of taxpayer dollars and compliance with relevant laws and regulations.

Following a 2-day committee markup in mid-June, the committee reported S. 1253, the National Defense Authorization Act for Fiscal Year 2012 to the Senate on June 22, 2011. A second markup occurred on November 15, 2011 and resulted later that day in the reporting of S. 1867 to the Senate.

The second bill differed from the previous bill by making an additional \$21 billion in cuts, in order to meet the target of \$27 billion in defense reductions set for the committee under the Budget Control Act of 2011, which Congress passed in August, after the committee's markup of the first National Defense Authorization Act.

The second bill also clarified a number of provisions addressing detainee matters in an effort to address concerns raised by the Administration and others. As requested by the Administration, the new bill clarified that the section providing detention authority did not expand the existing authority to detain under the Authorization for Use of Military Force and made Guantanamo-related restrictions one-year requirements instead of permanent restrictions.

The Senate debate on the second committee reported bill began on November 17 and concluded on December 1. During the 6 days of floor debate, the Senate considered 139 amendments.

A 6-day conference with the House of Representatives resulted in a bill which authorized a total of \$662.4 billion for National Defense programs, (\$26.6 billion less than the budget request). The agreement also authorized \$530.0 billion for the base budget of Department of Defense (\$23.1 billion less than the budget request), \$115.5 billion for Overseas Contingency Operations (\$2.4 billion less than the budget request) and \$16.9 billion for the Department of Energy (\$1.1 billion less than the budget request).

Following passage of the conference report by both the House of Representatives and the Senate, the bill, H.R. 1540, was signed by the President on December 31, 2011. The National Defense Authorization Act for Fiscal Year 2012 became the 50th consecutive defense authorization act to be enacted.

National Defense Authorization Act for Fiscal Year 2013

The 2nd Session of the 112th Congress began with a series of oversight and review hearings on various topics, including the continuing U.S. military involvement in Afghanistan, the current and future worldwide threats to our national security, and updated information on Syria. These hearings set the stage for the committee's 10 full committee and 21 subcommittee hearings (with testi-

mony from 118 witnesses) on the National Defense Authorization Act for Fiscal Year 2013. These hearings were aimed at addressing the following ten committee priorities on this legislation to:

- Improve the quality of life of the men and women of the all-volunteer force (active duty, National Guard, and Reserves) and their families, as well as Department of Defense civilian personnel, through fair pay, policies, and benefits, and address the needs of the wounded, ill, and injured service members and their families.
- Provide our service men and women with the resources, training, technology, equipment (especially force protection) and authorities they need to succeed in combat, counterinsurgency, and stability operations.
- Enhance the capability of the U.S. Armed Forces to support the ANSF and Afghan Local Police as the lead responsibility for security throughout Afghanistan transitions to the ANSF.
- Address the threats from nuclear weapons and materials by strengthening nonproliferation programs, maintaining a credible nuclear deterrent, reducing the size of the nuclear weapons stockpile, and ensuring the safety, security and reliability of the stockpile, the delivery systems and the nuclear infrastructure.
- Improve the ability of the armed forces to counter non-traditional threats, focusing on terrorism, cyber warfare, and the proliferation of weapons of mass destruction and their means of delivery.
- Enhance the capability of the security forces of allied and friendly nations to defeat al Qaeda, its affiliates, and other violent extremist organizations.
- Seek to reduce our Nation's strategic risk by taking action aimed at restoring, as soon as possible, the readiness of the military services to conduct the full range of their assigned missions.
- Terminate troubled or unnecessary programs and activities, identify efficiencies, and reduce defense expenditures in light of the Nation's budget deficit problems. Ensure the future capability, viability, and fiscal sustainability of the all-volunteer force.
- Emphasize the reduction of dependency on fossil fuels and seek greater energy security and independence and pursue affordable technological advances in traditional and alternative energy storage, power systems, operational energy tactical advantages, renewable energy production, and more energy efficient ground, air, and naval systems.
- Promote aggressive and thorough oversight of the Department's programs and activities to ensure proper stewardship of taxpayer dollars and compliance with relevant laws and regulations.

Following a 2-day markup in late May, the committee reported S. 3254, the National Defense Authorization Act for Fiscal Year 2012, to the Senate on June 4, 2012.

The Senate debate on the second committee reported bill began on November 28 and concluded on December 4. During the 5 days of floor debate, the Senate considered 145 amendments.

A 6-day conference with the House of Representatives resulted in a bill which authorized a total of \$633.3 billion for National Defense programs, (\$2.1 billion more than was requested for the base budget of DOD and the amount requested (\$88.5 billion) for Overseas Contingency Operations. The conference report also authorized \$395.0 million less than the requested level of funding for national security programs of the Department of Energy.

Following passage of the conference report by both the House of Representatives and the Senate, the bill, H.R. 4310, was signed by the President on January 2, 2013. The National Defense Authorization Act for Fiscal Year 2012 became the 51st consecutive defense authorization act to be enacted.

Investigation into Counterfeit Electronic Parts in the Department of Defense Supply Chain

During the 112th Congress, the committee conducted an investigation into counterfeit electronic parts in the Department of Defense's (DOD) supply chain. In the course of its investigation, the committee reviewed more than 100,000 pages of documents from DOD, electronic part manufacturers, defense contractors and subcontractors, laboratories that test electronic parts, and electronic part distributors. Staff also met with and interviewed dozens of individuals.

The investigation found approximately 1,800 cases of suspect counterfeit electronic parts, covering more than 1 million individual parts. Of those 1,800 or so cases, more than 100 were selected to trace backwards through the supply chain. More than 70 percent of those trails led to China. The investigation found suspect counterfeit electronic parts from China in a system that contains a laser used to target the Navy SH-60B helicopter's hellfire missiles; in display units intended for Air Force and Marine aircraft; and in an ice detection module on the Navy's P-8A Poseidon airplane. The investigation also revealed the high cost to taxpayers of counterfeit parts, including \$2.7 million for the Missile Defense Agency to replace suspect counterfeit parts in mission computers for THAAD missiles.

In November 2011, the committee held a hearing on the investigation's preliminary findings. Following that hearing, Committee Chairman Carl Levin and Ranking Member John McCain offered an amendment to the Fiscal Year 2012 National Defense Authorization Act (NDAA) to address weaknesses in the defense supply chain and to promote the adoption of aggressive counterfeit avoidance practices by DOD and the defense industry. That amendment passed the Senate and was signed into law by President Obama as part of the NDAA on December 31, 2011. On May 21, 2012 the committee released the final report and conclusions of its investigation.

A summary of the committee's actions during the 112th Congress on the annual national defense authorization acts and on nominations follows:

	112th Congress		
	1st Session	2nd Session	Total
Summary of Action on National Defense Authorization Act:			
Days in markup	2	2	4
Days on floor	6	5	11
Amendments	139	145	284
Roll call votes	7	12	19
Hours of debate	39.5	33.5	73
Hearings/Meetings:			
Full Committee	45	25	70
Airland Subcommittee	2	3	5
Emerging Threats and Capabilities Subcommittee	5	7	12
Personnel Subcommittee	5	4	9
Readiness and Management Support Subcommittee	5	3	8
Seapower Subcommittee	4	4	8
Strategic Subcommittee	7	7	14
Total	73	53	126
Nominations:			
Civilian	13	11	24
Military:			
Army	5,908	7,316	13,224
Navy	3,405	3,873	7,278
Marine Corps	1,249	1,314	2,563
Air Force	5,983	6,593	12,576
Total Military Nominations	16,545	19,096	35,641

2011 ACTION ON NOMINATIONS REFERRED TO COMMITTEE

Date(s) of Committee Hearing(s)	Date(s) of Committee Action	Date of Senate Confirmation	Nominee/Position
Feb. 15, 2011	Mar. 15, 2011	Mar. 17, 2011	Vickers, Michael G. , of Virginia, to be Under Secretary of Defense for Intelligence, vice James R. Clapper.
Feb. 15, 2011	Mar. 15, 2011	May 26, 2011	Rooney, Jo Ann , of Massachusetts, to be Principal Deputy Under Secretary of Defense for Personnel and Readiness, vice Michael L. Dominguez.
Mar. 3, 2011	Mar. 15, 2011	Mar. 16, 2011	Dempsey, General Martin E., USA , for reappointment to the grade of general and to be Chief of Staff, United States Army.
.....	May 25, 2011	May 26, 2011	Guest, Michael E. , of South Carolina, to be a Member of the National Security Education Board for a term of four years, vice James William Carr, term expired.
.....	May 25, 2011	May 26, 2011	Guzmán, Ana Margarita , of Texas, to be a Member of the National Security Education Board for a term of four years, vice George M. Dennison, term expired.
.....	May 25, 2011	May 26, 2011	Howard, Christopher B. , of Virginia, to be a Member of the National Security Education Board for a term of four years, vice Kiron Kanina Skinner, term expired.
June 9, 2011	June 14, 2011	June 21, 2011	Panetta, Leon E. , of California, to be Secretary of Defense, vice Robert M. Gates. [Note: Committee met in both open and closed session on June 9, 2011. Nomination confirmed by a vote of 100–0 on June 21, 2011.]
June 28, 2011	June 29, 2011	June 30, 2011	Thurman, General James D., USA , for reappointment to the grade of general and to be Commander, United Nations Command/Combined Forces Command/United States Forces Korea.
June 28, 2011	June 29, 2011	June 30, 2011	McRaven, Vice Admiral William H., USN , to be admiral and Commander, United States Special Operations Command.
June 28, 2011	June 29, 2011	June 30, 2011	Allen, Lieutenant General John R., USMC , to be general and Commander, International Security Assistance Force/Commander, United States Forces, Afghanistan.
July 19, 2011	Aug. 2, 2011	Aug. 2, 2011	Creedon, Madelyn R. , of Indiana, to be Assistant Secretary of Defense for Global Strategic Affairs, vice Michael Nacht.

2011 ACTION ON NOMINATIONS REFERRED TO COMMITTEE—Continued

Date(s) of Committee Hearing(s)	Date(s) of Committee Action	Date of Senate Confirmation	Nominee/Position
July 19, 2011	Aug. 2, 2011	Aug. 2, 2011	Estevez, Alan F. , of the District of Columbia, to be Assistant Secretary of Defense for Logistics and Materiel Readiness (New Position).
July 21, 2011	Aug. 2, 2011	Aug. 2, 2011	Winnefeld, Jr., Admiral James A., USN , for reappointment to the grade of admiral and to be Vice Chairman of the Joint Chiefs of Staff.
July 21, 2011	Aug. 2, 2011	Aug. 2, 2011	Odierno, General Raymond T., USA , for reappointment to the grade of general and to be Chief of Staff, United States Army.
July 21, 2011	Aug. 2, 2011	Aug. 2, 2011	Fraser, III, General William M., USAF , for reappointment to the grade of general and to be Commander, United States Transportation Command.
July 26, 2011	Aug. 2, 2011	Aug. 2, 2011	Dempsey, General Martin E., USA , for reappointment to the grade of general and to be Chairman of the Joint Chiefs of Staff.
July 28, 2011	Aug. 2, 2011	Aug. 2, 2011	Greenert, Admiral Jonathan W., USN , for reappointment to the grade of admiral and to be Chief of Naval Operations.
July 28, 2011	Aug. 2, 2011	Aug. 2, 2011	Jacoby, Lieutenant General Charles H., Jr., USA , to be general and to be Commander, United States Northern Command/Commander, North American Aerospace Defense Command.
Sept. 13, 2011	Sept. 21, 2011	Sept. 23, 2011	Carter, Ashton B. , of Massachusetts, to be Deputy Secretary of Defense, vice William J. Lynn III.
Nov. 17, 2011	Dec. 15, 2011	Dec. 17, 2011	Sheehan, Michael A. , of New Jersey, to be Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, vice Michael G. Vickers.
Nov. 17, 2011	Feb. 17, 2012	Apr. 26, 2012	Lippert, Mark W. , of Ohio, to be Assistant Secretary of Defense for Asian and Pacific Security Affairs, vice Wallace C. Gregson, resigned.
Nov. 17, 2011	Dec. 15, 2011	Dec. 17, 2011	Carson, Brad R. , of Oklahoma, to be General Counsel of the Department of the Army, vice Benedict S. Cohen, resigned.
Nov. 17, 2011	Ohlson, Kevin A. , of Virginia, to be a Judge on the United States Court of Appeals for the Armed Forces for the term of fifteen years to expire on the date prescribed by law, vice Andrew S. Effron, term expiring.

2012 ACTION ON NOMINATIONS REFERRED TO COMMITTEE

Date(s) of Committee Hearing(s)	Date(s) of Committee Action	Date of Senate Confirmation	Nominee/Position
Feb. 9, 2012	Feb. 17, 2012	Feb. 17, 2012	Locklear III, Admiral Samuel J., USN , for reappointment to the grade of admiral and to be Commander, United States Pacific Command.
Feb. 9, 2012	Mar. 22, 2012	Apr. 26, 2012	Bostick, Lieutenant General Thomas P., USA , for reappointment to the grade of lieutenant general and to be Chief of Engineers/Commanding General, United States Army Corps of Engineers.
Mar. 29, 2012	May 15, 2012	May 24, 2012	Kendall III, Frank, of Virginia , to be Under Secretary of Defense for Acquisition, Technology, and Logistics, vice Ashton B. Carter, resigned.
Mar. 29, 2012	May 15, 2012	May 24, 2012	Miller, Jr., James N. , of Virginia, to be Under Secretary of Defense for Policy, vice Michele A. Flournoy.
Mar. 29, 2012	May 15, 2012	May 24, 2012	Conaton, Erin C. , of Virginia, to be Under Secretary of Defense for Personnel and Readiness, vice Clifford L. Stanley.
Mar. 29, 2012	May 15, 2012	May 24, 2012	Wright, Jessica L. , of Pennsylvania, to be Assistant Secretary of Defense for Reserve Affairs, vice Dennis M. McCarthy, resigned.

2012 ACTION ON NOMINATIONS REFERRED TO COMMITTEE—Continued

Date(s) of Committee Hearing(s)	Date(s) of Committee Action	Date of Senate Confirmation	Nominee/Position
Mar. 29, 2012	May 23, 2012	May 24, 2012	McFarland, Katharina G. , of Virginia, to be Assistant Secretary of Defense for Acquisition (new position).
Mar. 29, 2012	May 15, 2012	Sept. 21, 2012	Shyu, Heidi , of California, to be Assistant Secretary of the Army for Acquisition, Logistics, and Technology, vice Malcolm Ross O'Neill, resigned.
Apr. 26, 2012	May 15, 2012	May 24, 2012	Hicks, Kathleen H. , of Virginia, to be Principal Deputy Under Secretary of Defense for Policy, vice James N. Miller, Jr.
Apr. 26, 2012	May 15, 2012	May 24, 2012	Chollet, Derek H. , of Nebraska, to be Assistant Secretary of Defense for International Security Affairs.
.....	June 20, 2012	June 21, 2012	Pollard, III, William B. , of New York, to be a Judge of the United States Court of Military Commission Review (New Position).
.....	June 20, 2012	June 21, 2012	Silliman, Scott L. , of North Carolina, to be a Judge of the United States Court of Military Commission Review (New Position).
July 19, 2012	July 25, 2012	Aug. 2, 2012	Welsh III, General Mark A. , USAF, for reappointment to the grade of general and to be Chief of Staff, United States Air Force.
July 19, 2012	July 25, 2012	July 26, 2012	Kelly, Lieutenant General John F. , USMC, to be general and to be Commander, United States Southern Command.
July 19, 2012	July 25, 2012	July 26, 2012	Grass, Lieutenant General Frank J. , ARNG, to be general and Chief, National Guard Bureau.
.....	July 25, 2012	Aug. 2, 2012	Sullivan, Sean , of Connecticut, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2015, vice Larry W. Brown, resigned.
Nov. 15, 2012	Nov. 29, 2012	Dec. 3, 2012	Dunford, General Joseph F., Jr. , USMC, for reappointment to the grade of general and to be Commander, International Security Assistance Force/Commander, U.S. Forces, Afghanistan.

NOMINATIONS FOR PROMOTIONS IN THE ARMED SERVICES

The Committee considered nominations for promotions in the Armed Services. Nominations submitted to the Senate by the President for confirmation resulted in the following:

First Session

January 5 through December 31, 2011

Air Force nominations, totaling 5,983, disposed of as follows:	
Confirmed	5,688
Unconfirmed	295
Returned to White House	0
Army nominations, totaling 5,908, disposed of as follows:	
Confirmed	5,892
Unconfirmed	16
Returned to White House	0
Navy nominations, totaling 3,405, disposed of as follows:	
Confirmed	3,404
Unconfirmed	1
Returned to White House	0
Marine Corps nominations, totaling 1,249, disposed of as follows:	
Confirmed	1,249
Unconfirmed	0
Returned to White House	0

Second Session

January 3 through January 2, 2013

Air Force nominations, totaling 6,593, (including 295 nominations carried over from the First Session), disposed of as follows:	
Confirmed	6,582
Unconfirmed	10
Withdrawn	1
Army nominations, totaling 7,316, (including 16 nominations carried over from the First Session), disposed of as follows:	
Confirmed	7,304
Unconfirmed	11
Withdrawn	1
Navy nominations, totaling 3,873, (including 1 nomination carried over from the First Session), disposed of as follows:	
Confirmed	3,871
Unconfirmed	2
Marine Corps nominations, totaling 1,314, disposed of as follows:	
Confirmed	1,314

**INVESTIGATIONS, HEARINGS, AND OTHER MATTERS
NOT DIRECTLY PERTAINING TO LEGISLATION BE-
FORE THE COMMITTEE**

(Date of Hearing, Subject and Witness)

January 27, 2011

Committee met to receive testimony on the investigation by the Department of Defense and the Department of the Air Force into the release of proprietary data in the KC-X competition. (Witnesses: Major General Wendy M. Masiello, USAF and Mr. Steven D. Shirley). Open. Printed.

February 3, 2011

Committee met to receive testimony on United States policy toward Iraq. (Witnesses: Honorable James F. Jeffrey and General Lloyd J. Austin, III, USA). Open. Printed.

March 1, 2011

Committee met to consider and approve rules of procedure for the 112th Congress. Executive; not printed.

March 4, 2011

Committee met to receive a briefing on the situation in Libya. (Briefers: Honorable Alexander R. Vershbow; Rear Admiral Michael S. Rogers, USN; and Rear Admiral Kurt W. Tidd, USN). Closed; not printed.

March 10, 2011

Committee met to receive testimony on the current and future worldwide threats to the national security of the United States. (Witnesses: Honorable James R. Clapper, Jr. and Lieutenant General Ronald L. Burgess, Jr., USA). Open and closed. Open, printed; closed, not printed.

March 15, 2011

Committee met to receive testimony on the situation in Afghanistan. (Witnesses: Honorable Michèle A. Flournoy and General David H. Petraeus, USA). Open. Printed.

March 16, 2011

Committee met to receive a briefing on the updated National Intelligence Estimate on Iran and other related matters. (Briefer: Andrew M. Gibb). Closed; not printed.

March 31, 2011

Committee met to receive testimony on Operation Odyssey Dawn and the situation in Libya. (Witnesses: Honorable Robert M. Gates and Admiral Michael G. Mullen, USN). Open. Printed.

April 7, 2011

Committee met informally with the Rt. Hon. James Arbuthnot, and 10 other Members of Parliament from the Defence Committee of

the United Kingdom of the House of Commons to discuss U.S.–U.K. security relations, including Afghanistan, Libya, the U.K. Strategic Defence and Security Review, Iran, and missile defense. Closed; not recorded.

May 4, 2011

Committee met jointly with the Senate Select Committee on Intelligence to receive a briefing on the Osama Bin Laden operation and its implications. (Briefers: Honorable Leon E. Panetta and Vice Admiral William H. McRaven, USN). Closed; not printed.

May 17, 2011

Committee met informally with His Majesty King Abdullah II of Jordan to discuss U.S.-Jordanian security relations, including Libya, Afghanistan, the Middle East and Iran. Closed; not recorded.

June 10, 2011

Committee met to receive a briefing on the situation in Libya and Operation Unified Protector. (Briefers: Honorable Michèle A. Flournoy; Lieutenant General Charles H. Jacoby, Jr., USA; Major General John R. Landry, USA (Ret.); and Mr. Alan R. Pino). Closed; not printed.

September 20, 2011

Committee met to receive a briefing relating to Iran. (Briefers: Honorable Michèle A. Flournoy and Admiral James A. Winnefeld, Jr., USN). Closed; not printed.

September 22, 2011

Committee met to receive testimony on the U.S. strategy in Afghanistan and Iraq. (Witnesses: Honorable Leon E. Panetta and Admiral Michael G. Mullen, USN). Open. Printed.

November 8, 2011

Hearing to receive testimony on the Committee's investigation into counterfeit electronic parts in the Department of Defense supply chain. (Witnesses: Mr. Thomas R. Sharpe; Mr. Richard J. Hillman; Dr. Timothy Persons; Mr. Brian C. Toohey; Lieutenant General Patrick J. O'Reilly, USA; Mr. Vivek Kamath; Mr. Ralph L. DeNiro; and Mr. Charles Dabundo). Open. Printed.

November 10, 2011

Hearing to receive testimony on whether the Chief, National Guard Bureau should be a member of the Joint Chiefs of Staff. (Witnesses: Honorable Jeh C. Johnson; General Martin E. Dempsey, USA; Admiral James A. Winnefeld, USN; General Raymond T. Odierno, USA; Admiral Jonathan W. Greenert, USN; General James F. Amos, USMC; General Norton A. Schwartz, USAF; and General Craig R. McKinley, USAF). Open. Printed.

November 15, 2011

Hearing to receive testimony on security issues relating to Iraq. (Witnesses: Honorable Leon E. Panetta; General Martin E.

Dempsey, USA; Mr. Brett H. McGurk; Dr. Douglas A. Ollivant; and Dr. Kenneth M. Pollack). Open. Printed.

February 1, 2012

Joint Senate Armed Services Committee and Senate Appropriations Subcommittee on Defense briefing on the FY 2013 Department of Defense budget. (Briefers: Ashton B. Carter; Admiral James A. Winnefeld, Jr., USN; Honorable John M. McHugh; General Raymond T. Odierno, USA; Honorable Raymond E. Mabus, Jr.; Admiral Jonathan W. Greenert, USN; General James F. Amos, USMC; Honorable Michael B. Donley; and General Norton A. Schwartz, USAF. Closed; not recorded.

February 16, 2012

Hearing to receive testimony on the current and future worldwide threats to the national security of the United States. (Witnesses: Honorable James R. Clapper, Jr. and Lieutenant General Ronald L. Burgess, Jr., USA). Open. Printed.

March 7, 2012

Hearing to receive testimony on the situation in Syria. (Witnesses: Honorable Leon E. Panetta and General Martin E. Dempsey, USA). Open and closed. Closed; not printed.

March 22, 2012

Hearing to receive testimony on the situation in Afghanistan. (Witnesses: Honorable James N. Miller, Jr. and General John R. Allen, USMC). Open. Printed.

June 19, 2012

Meeting to consider certain pending military nominations. Executive; not printed.

July 10, 2012

Briefing on ongoing counterterrorism operations. (Briefers: Honorable Michael G. Vickers, Honorable Michael A. Sheehan, Honorable Jeh C. Johnson, Brigadier General Michael K. Nagata, USA, and Colonel Robert P. Walters, Jr., USA). Closed; not printed.

September 14, 2012

Briefing on the situation in Syria. (Briefers: Honorable Leon E. Panetta and Admiral James A. Winnefeld, Jr., USN). Closed; not printed.

STAFF OF THE COMMITTEE ON ARMED SERVICES

Richard D. DeBobes, Staff Director
Ann E. Sauer, Minority Staff Director
Adam J. Barker, Professional Staff Member
June M. Borawski, Printing and Documents Clerk
Leah C. Brewer, Nominations and Hearings Clerk
Christian D. Brose, Professional Staff Member
Joseph M. Bryan, Professional Staff Member
Pablo E. Carrillo, Minority General Counsel
Jonathan D. Clark, Counsel
Lauren M. Davis, Minority Staff Assistant
Jonathan S. Epstein, Counsel
Gabriella E. Fahrer, Counsel
Richard W. Fieldhouse, Professional Staff Member
Lauren M. Gillis, Staff Assistant
Creighton Greene, Professional Staff Member
Ozge Guzelsu, Counsel
Gary J. Howard, Systems Administrator
Paul C. Hutton IV, Professional Staff Member
Jennifer R. Knowles, Staff Assistant
Michael J. Kuiken, Professional Staff Member
Kathleen A. Kulenkampff, Staff Assistant
Mary J. Kyle, Legislative Clerk
Gerald J. Leeling, Counsel
Daniel A. Lerner, Professional Staff Member
Peter K. Levine, General Counsel
Gregory R. Lilly, Executive Assistant for the Minority
Elizabeth C. Lopez, Research Assistant
Jason W. Maroney, Counsel
Thomas K. McConnell, Professional Staff Member
Mariah K. McNamara, Staff Assistant
William G. P. Monahan, Counsel
Lucian L. Niemeyer, Professional Staff Member
Michael J. Noblet, Professional Staff Member
Bryan D. Parker, Minority Investigative Counsel
Cindy Pearson, Assistant Chief Clerk and Security Manager
Roy F. Phillips, Professional Staff Member
John L. Principato, Staff Assistant
John H. Quirk V, Professional Staff Member
Robie I. Samanta Roy, Professional Staff Member
Brian F. Sebold, Staff Assistant
Russell L. Shaffer, Counsel
Travis E. Smith, Chief Clerk
William K. Sutey, Professional Staff Member
Diana G. Tabler, Professional Staff Member

Mary Louise Wagner, Professional Staff Member
 Barry C. Walker, Security Officer
 Bradley S. Watson, Staff Assistant

Appointments: Bradley S. Watson, Staff Assistant, appointed January 3, 2011. Michael J. Sistik, Research Assistant, appointed January 3, 2011. Bryan D. Parker, Minority Investigative Counsel, appointed February 1, 2011. Ozge Guzelsu, Counsel, appointed July 11, 2011. Mariah K. McNamara, Staff Assistant, appointed August 2, 2011. Jonathan S. Epstein, Counsel, appointed August 15, 2011. Barry C. Walker, Security Officer, appointed October 12, 2011. Elizabeth C. Lopez, Minority Staff Assistant, appointed January 10, 2012. Lauren M. Davis, Minority Staff Assistant, appointed January 10, 2012. Lauren M. Gillis, Staff Assistant, appointed February 14, 2012. Ann E. Sauer, Minority Staff Director, appointed February 2, 2012. John L. Principato, Staff Assistant, appointed August 20, 2012. Lauren M. Davis, Minority Staff Assistant, appointed September 4, 2012.

Resignations: Dana W. White, Professional Staff Member, resigned January 14, 2011. Michael V. Kostiw, Professional Staff Member, resigned February 4, 2011. Joseph W. Bowab, Republican Staff Director, resigned February 11, 2011. Madelyn R. Creedon, Counsel, resigned August 9, 2011. Christine G. Lang, Staff Assistant, resigned August 11, 2011. Breon N. Wells, Staff Assistant, resigned February 5, 2012. Ilona R. Cohen, Counsel, resigned March 24, 2012. David M. Morriss, Minority Staff Director resigned April 10, 2012. John W. Heath, Jr., Minority Investigative Counsel, resigned May 31, 2012. Richard F. Walsh, Minority Counsel, resigned June 1, 2012. Michael J. Sistik, Research Assistant, resigned July 16, 2012. Hannah I. Lloyd, Staff Assistant, resigned July 25, 2012. Jessica L. Kingston, Research Assistant, resigned August 3, 2012. Lauren M. Davis, Minority Staff Assistant, resigned August 12, 2012. Christopher J. Paul, Professional Staff Member, resigned August 16, 2012. Christine E. Cowart, Chief Clerk, resigned December 31, 2012. Ann E. Sauer, Minority Staff Director, resigned January 2, 2013.

Terminations: Jennifer L. Stoker, Security Clerk, terminated August 19, 2011.

Title Changes: David M. Morriss, from Minority Counsel to Minority Staff Director, effective February 1, 2011. Elizabeth C. Lopez, from Minority Staff Assistant to Research Assistant, effective February 1, 2012. Pablo E. Carrillo, from Minority Investigative Counsel to Minority General Counsel, effective March 16, 2012. Travis E. Smith, from Special Assistant to Chief Clerk, effective January 1, 2013.

RULES OF PROCEDURE OF THE COMMITTEE ON ARMED SERVICES

(Adopted March 1, 2011)

1. **REGULAR MEETING DAY**—The Committee shall meet at least once a month when Congress is in session. The regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman, after consultation with the Ranking Minority Member, directs otherwise.

2. **ADDITIONAL MEETINGS**—The Chairman, after consultation with the Ranking Minority Member, may call such additional meetings as he deems necessary.

3. **SPECIAL MEETINGS**—Special meetings of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. **OPEN MEETINGS**—Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than fourteen (14) calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. **PRESIDING OFFICER**—The Chairman shall preside at all meetings and hearings of the Committee except that in his absence the Ranking Majority Member present at the meeting or hearing shall preside unless by majority vote the Committee provides otherwise.

6. **QUORUM**—(a) A majority of the members of the Committee are required to be actually present to report a matter or measure from the Committee. (See Standing Rules of the Senate 26.7(a)(1)).

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, nine members of the Committee, including one member of the minority party; or a majority of the members of the Committee, shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

7. **PROXY VOTING**—Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which the member is being recorded and has affirmatively requested that he or she be so recorded. Proxy must be given in writing.

8. **ANNOUNCEMENT OF VOTES**—The results of all roll call votes taken in any meeting of the Committee on any measure, or amendment thereto, shall be announced in the Committee report, unless previously announced by the Committee. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee who was present at such meeting. The Chairman, after consultation with the Ranking Minority Member, may hold open a roll call vote on any measure or matter which is before the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. **SUBPOENAS**—Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued, after consultation with the Ranking Minority Member, by the Chairman or any other member designated by the Chairman, but only when authorized by a majority of the members of the Committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. HEARINGS—(a) Public notice shall be given of the date, place and subject matter of any hearing to be held by the Committee, or any subcommittee thereof, at least 1 week in advance of such hearing, unless the Committee or subcommittee determines that good cause exists for beginning such hearings at an earlier time.

(b) Hearings may be initiated only by the specified authorization of the Committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the Committee or subcommittee conducting such hearings.

(d) The Chairman of the Committee or subcommittee shall consult with the Ranking Minority Member thereof before naming witnesses for a hearing.

(e) Witnesses appearing before the Committee shall file with the clerk of the Committee a written statement of their proposed testimony prior to the hearing at which they are to appear unless the Chairman and the Ranking Minority Member determine that there is good cause not to file such a statement. Witnesses testifying on behalf of the Administration shall furnish an additional 50 copies of their statement to the Committee. All statements must be received by the Committee at least 48 hours (not including weekends or holidays) before the hearing.

(f) Confidential testimony taken or confidential material presented in a closed hearing of the Committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the Committee or subcommittee.

(g) Any witness summoned to give testimony or evidence at a public or closed hearing of the Committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(h) Witnesses providing unsworn testimony to the Committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the Chairman.

11. NOMINATIONS—Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least seven (7) days before being voted on by the Committee. Each member of the Committee shall be furnished a copy of all nominations referred to the Committee.

12. REAL PROPERTY TRANSACTIONS—Each member of the Committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy, and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposition of property of an estimated price or rental of more than \$50,000. Any member of the Committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the Chairman of the Committee within thirty (30) days from the date of submission.

13. LEGISLATIVE CALENDAR—(a) The clerk of the Committee shall keep a printed calendar for the information of each Committee member showing the bills introduced and referred to the Committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the Committee. A copy of each new revision shall be furnished to each member of the Committee.

(b) Unless otherwise ordered, measures referred to the Committee shall be referred by the clerk of the Committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the Committee. Each subcommittee of the Committee is part of the Committee, and is therefore subject to the Committee's rules so far as applicable.

15. POWERS AND DUTIES OF SUBCOMMITTEES—Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen, after consultation with Ranking Minority Members of the subcommittees, shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

PUBLICATIONS

112th Congress—1st Session 2011

Hearings

The Results of the Investigation by the Department of Defense and the Department of the Air Force into the Release of Proprietary Data in the KC-X Competition. January 27, 2011. S. Hrg. 112-79.

U.S. Policy Toward Iraq. February 3, 2011. S. Hrg. 112-112.

The Current and Future Worldwide Threats to the National Security of the United States. March 10, 2011. S. Hrg. 112-159.

Department of Defense Efficiencies Initiatives. March 29, 2011. S. Hrg. 112-161.

Operation Odyssey Dawn and the Situation in Libya. March 31, 2011. (S. Hrg. 112-162).

Department of Defense Plans and Programs Relating to Counterterrorism, Counternarcotics, and Building Partnership Capacity. Hearing before the Subcommittee on Emerging Threats and Capabilities. April 12, 2011. S. Hrg. 112-182.

Department of Defense Authorization for Appropriations for Fiscal Year 2012. Hearings on S. 1253. S. Hrg. 112-80:

Part 1: Military Posture; U.S. Special Operations Command and U.S. Central Command; Department of the Navy; Department of the Air Force; U.S. European Command and U.S. Strategic Command; Department of the Army; U.S. Northern Command and U.S. Southern Command; U.S. Transportation Command and U.S. Africa Command; U.S. Pacific Command and U.S. Forces Korea; The F-35 Joint Strike Fighter Program. February 17; March 1, 8, 17, 29, 31; April 5, 7, 12; May 19, 2011.

Part 2: Seapower. Hearing before the Subcommittee on Seapower. May 18, 25, and July 13, 2011.

Part 3: Readiness and Management Support. Hearing before the Subcommittee on Readiness and Management Support. March 17 and May 18, 2011.

Part 4: Airland. Hearings before the Subcommittee on Airland. April 5 and May 24, 2011.

Part 5: Emerging Threats and Capabilities. Hearing before the Subcommittee on Emerging Threats and Capabilities. May 10, 2011.

Part 6: Personnel. Hearings before the Subcommittee on Personnel. April 13; May 4, 11, 2011.

Part 7: Strategic Forces. Hearings before the Subcommittee on Strategic Forces. March 30; April 6, 13; May 11; June 3, 2011.

Providing Legal Services by Members of the Judge Advocate General's Corps. Hearing before the Subcommittee on Personnel. July 20, 2011. S. Hrg. 112-217.

The Situation in Afghanistan. March 15, 2011. S. Hrg. 112–198.
 Implementation of the New Strategic Arms Reduction Treaty (START) and Plans for Future Reductions in Nuclear Warheads and Delivery Systems Post-New START Treaty. Hearing before the Subcommittee on Strategic Forces. May 4, 2011. S. Hrg. 112–228.

The Health and Status of the Defense Industrial Base and Its Science and Technology-Related Elements. Hearing before the Subcommittee on Emerging Threats and Capabilities. May 3, 2011. S. Hrg. 112–256.

General and Flag Officer Requirements. Hearing before the Subcommittee on Personnel. September 14, 2011. S. Hrg. 112–258.

Financial Management and Business Transformation at the Department of Defense. Hearing before the Subcommittee on Readiness and Management Support. July 27, 2011. S. Hrg. 112–297.

The Final Report of the Commission on Wartime Contracting in Iraq and Afghanistan. Hearing before the Subcommittee on Readiness and Management Support. October 19, 2011. S. Hrg. 112–298.

Testimony on Whether the Chief, National Guard Bureau, Should be a Member of the Joint Chiefs of Staff. November 10, 2011. S. Hrg. 112–336.

The Committee’s Investigation into Counterfeit Electronic Parts in the Department of Defense Supply Chain. November 8, 2011. S. Hrg. 112–340.

The U.S. Strategy in Afghanistan and Iraq. September 22, 2011. S. Hrg. 112–349.

Security Issues Relating to Iraq. November 15, 2011. S. Hrg. 112–459.

112th Congress—2nd Session 2011

Hearings

The Situation in Syria. March 7, 2012. S. Hrg. 112–568.

The Situation in Afghanistan. March 22, 2012. S. Hrg. 112–569.

Current and Future Worldwide Threats to the National Security of the United States. February 16, 2012. S. Hrg. 112–741

National Nuclear Security Administration Management of Its National Security Laboratories. Hearing before the Subcommittee on Strategic Forces. April 18, 2012. S. Hrg. 112–618.

Financial Management and Business Transformation at the Department of Defense. Hearing before the Subcommittee on Readiness and Management Support. April 18, 2012. S. Hrg. 112–658.

Department of Defense Authorization for Appropriations for Fiscal Year 2013. S. Hrg. 112–590. Hearings on S. 3254:

Part 1: Military Posture; U.S. Pacific Command and U.S. Transportation Command; U.S. European Command and U.S. Africa Command; U.S. Central Command and U.S. Special Operations Command; Department of the Army; U.S. Southern Command and U.S. Northern Command; Department of the Navy; Department of the Air Force; and U.S. Strategic Command and U.S. Cyber Command. February 14, 28; March 1, 6, 8, 13, 15, 20, 27; 2012.

Part 2: Seapower. Hearings before the Subcommittee on Seapower. April 19 and 26, 2012.

Part 3: Readiness and Management Support. Hearings before the Subcommittee on Readiness and Management Support. March 21 and May 10, 2012.

Part 4: Airland. Hearings before the Subcommittee on Airland. March 27 and May 8, 2012.

Part 5: Emerging Threats and Capabilities. Hearing before the Subcommittee on Emerging Threats and Capabilities. March 20, 27; April 17; June 12, 2012.

Part 6: Personnel. Hearings before the Subcommittee on Personnel. March 28; April 25; June 21, 2012.

Part 7: Strategic Forces. Hearings before the Subcommittee on Strategic Forces. March 14, 21, 28; April 25, 2012.

112th Congress—1st Session

Hearings on Nominations

Nominations Before the Senate Armed Services Committee, First Session, 112th Congress. S. Hrg. 112–419. February 15; March 3; June 9, 28; July 19, 21, 26, 28; September 13; November 17, 2011.

Michael G. Vickers (February 15); Dr. Jo Ann Rooney (February 15); GEN Martin E. Dempsey, USA (March 3); Hon. Leon E. Panetta (June 9); GEN James D. Thurman, USA (June 28); VADM William H. McRaven, USN (June 28); LTGEN John R. Allen, USMC (June 28); Madelyn R. Creedon (July 19); Alan F. Estevez (June 28); ADM James A. Winnefeld, Jr., USN (July 21); GEN Raymond T. Odierno, USA (July 21); Gen. William M. Fraser III, USAF (July 21); GEN Martin E. Dempsey, USA (July 21); ADM Jonathan W. Greenert, USN (July 28); LTG Charles H. Jacoby, Jr., USA (July 28); Hon. Ashton B. Carter (September 13); Michael A. Sheehan (November 17); Mark W. Lippert (November 17); Brad R. Carson (November 17); and Kevin A. Ohlson (November 17).

112th Congress—2nd Session

Hearings on Nominations

Nominations Before the Senate Armed Services Committee, Second Session, 112th Congress. S. Hrg. 112–745. February 9; March 29; April 26; July 19; November 15, 2012.

ADM Samuel J. Locklear III, USN (February 9); LTG Thomas P. Bostick, USA (February 9); Hon. Frank Kendall III (March 29); Hon. James N. Miller, Jr. (March 29); Hon. Erin C. Conaton (March 29); Hon. Jessica L. Wright (March 29); Hon. Katharina G. McFarland (March 29); Hon. Heidi Shyu (March 29); Dr. Kathleen H. Hicks (April 26); Mr. Derek H. Chollet (April 26); Gen. Mark A. Welsh III, USAF (July 19); Lt. Gen. John F. Kelly, USMC (July 19); LTG Frank J. Grass, ARNG (July 19); and Gen. Joseph F. Dunford, Jr., USMC (November 15).

112th Congress—1st Session

Reports

- 112-2 Report of the Activities of the Committee on Armed Services; 111th Congress; March 14, 2011.
- 112-26 National Defense Authorization Act for Fiscal Year 2012; June 22, 2011.

112th Congress—2nd Session

Reports

- 112-167 Inquiry into Counterfeit Electronic Parts in the Department of Defense Supply Chain; May 21, 2012.
- 112-173 National Defense Authorization Act for Fiscal Year 2013; June 4, 2012.

INFORMATION ON APPOINTMENT OF BOARDS OF VISITORS TO THE UNITED STATES MILITARY, NAVAL AND AIR FORCE ACADEMIES

Public Law 816 of the 80th Congress, now codified in Title 10, U.S.C., provides a uniform procedure for the appointment of members of the Boards of Visitors of the Military and Naval Academies, and provides that there shall be appointed on or before the last day of every year Boards of Visitors to each of the Academies to be constituted as follows:

Senate:

Chairman of the Armed Services Committee or his designee.

*1 Senator.

**2 members of the Senate Appropriations Committee.

**(To be appointed by the Vice President)*

House:

Chairman of the Armed Services Committee or his designee.

**2 Congressmen.

**2 members of the House Appropriations Committee.

*** (To be appointed by the Speaker of the House)*

Presidential:

6 persons, to serve for a 3-year term, 2 new members appointed each year. Each Board to visit respective Academy once annually.

Boards of Visitors to the

Military Academy: (Title 10, U.S.C., sec. 4355(a).)

2011.—(Armed Services)

Senator Mary L. Landrieu (Appropriations)

Senator Kay Bailey Hutchison (Appropriations)

Senator Jack Reed (At Large)

Senator Richard Burr (At Large)

2012.—(Armed Services)

(Appropriations)

(At Large)

Naval Academy: (Title 10, U.S.C., sec. 6968(a).)

2011.—Senator John McCain (Armed Services)

Senator Barbara A. Murkowski (Appropriations)

Senator Mark Kirk (Appropriations)

Senator Ben Cardin (At Large)

2012.—(Armed Services)

(Appropriations)

(At Large)

Air Force Academy: (Title 10, U.S.C., sec. 9355(a).)

2011.—Senator Michael F. Bennet (Armed Services)

Senator E. Benjamin Nelson (Appropriations)

Senator John Hoeven (Appropriations)

Senator Lindsey Graham (At Large)

2012.—(Armed Services)

(Appropriations)

(At Large)