

In the Senate of the United States,

December 4, 2012.

Resolved, That the bill from the House of Representatives (H.R. 4310) entitled “An Act to authorize appropriations for fiscal year 2013 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.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “National Defense Au-*
3 *thorization Act for Fiscal Year 2013”.*

4 ***SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF***

5 ***CONTENTS.***

6 *(a) DIVISIONS.—This Act is organized into seven divi-*
7 *sions as follows:*

8 *(1) Division A—Department of Defense Author-*
9 *izations.*

1 (2) *Division B—Military Construction Authoriza-*
2 *tions.*

3 (3) *Division C—Department of Energy National*
4 *Security Authorizations and Other Authorizations.*

5 (4) *Division D—Funding Tables.*

6 (5) *Division E—Housing Assistance for Veterans.*

7 (6) *Division F—Stolen Valor Act.*

8 (7) *Division G—Miscellaneous.*

9 (b) *TABLE OF CONTENTS.—The table of contents for*
10 *this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

Sec. 4. Scoring of budgetary effects.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority for Army CH-47F helicopters.

Subtitle C—Navy Programs

Sec. 121. Refueling and complex overhaul of the U.S.S. Abraham Lincoln.

Sec. 122. Ford class aircraft carriers.

Sec. 123. Limitation on availability of amounts for second Ford class aircraft carrier.

Sec. 124. Multiyear procurement authority for Virginia class submarine program.

Sec. 125. Multiyear procurement authority for Arleigh Burke class destroyers and associated systems.

Sec. 126. Authority for relocation of certain AEGIS weapon system assets between and within the DDG-51 class destroyer and AEGIS Ashore programs in order to meet mission requirements.

Sec. 127. Designation of mission modules of the Littoral Combat Ship as a major defense acquisition program.

Sec. 128. Transfer of certain fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds.

Sec. 129. Transfer of certain fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles.

- Sec. 130. Sense of Congress on Marine Corps amphibious lift and presence requirements.*
- Sec. 131. Sense of Senate on Department of Navy fiscal year 2014 budget request for tactical aviation aircraft.*
- Sec. 132. SPIDERNet/Spectral Warrior Hardware.*

Subtitle D—Air Force Programs

- Sec. 141. Reduction in number of aircraft required to be maintained in strategic airlift aircraft inventory.*
- Sec. 142. Treatment of certain programs for the F-22A Raptor aircraft as major defense acquisition programs.*
- Sec. 143. Avionics systems for C-130 aircraft.*
- Sec. 144. Procurement of space-based infrared system satellites.*
- Sec. 145. Transfer of certain fiscal year 2011 and 2012 funds for Aircraft Procurement for the Air Force.*

Subtitle E—Joint and Multiservice Matters

- Sec. 151. Multiyear procurement authority for V-22 joint aircraft program.*
- Sec. 152. Limitation on availability of funds for full-rate production of Handheld, Manpack, and Small Form/Fit radios under the Joint Tactical Radio System program.*
- Sec. 153. Shallow Water Combat Submersible program.*
- Sec. 154. AC-130 aircraft electro-optical and infrared sensors.*

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

- Sec. 201. Authorization of appropriations.*

Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Next Generation Foundry for the Defense Microelectronics Activity.*
- Sec. 212. Advanced rotorcraft initiative.*
- Sec. 213. Transfer of certain fiscal year 2012 Navy research, development, test, and evaluation funds.*
- Sec. 214. Authority for Department of Defense laboratories to enter into education partnerships with educational institutions in United States territories and possessions.*
- Sec. 215. Transfer of certain fiscal year 2012 Air Force research, development, test, and evaluation funds.*
- Sec. 216. Relocation of C-band radar from Antigua to H.E. Holt Station in Western Australia to enhance space situational awareness capabilities.*
- Sec. 217. Detailed Digital Radio Frequency Modulation Countermeasures Studies and Simulations.*

Subtitle C—Missile Defense Matters

- Sec. 231. Homeland ballistic missile defense.*
- Sec. 232. Regional ballistic missile defense.*
- Sec. 233. Missile defense cooperation with Russia.*
- Sec. 234. Next generation Exo-atmospheric Kill Vehicle.*
- Sec. 235. Modernization of the Patriot air and missile defense system.*
- Sec. 236. Medium Extended Air Defense System.*
- Sec. 237. Availability of funds for Iron Dome short-range rocket defense program.*

- Sec. 238. Readiness and flexibility of intercontinental ballistic missile force.*
Sec. 239. Sense of Congress on the submittal to Congress of the homeland defense hedging policy and strategy report of the Secretary of Defense.

Subtitle D—Reports

- Sec. 251. Mission Packages for the Littoral Combat Ship.*
Sec. 252. Comptroller General of the United States annual reports on the acquisition program for the Amphibious Combat Vehicle.
Sec. 253. Conditional requirement for report on amphibious assault vehicles for the Marine Corps.

Subtitle E—Other Matters

- Sec. 271. Transfer of administration of Ocean Research and Resources Advisory Panel from Department of the Navy to National Oceanic and Atmospheric Administration.*
Sec. 272. Sense of Senate on increasing the cost-effectiveness of training exercises for members of the Armed Forces.

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- Sec. 301. Operation and maintenance funding.*

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- Sec. 311. Department of Defense guidance on environmental exposures at military installations.*
Sec. 312. Funding of agreements under the Sikes Act.
Sec. 313. Report on property disposals and additional authorities to assist local communities around closed military installations.

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- Sec. 321. Repeal of certain provisions relating to depot-level maintenance.*
Sec. 322. Expansion and reauthorization of multi-trades demonstration project.
Sec. 323. Rating chains for system program managers.

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- Sec. 331. Annual report on Department of Defense long-term corrosion strategy.*
Sec. 332. Modified deadline for Comptroller General review of annual report on prepositioned materiel and equipment.

Subtitle E—Other Matters

- Sec. 341. Savings to be achieved in civilian workforce and contractor employee workforce of the Department of Defense.*
Sec. 342. NATO Special Operations Headquarters.
Sec. 343. Repeal of redundant authority to ensure interoperability of law enforcement and emergency responder training.
Sec. 344. Sense of the Congress on Navy Fleet requirements.

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Sec. 402. Additional Marine Corps personnel for the Marine Corps Security Guard Program.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.*
Sec. 412. End strengths for Reserves on active duty in support of the Reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2013 limitation on number of non-dual status technicians.
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- Sec. 421. Military personnel.*

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- Sec. 501. Extension of relaxation of limitation on selective early discharges.*
Sec. 502. Exception to 30-year retirement for regular Navy warrant officers in the grade of chief warrant officer, W-5.
Sec. 503. Modification of definition of joint duty assignment to include all instructor assignments for joint training and education.
Sec. 504. Sense of Senate on inclusion of assignments as academic instructor at the military service academies as joint duty assignments.

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- Sec. 511. Authority for appointment of persons who are lawful permanent residents as officers of the National Guard.*
Sec. 512. Reserve component suicide prevention and resilience program.
Sec. 513. Report on mechanisms to ease the reintegration into civilian life of members of the National Guard and the Reserves following a deployment on active duty.

Subtitle C—General Service Authorities

- Sec. 521. Diversity in the Armed Forces and related reporting requirements.*
Sec. 522. Modification of authority to conduct programs on career flexibility to enhance retention of members of the Armed Forces.
Sec. 523. Authority for additional behavioral health professionals to conduct pre-separation medical examinations for post-traumatic stress disorder.
Sec. 524. Quarterly reports on involuntary separation of members of the Armed Forces.
Sec. 525. Review of eligibility of victims of domestic terrorism for award of the Purple Heart and the Defense Medal of Freedom.
Sec. 526. Extension of temporary increase in accumulated leave carryover for members of the Armed Forces.
Sec. 527. Prohibition on waiver for commissioning or enlistment in the Armed Forces for any individual convicted of a felony sexual offense.

Sec. 528. Research study on resilience in members of the Army.

Subtitle D—Military Justice and Legal Matters Generally

Sec. 531. Clarification and enhancement of the role of the Staff Judge Advocate to the Commandant of the Marine Corps.

Sec. 532. Additional information in reports on annual surveys of the committee on the Uniform Code of Military Justice.

Subtitle E—Sexual Assault, Hazing, and Related Matters

Sec. 541. Authority to retain or recall to active duty reserve component members who are victims of sexual assault while on active duty.

Sec. 542. Additional elements in comprehensive Department of Defense policy on sexual assault prevention and response.

Sec. 543. Hazing in the Armed Forces.

Sec. 544. Retention of certain forms in connection with Restricted Reports on sexual assault involving members of the Armed Forces.

Sec. 545. Prevention and response to sexual harassment in the Armed Forces.

Sec. 546. Enhancement of annual reports regarding sexual assaults involving members of the Armed Forces.

Subtitle F—Education and Training

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Sec. 552. Modification of eligibility for associate degree programs under the Community College of the Air Force.

Sec. 553. Support of Naval Academy athletic programs.

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Sec. 555. Authority for service commitment for Reservists who accept fellowships, scholarships, or grants to be performed in the Selected Reserve.

Sec. 556. Repeal of requirement for eligibility for in-State tuition of at least 50 percent of participants in Senior Reserve Officers' Training Corps program.

Sec. 557. Modification of requirements on plan to increase the number of units of the Junior Reserve Officers' Training Corps.

Sec. 558. Consolidation of military department authority to issue arms, tentage, and equipment to educational institutions not maintaining units of the Junior ROTC.

Sec. 559. Modification of requirement for reports in Federal Register on institutions of higher education ineligible for contracts and grants for denial of ROTC or military recruiter access to campus.

Sec. 560. Comptroller General of the United States report on the Reserve Officers' Training Corps.

Sec. 561. Report on Department of Defense efforts to standardize educational transcripts issued to separating members of the Armed Forces.

Sec. 562. Comptroller General of the United States reports on joint professional military education matters.

Sec. 563. Troops-to-Teachers program enhancements.

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- Sec. 572. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.*
- Sec. 573. Amendments to the Impact Aid program.*
- Sec. 574. Military spouses.*
- Sec. 575. Modification of authority to allow Department of Defense domestic dependent elementary and secondary schools to enroll certain students.*
- Sec. 576. Sense of Congress regarding support for Yellow Ribbon Day.*
- Sec. 577. Report on future of family support programs of the Department of Defense.*

Subtitle H—Other Matters

- Sec. 581. Family briefings concerning accountings for members of the Armed Forces and Department of Defense civilian employees listed as missing.*
- Sec. 582. Enhancement of authority to accept gifts and services.*
- Sec. 583. Clarification of authorized Fisher House residents at the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware.*
- Sec. 584. Report on accuracy of data in the Defense Enrollment Eligibility Reporting System.*
- Sec. 585. Posthumous honorary promotion of Sergeant Paschal Conley to second lieutenant in the Army.*

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- Sec. 601. Rates of basic allowance for housing for Army National Guard and Air National Guard members on full-time National Guard duty.*
- Sec. 602. Payment of benefit for nonparticipation of eligible members in Post-Deployment/Mobilization Respite Absence program due to Government error.*
- Sec. 603. Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances.*

Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.*
- Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.*
- Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.*
- Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.*
- Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.*
- Sec. 616. Increase in amount of officer affiliation bonus for officers in the Selected Reserve.*
- Sec. 617. Increase in maximum amount of incentive bonus for reserve component members who convert military occupational specialty to ease personnel shortages.*

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- Sec. 632. Authority for comprehensive program for space-available travel on Department of Defense aircraft.*

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- Sec. 641. Repeal of requirement for payment of Survivor Benefit Plan premiums when participant waives retired pay to provide a survivor annuity under Federal Employees Retirement System and termination of payment of Survivor Benefit Plan annuity.*
- Sec. 642. Repeal of automatic enrollment in Family Servicemembers' Group Life Insurance for members of the Armed Forces married to other members.*
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- Sec. 651. Enhancement of protections on consumer credit for members of the Armed Forces and their dependents.*
- Sec. 652. Additional enhancements of protections on consumer credit for members of the Armed Forces and their dependents.*
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- Sec. 662. Report on issuance by Armed Forces Medical Examiner of death certificates for members of the Armed Forces who die on active duty abroad.*

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- Sec. 702. Inclusion of certain over-the-counter drugs in TRICARE uniform formulary.*
- Sec. 703. Expansion of evaluation of the effectiveness of the TRICARE program.*
- Sec. 704. Report on the future availability of TRICARE Prime throughout the United States.*
- Sec. 705. Certain treatment of developmental disabilities, including autism, under the TRICARE program.*

Sec. 706. Sense of Congress on health care for retired members of the uniformed services.

Subtitle B—Other Health Care Benefits

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Sec. 712. Availability of certain fertility preservation treatments for members of the Armed Forces on active duty.

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Sec. 734. Report on implementation of recommendations of the Comptroller General of the United States on prevention of hearing loss among members of the Armed Forces.

Sec. 735. Sense of Senate on mental health counselors for members of the Armed Forces, veterans, and their families.

Sec. 736. Prescription drug take-back program for members of the Armed Forces and their dependents.

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Sec. 752. Comprehensive program on prevention of suicide among members of the Armed Forces.

Sec. 753. Quality review of Medical Evaluation Boards, Physical Evaluation Boards, and Physical Evaluation Board Liaison Officers.

Sec. 754. Assessment of adequacy of mental health care benefits under the TRICARE program.

Sec. 755. Sharing between Department of Defense and Department of Veterans Affairs of records and information retained under the medical tracking system for members of the Armed Forces deployed overseas.

Sec. 756. Participation of members of the Armed Forces in peer support counseling programs of the Department of Veterans Affairs.

Sec. 757. Research and medical practice on mental health conditions.

Sec. 758. Disposal of controlled substances.

- Sec. 759. Transparency of mental health care services.*
- Sec. 760. Expansion of Vet Center program to include furnishing counseling to certain members of the Armed Forces and their family members.*
- Sec. 761. Authority for Secretary of Veterans Affairs to furnish mental health care through facilities other than Vet Centers to immediate family members of members of the Armed Forces deployed in connection with a contingency operation.*
- Sec. 762. Organization of the Readjustment Counseling Service in Department of Veterans Affairs.*
- Sec. 763. Recruiting mental health providers for furnishing of mental health services on behalf of the Department of Veterans Affairs without compensation from the Department.*
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- Sec. 802. Acquisition strategies for major subsystems and subassemblies on major defense acquisition programs.*
- Sec. 803. Management structure for developmental test and evaluation.*
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- Sec. 845. Extension of contractor conflict of interest limitations.*
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Sec. 865. Extension and modification of reports on contracting in Iraq and Afghanistan.
Sec. 866. Extension of temporary authority to acquire products and services in countries along a major route of supply to Afghanistan.
Sec. 867. Compliance with Berry amendment required for uniform components supplied to Afghanistan military or Afghanistan National Police.
Sec. 868. Sense of Senate on the contributions of Latvia and other North Atlantic Treaty Organization member nations to the success of the Northern Distribution Network.
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Sec. 870. Agency reports and inspector general audits of certain information on overseas contingency operations.
Sec. 871. Oversight of contracts and contracting activities for overseas contingency operations in responsibilities of Chief Acquisition Officers of Federal agencies.
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- Sec. 881A. Additional bases for suspension or debarment.*
- Sec. 882. Uniform contract writing system requirements.*
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- Sec. 884. Authority to provide fee-for-service inspection and testing by Defense Contract Management Agency for certain critical equipment in the absence of a procurement contract.*
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- Sec. 902. Expansion of duties and responsibilities of the Nuclear Weapons Council.*
- Sec. 903. Failure of the Department of Defense to obtain audits with an unqualified opinion on its financial statements by fiscal year 2017.*
- Sec. 904. Information for Deputy Chief Management Officer of the Department of Defense from the military departments and Defense Agencies for defense business system investment reviews.*

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- Sec. 1043. Extension of authority to provide assured business guarantees to carriers participating in Civil Reserve Air Fleet.*
- Sec. 1044. Participation of veterans in the Transition Assistance Program of the Department of Defense.*
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- Sec. 1066. Study on Bradley Fighting Vehicle industrial base.*
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- Sec. 1072. Requirements definition for combined warhead for certain missile systems.*
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- Sec. 1082. Technical amendments to repeal statutory references to United States Joint Forces Command.*
- Sec. 1083. Sense of Congress on non-United States citizens who are graduates of United States educational institutions with advanced degrees in science, technology, engineering, and mathematics.*
- Sec. 1084. Sense of Senate on the maintenance by the United States of a triad of strategic nuclear delivery systems.*
- Sec. 1085. Plan to partner with State and local entities to address veterans claims backlog.*
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- Sec. 1087. Extension of authorities to carry out a program of referral and counseling services to veterans at risk of homelessness who are transitioning from certain institutions.*
- Sec. 1088. Sense of Congress that the bugle call commonly known as Taps should be designated as the National Song of Military Remembrance.*
- Sec. 1089. Reports on the potential security threat posed by Boko Haram.*
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- Sec. 1094. Transfer of excess aircraft to other departments.*
- Sec. 1095. Reauthorization of sale of aircraft and parts for wildfire suppression purposes.*
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- Sec. 1098. National public awareness and participation campaign for Veterans' History Project of American Folklife Center.*
- Sec. 1099. Technical amendments relating to the termination of the Armed Forces Institute of Pathology under defense base closure and realignment.*
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- Sec. 1102. Expansion of experimental personnel program for scientific and technical personnel at the Defense Advanced Research Projects Agency.*
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- Sec. 1212. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.*
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- Sec. 1218. Strategy for supporting the achievement of a secure presidential election in Afghanistan in 2014.*
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- Sec. 1232. Additional elements in annual report on military and security developments involving the People's Republic of China.*
- Sec. 1233. Report on implementation by Government of Bahrain of recommendations in Report of the Bahrain Independent Commission of Inquiry.*
- Sec. 1234. Reports on Syria.*
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- Sec. 1245. Sustainability requirements for certain capital projects in connection with overseas contingency operations.*
- Sec. 1246. Efforts to remove Joseph Kony from power and end atrocities committed by the Lord's Resistance Army.*
- Sec. 1247. Imposition of sanctions with respect to support for the rebel group known as M23.*
- Sec. 1248. Program on repair, overhaul, and refurbishment of defense articles for sale or transfer to eligible foreign countries and entities.*
- Sec. 1249. Plan for promoting the security of Afghan women and girls during the security transition process.*
- Sec. 1250. Sense of Congress on the Israeli Iron Dome defensive weapon system.*
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Sec. 1268. Inclusion of the Islamic Republic of Iran Broadcasting on the list of human rights abusers.

Sec. 1269. Imposition of sanctions with respect to persons engaged in the diversion of goods intended for the people of Iran.

Sec. 1270. Waiver requirement related to exceptional circumstances preventing significant reductions in crude oil purchases.

Sec. 1271. Statute of limitations for civil actions regarding terrorist acts.

Sec. 1272. Report on use of certain Iranian seaports by foreign vessels and use of foreign airports by sanctioned Iranian air carriers.

Sec. 1273. Implementation; penalties.

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Sec. 1534. Extension of authority on Task Force for Business and Stability Operations in Afghanistan.
Sec. 1535. Assessments of training activities and intelligence activities of the Joint Improvised Explosive Device Defeat Organization.
Sec. 1536. Submittal to Congress of risk assessments on changes in United States troop levels in Afghanistan.
Sec. 1537. Report on insider attacks in Afghanistan and their effect on the United States transition strategy for Afghanistan.

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- Sec. 1601. Short title.*
Sec. 1602. Purpose.
Sec. 1603. Definitions.
Sec. 1604. Military Compensation and Retirement Modernization Commission.
Sec. 1605. Commission hearings and meetings.
Sec. 1606. Principles and procedure for Commission recommendations.
Sec. 1607. Consideration of Commission recommendations by the President and Congress.
Sec. 1608. Pay for members of the Commission.
Sec. 1609. Executive Director.

- Sec. 1610. Staff.*
- Sec. 1611. Contracting authority.*
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AIR FORCE*

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- Sec. 1703. Duties of the Commission.*
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Sec. 2302. Family housing.

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Sec. 2304. Authorization of appropriations, Air Force.

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Subtitle B—Chemical Demilitarization Authorizations

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TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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- Sec. 2704. Criteria for decisions involving certain base closure and realignment activities.*
- Sec. 2705. Modification of notice requirements in advance of permanent reduction of sizable numbers of members of the Armed Forces at military installations.*
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- Sec. 2811. Authority to accept as consideration for leases of non-excess property of military departments and Defense Agencies real property interests and natural resource management services related to agreements to limit encroachment.*
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- Sec. 2821. Guidance on financing for renewable energy projects.*
Sec. 2822. Continuation of limitation on use of funds for Leadership in Energy and Environmental Design (LEED) Gold or Platinum certification.

Subtitle D—Land Conveyances

- Sec. 2831. Land conveyance, local training area for Browning Army Reserve Center, Utah.*
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- Sec. 2841. Clarification of authority of Secretary to assist with development of public infrastructure in connection with the establishment or expansion of a military installation.*
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Sec. 2844. Additional exemptions from certain requirements applicable to funding for data servers and centers.

**DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY
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Sec. 3102. Defense environmental cleanup.
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- Sec. 3111. Replacement project for Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.*
Sec. 3112. Submittal to Congress of selected acquisition reports and independent cost estimates on nuclear weapon systems undergoing life extension.
Sec. 3113. Two-year extension of schedule for disposition of weapons-usable plutonium at Savannah River Site, Aiken, South Carolina.
Sec. 3114. Program on scientific engagement for nonproliferation.
Sec. 3115. Repeal of requirement for annual update of Department of Energy defense nuclear facilities workforce restructuring plan.
Sec. 3116. Quarterly reports to Congress on financial balances for atomic energy defense activities.
Sec. 3117. Transparency in contractor performance evaluations by the National Nuclear Security Administration leading to award fees.
Sec. 3118. Expansion of authority to establish certain scientific, engineering, and technical positions.

- Sec. 3119. Modification and extension of authority on acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.*
- Sec. 3120. Cost containment for Y-12 Uranium Processing Facility, Y-12 National Security Complex, Oak Ridge, Tennessee.*
- Sec. 3121. Authority to restore certain formerly Restricted Data to the Restricted Data category.*
- Sec. 3122. Renewable energy.*

Subtitle C—Reports

- Sec. 3131. Report on actions required for transition of regulation of non-nuclear activities of the National Nuclear Security Administration to other Federal agencies.*
- Sec. 3132. Report on consolidation of facilities of the National Nuclear Security Administration.*
- Sec. 3133. Regional radiological security zones.*
- Sec. 3134. Report on legacy uranium mines.*
- Sec. 3135. Comptroller General of the United States review of projects carried out by Office of Environmental Management of the Department of Energy pursuant to the American Recovery and Reinvestment Act of 2009.*

Subtitle D—Other Matters

- Sec. 3141. Sense of Congress on oversight of the nuclear security enterprise.*

Subtitle E—American Medical Isotopes Production

- Sec. 3151. Short title.*
- Sec. 3152. Definitions.*
- Sec. 3153. Improving the reliability of domestic medical isotope supply.*
- Sec. 3154. Exports.*
- Sec. 3155. Report on disposition of exports.*
- Sec. 3156. Domestic medical isotope production.*
- Sec. 3157. Annual Department reports.*
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Subtitle F—Other Matters

- Sec. 3161. Congressional advisory panel on the governance structure of the National Nuclear Security Administration and its relationship to other Federal agencies.*

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3201. Authorization.*

TITLE XXXV—MARITIME ADMINISTRATION

- Sec. 3501. Short title.*
- Sec. 3502. Container-on-barge transportation.*
- Sec. 3503. Short sea transportation.*
- Sec. 3504. Maritime environmental and technical assistance.*
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- Sec. 3506. Maritime workforce study.*
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Sec. 3509. Eligibility to receive surplus training equipment.

DIVISION D—FUNDING TABLES

- Sec. 4001. Authorization of amounts in funding tables.*

TITLE XLI—PROCUREMENT

- Sec. 4101. Procurement.*
Sec. 4102. Procurement for overseas contingency operations.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

- Sec. 4201. Research, development, test, and evaluation.*
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TITLE XLIII—OPERATION AND MAINTENANCE

- Sec. 4301. Operation and maintenance.*
Sec. 4302. Operation and maintenance for overseas contingency operations.

TITLE XLIV—MILITARY PERSONNEL

- Sec. 4401. Military personnel.*
Sec. 4402. Military personnel for overseas contingency operations.

TITLE XLV—OTHER AUTHORIZATIONS

- Sec. 4501. Other authorizations.*
Sec. 4502. Other authorizations for overseas contingency operations.

TITLE XLVI—MILITARY CONSTRUCTION

- Sec. 4601. Military construction.*

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

- Sec. 4701. Department of Energy national security authorizations.*

DIVISION E—HOUSING ASSISTANCE FOR VETERANS

TITLE L—HOUSING ASSISTANCE FOR VETERANS

- Sec. 5001. Short title.*
Sec. 5002. Definitions.
Sec. 5003. Establishment of a pilot program.

DIVISION F—STOLEN VALOR ACT

TITLE LI—STOLEN VALOR ACT

- Sec. 5011. Short title.*
Sec. 5012. Findings.
Sec. 5013. Military medals or decorations.
Sec. 5014. Severability.

DIVISION G—MISCELLANEOUS

TITLE LII—MISCELLANEOUS

- Sec. 5021. *Public Safety Officers' Benefits Program.*
 Sec. 5022. *Scientific framework for recalcitrant cancers.*
 Sec. 5023. *United States Advisory Commission on Public Diplomacy.*
 Sec. 5024. *Removal of action.*

TITLE LIII—GAO MANDATES REVISION ACT

Subtitle A—GAO Mandates Revision Act

- Sec. 5301. *Short title.*
 Sec. 5302. *Repeals and modifications.*

Subtitle B—Improper Payments Elimination and Recovery Improvement Act

- Sec. 5311. *Short title.*
 Sec. 5312. *Definitions.*
 Sec. 5313. *Improving the determination of improper payments by Federal agencies.*
 Sec. 5314. *Improper payments information.*
 Sec. 5315. *Do not pay initiative.*
 Sec. 5316. *Improving recovery of improper payments.*

Subtitle C—Sense of Congress Regarding Spectrum.

- Sec. 5317. *Sense of Congress regarding spectrum.*

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

2 *For purposes of this Act, the term “congressional de-*
 3 *fense committees” has the meaning given that term in sec-*
 4 *tion 101(a)(16) of title 10, United States Code.*

5 **SEC. 4. SCORING OF BUDGETARY EFFECTS.**

6 *The budgetary effects of this Act, for the purpose of*
 7 *complying with the Statutory Pay-As-You-Go-Act of 2010,*
 8 *shall be determined by reference to the latest statement titled*
 9 *“Budgetary Effects of PAYGO Legislation” for this Act,*
 10 *submitted for printing in the Congressional Record by the*
 11 *Chairman of the Senate Budget Committee, provided that*

1 *such statement has been submitted prior to the vote on pas-*
2 *sage.*

3 ***DIVISION A—DEPARTMENT OF***
4 ***DEFENSE AUTHORIZATIONS***
5 ***TITLE I—PROCUREMENT***
6 ***Subtitle A—Authorization of***
7 ***Appropriations***

8 ***SEC. 101. AUTHORIZATION OF APPROPRIATIONS.***

9 *Funds are hereby authorized to be appropriated for fis-*
10 *cal year 2013 for procurement for the Army, the Navy and*
11 *the Marine Corps, the Air Force, and Defense-wide activi-*
12 *ties, as specified in the funding table in section 4101.*

13 ***Subtitle B—Army Programs***

14 ***SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR***
15 ***ARMY CH-47F HELICOPTERS.***

16 *(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—*
17 *Subject to section 2306b of title 10, United States Code, the*
18 *Secretary of the Army may enter into a multiyear contract*
19 *or contracts, beginning with the fiscal year 2013 program*
20 *year, for the procurement of airframes for CH-47F heli-*
21 *copters.*

22 *(b) CONDITION FOR OUT-YEAR CONTRACT PAY-*
23 *MENTS.—A contract entered into under subsection (a) shall*
24 *provide that any obligation of the United States to make*
25 *a payment under the contract for a fiscal year after fiscal*

1 *year 2013 is subject to the availability of appropriations*
2 *for that purpose for such later fiscal year.*

3 ***Subtitle C—Navy Programs***

4 ***SEC. 121. REFUELING AND COMPLEX OVERHAUL OF THE***
5 ***U.S.S. ABRAHAM LINCOLN.***

6 *(a) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—Of*
7 *the amount authorized to be appropriated for fiscal year*
8 *2013 by section 101 and available for shipbuilding and con-*
9 *version as specified in the funding table in section 4101,*
10 *\$1,613,392,000 is authorized to be available for the com-*
11 *mencement of the nuclear refueling and complex overhaul*
12 *of the U.S.S. Abraham Lincoln (CVN-72) during fiscal*
13 *year 2013. The amount authorized to be made available in*
14 *the preceding sentence is the first increment in the two-year*
15 *sequence of incremental funding planned for the nuclear re-*
16 *fueling and complex overhaul of that vessel.*

17 *(b) CONTRACT AUTHORITY.—The Secretary of the*
18 *Navy may enter into a contract during fiscal year 2013*
19 *for the nuclear refueling and complex overhaul of the U.S.S.*
20 *Abraham Lincoln.*

21 *(c) CONDITION FOR OUT-YEAR CONTRACT PAY-*
22 *MENTS.—A contract entered into under subsection (b) shall*
23 *provide that any obligation of the United States to make*
24 *a payment under the contract for a fiscal year after fiscal*

1 *year 2013 is subject to the availability of appropriations*
2 *for that purpose for that later fiscal year.*

3 **SEC. 122. FORD CLASS AIRCRAFT CARRIERS.**

4 (a) *CONTRACT AUTHORITY FOR CONSTRUCTION OF*
5 *AIRCRAFT CARRIERS DESIGNATED CVN-78, CVN-79, AND*
6 *CVN-80.—In the fiscal year immediately following the last*
7 *fiscal year of the contract for advance procurement for a*
8 *CVN-21 class aircraft carrier designated CVN-78, CVN-*
9 *79 or CVN-80, the Secretary of the Navy may enter into*
10 *a contract for the construction of such aircraft carrier to*
11 *be funded in the fiscal year of such contract for construction*
12 *and the succeeding four fiscal years, in the case of the vessel*
13 *designated CVN-78, and the succeeding five fiscal years, in*
14 *the case of the vessels designated CVN-79 and CVN-80.*

15 (b) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
16 *MENTS.—A contract entered into under subsection (a) shall*
17 *provide that any obligation of the United States to make*
18 *a payment under the contract for any subsequent fiscal year*
19 *is subject to the availability of appropriations for that pur-*
20 *pose for such subsequent fiscal year.*

21 (c) *REPEAL OF SUPERSEDED PROVISION.—Section*
22 *121 of the John Warner National Defense Authorization Act*
23 *for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2104)*
24 *is repealed.*

1 **SEC. 123. LIMITATION ON AVAILABILITY OF AMOUNTS FOR**
2 **SECOND FORD CLASS AIRCRAFT CARRIER.**

3 (a) *LIMITATION.*—Of the amount authorized to be ap-
4 propriated for fiscal year 2013 by section 101 and available
5 for shipbuilding and conversion for the second Ford class
6 aircraft carrier as specified in the funding table in section
7 4101, not more than 50 percent of such amount may be
8 obligated or expended until the Secretary of the Navy sub-
9 mits to the congressional defense committees a report setting
10 forth a description of the program management and cost
11 control measures that will be employed in constructing the
12 second Ford class aircraft carrier.

13 (b) *ELEMENTS.*—The report described in subsection (a)
14 shall include a plan to do the following with respect to the
15 Ford class aircraft carriers:

16 (1) *To maximize planned work in shops and*
17 *early stages of construction.*

18 (2) *To sequence construction of structural units*
19 *to maximize the effects of lessons learned.*

20 (3) *To incorporate design changes to improve*
21 *producibility for the Ford class aircraft carriers.*

22 (4) *To increase the size of erection units to elimi-*
23 *nate disruptive unit breaks and improve unit align-*
24 *ment and fairness.*

25 (5) *To increase outfitting levels for assembled*
26 *units before erection in the dry-dock.*

1 (6) *To increase overall ship completion levels at*
2 *each key construction event.*

3 (7) *To improve facilities in a manner that will*
4 *lead to improved productivity.*

5 (8) *To ensure the shipbuilder initiates plans that*
6 *will improve productivity through capital improve-*
7 *ments that would provide targeted return on invest-*
8 *ment, including—*

9 (A) *increasing the amount of temporary*
10 *and permanent covered work areas;*

11 (B) *adding ramps and service towers for*
12 *improved access to work sites and the dry-dock;*
13 *and*

14 (C) *increasing lift capacity to enable con-*
15 *struction of larger, more fully outfitted super-*
16 *lifts.*

17 **SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR VIR-**
18 **GINIA CLASS SUBMARINE PROGRAM.**

19 (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.—*
20 *Subject to section 2306b of title 10, United States Code, the*
21 *Secretary of the Navy may enter into multiyear contracts,*
22 *beginning with the fiscal year 2014 program year, for pro-*
23 *curement of Virginia class submarines and Government-*
24 *furnished equipment associated with the Virginia class sub-*
25 *marine program.*

1 **(b) AUTHORITY FOR ADVANCE PROCUREMENT.**—*The*
2 *Secretary may enter into one or more contracts, beginning*
3 *in fiscal year 2013, for advance procurement associated*
4 *with the vessels and equipment for which authorization to*
5 *enter into a multiyear procurement contract is provided*
6 *under subsection (a).*

7 **(c) CONDITION FOR OUT-YEAR CONTRACT PAY-**
8 **MENTS.**—*A contract entered into under subsection (a) shall*
9 *provide that any obligation of the United States to make*
10 *a payment under the contract for a fiscal year after fiscal*
11 *year 2013 is subject to the availability of appropriations*
12 *or funds for that purpose for such later fiscal year.*

13 **(d) LIMITATION ON TERMINATION LIABILITY.**—*con-*
14 *tract for construction of vessels or equipment, entered into*
15 *in accordance with subsection (a) shall include a clause that*
16 *limits the liability of the Government to the contractor for*
17 *any termination of the contract. The maximum liability*
18 *of the Government under the clause shall be the amount ap-*
19 *propriated for the vessels or equipment covered by the con-*
20 *tract. Additionally, in the event of cancellation, the max-*
21 *imum liability of the Government shall include the amount*
22 *of the unfunded cancellation ceiling in the contract.*

23 **(e) AUTHORITY TO EXPAND MULTIYEAR PROCURE-**
24 **MENT.**—*The Secretary may employ incremental funding for*
25 *the procurement of Virginia class submarines and Govern-*

1 *ment-furnished equipment associated with the Virginia*
 2 *class submarines to be procured during fiscal years 2013*
 3 *through 2018 if the Secretary—*

4 (1) *determines that such an approach will per-*
 5 *mit the Navy to procure an additional Virginia class*
 6 *submarine in fiscal year 2014; and*

7 (2) *intends to use the funding for that purpose.*

8 **SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR**
 9 **ARLEIGH BURKE CLASS DESTROYERS AND AS-**
 10 **SOCIATED SYSTEMS.**

11 (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.—*
 12 *Subject to section 2306b of title 10, United States Code, the*
 13 *Secretary of the Navy may enter into multiyear contracts,*
 14 *beginning with the fiscal year 2013 program year, for the*
 15 *procurement of up to 10 Arleigh Burke class Flight IIA*
 16 *guided missile destroyers, as well as the AEGIS Weapon*
 17 *Systems, MK 41 Vertical Launching Systems, and Commer-*
 18 *cial Broadband Satellite Systems associated with those ves-*
 19 *sels.*

20 (b) *AUTHORITY FOR ADVANCE PROCUREMENT.—The*
 21 *Secretary may enter into one or more contracts, beginning*
 22 *in fiscal year 2013, for advance procurement associated*
 23 *with the vessels and systems for which authorization to*
 24 *enter into a multiyear procurement contract is provided*
 25 *under subsection (a).*

1 (c) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
2 *MENTS.*—A contract entered into under subsection (a) shall
3 *provide that any obligation of the United States to make*
4 *a payment under the contract for a fiscal year after fiscal*
5 *year 2013 is subject to the availability of appropriations*
6 *or funds for that purpose for such later fiscal year.*

7 **SEC. 126. AUTHORITY FOR RELOCATION OF CERTAIN AEGIS**
8 **WEAPON SYSTEM ASSETS BETWEEN AND**
9 **WITHIN THE DDG-51 CLASS DESTROYER AND**
10 **AEGIS ASHORE PROGRAMS IN ORDER TO**
11 **MEET MISSION REQUIREMENTS.**

12 (a) *AUTHORITY.*—

13 (1) *TRANSFER TO AEGIS ASHORE SYSTEM.*—Not-
14 *withstanding any other provision of law, the Sec-*
15 *retary of the Navy may transfer AEGIS Weapon Sys-*
16 *tem (AWS) equipment with ballistic missile defense*
17 *(BMD) capability to the Missile Defense Agency for*
18 *use in the AEGIS Ashore System of the Agency for*
19 *installation in the country designated as Host Nation*
20 *#1 (HN-1) by transferring to the Agency such equip-*
21 *ment procured with amounts authorized to be appro-*
22 *priated to the SCN account for fiscal years 2010 and*
23 *2011 for the DDG-51 Class Destroyer Program.*

24 (2) *ADJUSTMENTS IN EQUIPMENT DELIVERIES.*—

1 (A) *USE OF FY12 FUNDS FOR AWS SYSTEMS*
2 *ON DESTROYERS PROCURED WITH FY11 FUNDS.—*
3 *Amounts authorized to be appropriated to the*
4 *SCN account for fiscal year 2012, and any*
5 *AEGIS Weapon System assets procured with*
6 *such amounts, may be used to deliver complete,*
7 *mission-ready AEGIS Weapon Systems with bal-*
8 *listic missile defense capability to any DDG–51*
9 *class destroyer for which amounts were author-*
10 *ized to be appropriated for the SCN account for*
11 *fiscal year 2011.*

12 (B) *USE OF AWS SYSTEMS PROCURED WITH*
13 *RDTE FUNDS ON DESTROYERS.—The Secretary*
14 *may install on any DDG–51class destroyer*
15 *AEGIS weapon systems with ballistic missile de-*
16 *fense capability transferred pursuant to para-*
17 *graph (3).*

18 (3) *TRANSFER FROM AEGIS ASHORE SYSTEM.—*
19 *The Director of the Missile Defense Agency shall*
20 *transfer AEGIS Weapon System equipment with bal-*
21 *listic missile defense capability procured for installa-*
22 *tion in the AEGIS Ashore System to the Department*
23 *of the Navy for the DDG–51 Class Destroyer Program*
24 *to replace any equipment transferred to Agency under*
25 *paragraph (1).*

1 (4) *TREATMENT OF TRANSFER IN FUNDING DE-*
2 *STROYER CONSTRUCTION.*—*Notwithstanding the*
3 *source of funds for any equipment transferred under*
4 *paragraph (3), the Secretary shall fund all work nec-*
5 *essary to complete construction and outfitting of any*
6 *destroyer in which such equipment is installed in the*
7 *same manner as if such equipment had been acquired*
8 *using amounts in the SCN account.*

9 (5) *SCN ACCOUNT DEFINED.*—*In this subsection,*
10 *the term “SCN account” means the Shipbuilding and*
11 *Conversion, Navy account.*

12 (b) *RELATIONSHIP TO OTHER LAW.*—*Nothing in this*
13 *section shall be construed to repeal or otherwise modify in*
14 *any way the limitation on obligation or expenditure of*
15 *funds for missile defense interceptors in Europe as specified*
16 *in section 223 of the Ike Skelton National Defense Author-*
17 *ization Act for Fiscal Year 2011 Public Law 111–383; 124*
18 *Stat. 4168).*

19 **SEC. 127. DESIGNATION OF MISSION MODULES OF THE LIT-**
20 **TORAL COMBAT SHIP AS A MAJOR DEFENSE**
21 **ACQUISITION PROGRAM.**

22 (a) *DESIGNATION REQUIRED.*—*The Secretary of De-*
23 *fense shall—*

24 (1) *designate the effort to develop and produce*
25 *all variants of the mission modules in support of the*

1 *Littoral Combat Ship program as a major defense ac-*
2 *quisition program under section 2430 of title 10,*
3 *United States Code; and*

4 (2) *with respect to the development and produc-*
5 *tion of each variant, submit to the congressional de-*
6 *fense committees a report setting forth such cost,*
7 *schedule, and performance information as would be*
8 *provided if such effort were a major defense acquisi-*
9 *tion program, including Selected Acquisition Reports,*
10 *unit cost reports, and program baselines.*

11 (b) *ADDITIONAL QUARTERLY REPORTS.—The Sec-*
12 *retary shall submit to the congressional defense committees*
13 *on a quarterly basis a report on the development and pro-*
14 *duction of each variant of the mission modules in support*
15 *of the Littoral Combat Ship, including cost, schedule, and*
16 *performance, and identifying actual and potential problems*
17 *with such development or production and potential mitiga-*
18 *tion plans to address such problems.*

19 **SEC. 128. TRANSFER OF CERTAIN FISCAL YEAR 2012 PRO-**
20 **CUREMENT OF AMMUNITION, NAVY AND MA-**
21 **RINE CORPS FUNDS.**

22 (a) *IN GENERAL.—To the extent provided in appro-*
23 *priations Acts, the Secretary of the Navy may transfer from*
24 *fiscal year 2012 Procurement of Ammunition, Navy and*

1 *Marine Corps funds, \$88,300,000 to other, higher priority*
 2 *programs of the Navy and the Marine Corps.*

3 (b) *COVERED FUNDS.*—*For purposes of this section,*
 4 *the term “fiscal year 2012 Procurement of Ammunition,*
 5 *Navy and Marine Corps funds” means amounts authorized*
 6 *to be appropriated for fiscal year 2012 by section 101 of*
 7 *the National Defense Authorization Act for Fiscal Year*
 8 *2012 (Public Law 112–81; 125 Stat. 1317) and available*
 9 *for Procurement of Ammunition, Navy and Marine Corps*
 10 *as specified in the funding table in section 4101 of that*
 11 *Act.*

12 (c) *EFFECT ON AUTHORIZATION AMOUNTS.*—*A trans-*
 13 *fer made from one account to another under the authority*
 14 *of this section shall be deemed to increase the amount au-*
 15 *thorized for the account to which the amount is transferred*
 16 *by an amount equal to the amount transferred.*

17 (d) *CONSTRUCTION OF AUTHORITY.*—*The transfer au-*
 18 *thority in this section is in addition to any other transfer*
 19 *authority provided in this Act.*

20 **SEC. 129. TRANSFER OF CERTAIN FISCAL YEAR 2012 PRO-**
 21 **CUREMENT, MARINE CORPS FUNDS FOR PRO-**
 22 **CUREMENT OF WEAPONS AND COMBAT VEHI-**
 23 **CLES.**

24 (a) *IN GENERAL.*—*To the extent provided in appro-*
 25 *priations Acts, the Secretary of the Navy may transfer from*

1 *fiscal year 2012 Procurement, Marine Corps funds for pro-*
2 *curement of weapons and combat vehicles, \$135,200,000 to*
3 *other, higher priority programs of the Navy and the Marine*
4 *Corps.*

5 (b) *COVERED FUNDS.*—*For purposes of this section,*
6 *the term “fiscal year 2012 Procurement, Marine Corps*
7 *funds for procurement of weapons and combat vehicles”*
8 *means amounts authorized to be appropriated for fiscal*
9 *year 2012 by section 101 of the National Defense Authoriza-*
10 *tion Act for Fiscal Year 2012 (Public Law 112–81; 125*
11 *Stat. 1317) and available for Procurement, Marine Corps*
12 *for the procurement of weapons and combat vehicles as spec-*
13 *ified in the funding table in section 4101 of that Act.*

14 (c) *EFFECT ON AUTHORIZATION AMOUNTS.*—*A trans-*
15 *fer made from one account to another under the authority*
16 *of this section shall be deemed to increase the amount au-*
17 *thorized for the account to which the amount is transferred*
18 *by an amount equal to the amount transferred.*

19 (d) *CONSTRUCTION OF AUTHORITY.*—*The transfer au-*
20 *thority in this section is in addition to any other transfer*
21 *authority provided in this Act.*

22 **SEC. 130. SENSE OF CONGRESS ON MARINE CORPS AMPHIB-**
23 **IOUS LIFT AND PRESENCE REQUIREMENTS.**

24 (a) *FINDINGS.*—*Congress makes the following findings:*

1 (1) *The United States Marine Corps is a combat*
2 *force which leverages maneuver from the sea as a force*
3 *multiplier allowing for a variety of operational tasks*
4 *ranging from major combat operations to humani-*
5 *tarian assistance.*

6 (2) *The United States Marine Corps is unique in*
7 *that, while embarked upon Naval vessels, they bring*
8 *all the logistic support necessary for the full range of*
9 *military operations, operating “from the sea” they re-*
10 *quire no third party host nation permission to con-*
11 *duct military operations.*

12 (3) *The Department of the Navy has a require-*
13 *ment for 38 amphibious assault ships to meet this full*
14 *range of military operations.*

15 (4) *Due to fiscal constraints only, that require-*
16 *ment of 38 vessels was reduced to 33 vessels, which*
17 *adds military risk to future operations.*

18 (5) *The Department of the Navy has been unable*
19 *to meet even the minimal requirement of 30 oper-*
20 *ationally available vessels and has submitted a ship-*
21 *building and ship retirement plan to Congress which*
22 *will reduce the force to 28 vessels.*

23 (6) *Experience has shown that early engineering*
24 *and design of naval vessels has significantly reduced*

1 *the acquisition costs and life-cycle costs of those ves-*
2 *sels.*

3 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
4 *that—*

5 *(1) the Department of Defense should carefully*
6 *evaluate the maritime force structure necessary to exe-*
7 *cute demand for forces by the commanders of the com-*
8 *batant commands;*

9 *(2) the Department of the Navy carefully evalu-*
10 *ate amphibious lift capabilities to meet current and*
11 *projected requirements;*

12 *(3) the Department of the Navy should consider*
13 *prioritization of investment in and procurement of*
14 *the next generation of amphibious assault ships, as a*
15 *component of the balanced battle force;*

16 *(4) the next generation amphibious assault ships*
17 *should maintain survivability protection;*

18 *(5) operation and maintenance requirements*
19 *analysis, as well as the potential to leverage a com-*
20 *mon hull form design, should be considered to reduce*
21 *total ownership cost and acquisition cost; and*

22 *(6) maintaining a robust amphibious ship build-*
23 *ing industrial base is vital for the future of the na-*
24 *tional security of the United States.*

1 **SEC. 131. SENSE OF SENATE ON DEPARTMENT OF NAVY FIS-**
2 **CAL YEAR 2014 BUDGET REQUEST FOR TAC-**
3 **TICAL AVIATION AIRCRAFT.**

4 *It is the sense of Senate that, if the budget request of*
5 *the Department of the Navy for fiscal year 2014 for F-18*
6 *aircraft includes a request for funds for more than 13 new*
7 *F-18 aircraft, the budget request of the Department of the*
8 *Navy for fiscal year 2014 for F-35 aircraft should include*
9 *a request for funds for not fewer than 6 F-35B aircraft*
10 *and 4 F-35C aircraft, presuming that development, testing,*
11 *and production of the F-35 aircraft are proceeding accord-*
12 *ing to current plans.*

13 **SEC. 132. SPIDERNET/SPECTRAL WARRIOR HARDWARE.**

14 *(a) ADDITIONAL AMOUNT FOR OTHER PROCUREMENT,*
15 *NAVY.—The amount authorized to be appropriated for fis-*
16 *cal year 2013 by section 101 is hereby increased by*
17 *\$2,000,000, with the amount of the increase to be available*
18 *for amounts authorized to be appropriated by that section*
19 *and available for other procurement, Navy, Satellite Com-*
20 *munications, line 085, Satellite Communications Systems,*
21 *as specified in the funding table in section 4101.*

22 *(b) AVAILABILITY OF AMOUNT.—To the extent pro-*
23 *vided in appropriations Acts, the amount authorized and*
24 *made available by subsection (a) may be obligated and ex-*
25 *pended for a new program to procure SPIDERNet/Spectral*
26 *Warrior Hardware and installation in order to provide a*

1 *cloud network for Spectral Warrior terminals in support*
2 *of requirements of the commanders of the combatant com-*
3 *mands.*

4 ***Subtitle D—Air Force Programs***

5 ***SEC. 141. REDUCTION IN NUMBER OF AIRCRAFT REQUIRED*** 6 ***TO BE MAINTAINED IN STRATEGIC AIRLIFT*** 7 ***AIRCRAFT INVENTORY.***

8 *(a) REDUCTION IN INVENTORY REQUIREMENT.—Sec-*
9 *tion 8062(g)(1) of title 10, United States Code, is amend-*
10 *ed—*

11 *(1) by striking “Effective October 1, 2011, the”*
12 *and inserting “The”; and*

13 *(2) by striking “301 aircraft” and inserting*
14 *“275 aircraft”.*

15 *(b) MODIFICATION OF CERTIFICATION REQUIRE-*
16 *MENT.—Section 137(d)(3)(B) of the National Defense Au-*
17 *thorization Act for Fiscal Year 2010 (Public Law 111–84;*
18 *123 Stat. 2221) is amended by striking “316 strategic air-*
19 *lift aircraft” and inserting “275 strategic airlift aircraft”.*

20 *(c) PRESERVATION OF CERTAIN RETIRED C–5 AIR-*
21 *CRAFT.—The Secretary of the Air Force shall preserve each*
22 *C–5 aircraft retired by the Secretary after September 30,*
23 *2012, such that the aircraft—*

24 *(1) is stored in flyable condition;*

25 *(2) can be returned to service; and*

1 (3) *is not used to supply parts to other aircraft*
2 *unless specifically authorized by the Secretary of De-*
3 *fense upon a request by the Secretary of the Air*
4 *Force.*

5 **SEC. 142. TREATMENT OF CERTAIN PROGRAMS FOR THE F-**
6 **22A RAPTOR AIRCRAFT AS MAJOR DEFENSE**
7 **ACQUISITION PROGRAMS.**

8 (a) *IN GENERAL.*—*The Secretary of Defense shall treat*
9 *the programs referred to in subsection (b) for the F-22A*
10 *Raptor aircraft as a major defense acquisition program for*
11 *which Selected Acquisition Reports shall be submitted to*
12 *Congress in accordance with the requirements of section*
13 *2432 of title 10, United States Code.*

14 (b) *COVERED PROGRAMS.*—*The programs referred to*
15 *in this subsection for the F-22A Raptor aircraft are the*
16 *following:*

17 (1) *Any modernization program through Incre-*
18 *ment 3.2A.*

19 (2) *The Reliability and Maintainability Matura-*
20 *tion Program (RAMMP) and the Structural Repair*
21 *Program (SRP II).*

22 (3) *The modernization Increment 3.2B and any*
23 *future F-22A Raptor aircraft modernization program*
24 *that would otherwise, if a standalone program, qual-*
25 *ify for treatment as a major defense acquisition pro-*

1 *gram for purposes of chapter 144 of title 10, United*
2 *States Code.*

3 **SEC. 143. AVIONICS SYSTEMS FOR C-130 AIRCRAFT.**

4 *(a) LIMITATIONS.—*

5 *(1) AVIONICS MODERNIZATION PROGRAM.—The*
6 *Secretary of the Air Force shall take no action to cancel*
7 *or modify the Avionics Modernization Program*
8 *(AMP) for the C-130 aircraft until 30 days after the*
9 *date of the submittal to the congressional defense com-*
10 *mittees of the report required by subsection (b).*

11 *(2) CNS/ATM PROGRAM.—*

12 *(A) IN GENERAL.—The Secretary shall take*
13 *no action described in subparagraph (B) until*
14 *30 days after the date of the submittal to the*
15 *congressional defense committees of the report re-*
16 *quired by subsection (b).*

17 *(B) COVERED ACTIONS.—An action de-*
18 *scribed in this subparagraph is an action to*
19 *begin an alternative communication, navigation,*
20 *surveillance, and air traffic management (CNS/*
21 *ATM) program for the C-130 aircraft that is de-*
22 *signed or intended—*

23 *(i) to meet international communica-*
24 *tion, navigation, surveillance, and air traf-*

1 *fic management standards for the fleet of C-*
2 *130 aircraft; or*

3 *(ii) to replace the current Avionics*
4 *Modernization Program for the C-130 air-*
5 *craft.*

6 *(b) REPORT.—Not later than 30 days after the date*
7 *of the enactment of this Act, the Secretary of Defense shall*
8 *submit to the congressional defense committees report on the*
9 *results of a study to be conducted by the Office of Cost As-*
10 *essment and Program Evaluation of the Department of De-*
11 *fense on the following:*

12 *(1) The costs and schedule to complete the cur-*
13 *rent program of record for the Avionics Moderniza-*
14 *tion Program for the C-130 aircraft, as anticipated*
15 *at the time of the last certification on that program*
16 *under section 2433a of title 10, United States Code.*

17 *(2) The total cost and schedule, from start to*
18 *completion, of any proposed alternative communica-*
19 *tion, navigation, surveillance, and air traffic manage-*
20 *ment program for the C-130 aircraft.*

21 *(3) The projected manpower savings to be de-*
22 *derived from the current program of record for the Avi-*
23 *onics Modernization Program for the C-130 aircraft*
24 *in comparison with the projected manpower savings*
25 *to be derived from any proposed alternative commu-*

1 *nication, navigation, surveillance, and air traffic*
2 *management program for the C-130 aircraft.*

3 **SEC. 144. PROCUREMENT OF SPACE-BASED INFRARED SYS-**
4 **TEM SATELLITES.**

5 *(a) CONTRACT AUTHORITY.—*

6 *(1) IN GENERAL.—The Secretary of the Air*
7 *Force may procure two space-based infrared system*
8 *satellites by entering into a fixed-price contract for*
9 *such procurement.*

10 *(2) COST REDUCTION.—The Secretary may in-*
11 *clude in a contract entered into under paragraph (1)*
12 *the following:*

13 *(A) The procurement of material and equip-*
14 *ment in economic order quantities if the procure-*
15 *ment of such material and equipment in such*
16 *quantities will result in cost savings.*

17 *(B) Cost reduction initiatives.*

18 *(3) USE OF INCREMENTAL FUNDING.—The Sec-*
19 *retary may use incremental funding for a contract*
20 *entered into under paragraph (1) for a period not to*
21 *exceed six fiscal years.*

22 *(4) LIABILITY.—A contract entered into under*
23 *paragraph (1) shall provide that—*

24 *(A) any obligation of the United States to*
25 *make a payment under the contract is subject to*

1 *the availability of appropriations for that pur-*
2 *pose; and*

3 *(B) the total liability of the Federal Govern-*
4 *ment for the termination of the contract shall be*
5 *limited to the total amount of funding obligated*
6 *at the time of the termination of the contract.*

7 *(b) LIMITATION OF COSTS.—*

8 *(1) LIMITATION.—Except as provided in sub-*
9 *section (c), and excluding amounts described in para-*
10 *graph (2), the total amount obligated or expended for*
11 *the procurement of two space-based infrared system*
12 *satellites authorized by subsection (a) may not exceed*
13 *\$3,900,000,000.*

14 *(2) EXCLUSION.—The amounts described in this*
15 *paragraph are amounts associated with the following:*

16 *(A) Plans.*

17 *(B) Technical data packages.*

18 *(C) Post-delivery and program-related sup-*
19 *port costs.*

20 *(D) Technical support for obsolescence stud-*
21 *ies.*

22 *(c) ADJUSTMENT TO LIMITATION AMOUNT.—*

23 *(1) IN GENERAL.—The Secretary may increase*
24 *the limitation set forth in subsection (b)(1) by the*
25 *amount of an increase described in paragraph (2) if*

1 *the Secretary submits to the congressional defense*
2 *committees written notification of the increase made*
3 *to that limitation.*

4 (2) *INCREASE DESCRIBED.—An increase de-*
5 *scribed in this paragraph is one of the following:*

6 (A) *An increase in costs that is attributable*
7 *to economic inflation after September 30, 2012.*

8 (B) *An increase in costs that is attributable*
9 *to compliance with changes in Federal, State, or*
10 *local laws enacted after September 30, 2012.*

11 (C) *An increase in the cost of a space-based*
12 *infrared system satellite that is attributable to*
13 *the insertion of a new technology into the sat-*
14 *ellite that was not built into such satellites pro-*
15 *cured before fiscal year 2013, if the Secretary de-*
16 *termines, and certifies to the congressional de-*
17 *fense committees, that insertion of the new tech-*
18 *nology into the satellite is—*

19 (i) *expected to decrease the life-cycle*
20 *cost of the satellite; or*

21 (ii) *required to meet an emerging*
22 *threat that poses grave harm to the national*
23 *security of the United States.*

24 (d) *REPORTS.—*

1 (1) *REPORT ON CONTRACTS.*—Not later than 30
2 days after the date on which the Secretary enters into
3 a contract under subsection (a), the Secretary shall
4 submit to the congressional defense committees a re-
5 port on the contract that includes the following:

6 (A) *The total cost savings resulting from the*
7 *authority provided by subsection (a).*

8 (B) *The type and duration of the contract.*

9 (C) *The total value of the contract.*

10 (D) *The funding profile under the contract*
11 *by year.*

12 (E) *The terms of the contract regarding the*
13 *treatment of changes by the Federal Government*
14 *to the requirements of the contract, including*
15 *how any such changes may affect the success of*
16 *the contract.*

17 (2) *PLAN FOR USING COST SAVINGS.*—Not later
18 than 90 days after the date on which the Secretary
19 enters into a contract under subsection (a), the Sec-
20 retary shall submit to the congressional defense com-
21 mittees a plan for using the cost savings described in
22 paragraph (1)(A) to improve the capability of mili-
23 tary infrared and early warning satellites that in-
24 cludes a description of the following:

1 (A) *The available funds, by year, resulting*
2 *from such cost savings.*

3 (B) *The specific activities or subprograms*
4 *to be funded using such cost savings and the*
5 *funds, by year, allocated to each such activity or*
6 *subprogram.*

7 (C) *The objectives for each such activity or*
8 *subprogram.*

9 (D) *The criteria used by the Secretary to*
10 *determine which such activities or subprograms*
11 *to fund.*

12 (E) *The method by which the Secretary will*
13 *determine which such activities or subprograms*
14 *to fund, including whether that determination*
15 *will be on a competitive basis.*

16 (F) *The plan for encouraging participation*
17 *in such activities and subprograms by small*
18 *businesses.*

19 (G) *The process for determining how and*
20 *when such activities and subprograms would*
21 *transition to an existing program or be estab-*
22 *lished as a new program of record.*

23 (e) *USE OF FUNDS AVAILABLE FOR SPACE VEHICLE*
24 *NUMBER 5 FOR SPACE VEHICLE NUMBER 6.—The Sec-*
25 *retary may obligate and expend amounts authorized to be*

1 appropriated for fiscal year 2013 by section 101 for pro-
2 curement for the Air Force as specified in the funding table
3 in section 4101 and available for the advanced procurement
4 of long-lead parts and the replacement of obsolete parts for
5 space-based infrared system satellite space vehicle number
6 5 for the advanced procurement of long-lead parts and the
7 replacement of obsolete parts for space-based infrared sys-
8 tem space vehicle number 6.

9 (f) *SENSE OF CONGRESS.*—It is the sense of Congress
10 that the Secretary should not enter into a fixed-price con-
11 tract under subsection (a) for the procurement of two space-
12 based infrared system satellites unless the Secretary deter-
13 mines that entering into such a contract will save the Air
14 Force not less than 20 percent over the cost of procuring
15 two such satellites separately.

16 **SEC. 145. TRANSFER OF CERTAIN FISCAL YEAR 2011 AND**
17 **2012 FUNDS FOR AIRCRAFT PROCUREMENT**
18 **FOR THE AIR FORCE.**

19 (a) *IN GENERAL.*—To the extent provided in appro-
20 priations Acts, the Secretary of the Air Force may transfer
21 from fiscal year 2011 and 2012 Aircraft Procurement, Air
22 Force funds, an aggregate of \$920,748,000 to other, higher
23 priority programs of the Air Force.

1 (b) *COVERED FUNDS.*—For purposes of this section,
2 the term “fiscal year 2011 and 2012 Aircraft Procurement,
3 Air Force funds” means—

4 (1) amounts authorized to be appropriated for
5 fiscal year 2011 by section 103(1) of the Ike Skelton
6 National Defense Authorization Act for Fiscal Year
7 2011 (Public Law 111–383; 124 Stat. 4152) for air-
8 craft procurement for the Air Force; and

9 (2) amounts authorized to be appropriated for
10 fiscal year 2012 by section 101 of the National De-
11 fense Authorization Act for Fiscal Year 2012 (Public
12 Law 112–81; 125 Stat. 1317) and available for Air-
13 craft Procurement, Air Force as specified in the fund-
14 ing table in section 4101 of that Act.

15 (c) *EFFECT ON AUTHORIZATION AMOUNTS.*—A trans-
16 fer made from one account to another under the authority
17 of this section shall be deemed to increase the amount au-
18 thorized for the account to which the amount is transferred
19 by an amount equal to the amount transferred.

20 (d) *CONSTRUCTION OF AUTHORITY.*—The transfer au-
21 thority in this section is in addition to any other transfer
22 authority provided in this Act.

1 **Subtitle E—Joint and Multiservice**
 2 **Matters**

3 **SEC. 151. MULTIYEAR PROCUREMENT AUTHORITY FOR V-22**
 4 **JOINT AIRCRAFT PROGRAM.**

5 (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.*—
 6 *Subject to section 2306b of title 10, United States Code, the*
 7 *Secretary of the Navy may enter into a multiyear contract*
 8 *or contracts, beginning with the fiscal year 2013 program*
 9 *year, for the procurement of V-22 aircraft for the Depart-*
 10 *ment of the Navy, the Department of the Air Force, and*
 11 *the United States Special Operations Command.*

12 (b) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
 13 *MENTS.*—*A contract entered into under subsection (a) shall*
 14 *provide that any obligation of the United States to make*
 15 *a payment under the contract for a fiscal year after fiscal*
 16 *year 2013 is subject to the availability of appropriations*
 17 *for that purpose for such later fiscal year.*

18 **SEC. 152. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 19 **FULL-RATE PRODUCTION OF HANDHELD,**
 20 **MANPACK, AND SMALL FORM/FIT RADIOS**
 21 **UNDER THE JOINT TACTICAL RADIO SYSTEM**
 22 **PROGRAM.**

23 *Amounts available for the Joint Tactical Radio Sys-*
 24 *tem (JTRS) program may not be obligated or expended for*
 25 *full-rate production of the Handheld, Manpack, and Small*

1 *Form/Fit (HMS) radios under that program until the*
2 *Under Secretary of Defense for Acquisition, Technology,*
3 *and Logistics certifies to the congressional defense commit-*
4 *tees that the acquisition strategy for such radios provides,*
5 *to the maximum extent practicable, for full and open com-*
6 *petition in the acquisition of such radios.*

7 **SEC. 153. SHALLOW WATER COMBAT SUBMERSIBLE PRO-**
8 **GRAM.**

9 (a) *INITIAL REPORT.*—*Not later than 90 days after the*
10 *date of the enactment of this Act, the Commander of the*
11 *United States Special Operations Command shall submit*
12 *to the congressional defense committees a report setting*
13 *forth the following:*

14 (1) *A description of the efforts of the contractor*
15 *under the Shallow Water Combat Submersible*
16 *(SWCS) program and the United States Special Op-*
17 *erations Command to improve the accuracy of the*
18 *tracking of the schedule and costs of the program.*

19 (2) *The revised timeline for the initial and full*
20 *operational capability of the Shallow Water Combat*
21 *Submersible.*

22 (3) *A current estimate of the cost to meet the*
23 *basis of issue requirement under the program.*

24 (b) *SUBSEQUENT REPORTS.*—

1 *made available by subsection (a) may be obligated and ex-*
2 *pended for a new program to procure color electro-optical*
3 *and infrared imaging sensors for AC-130 aircraft used by*
4 *the United States Special Operations Command in ongoing*
5 *contingency operations.*

6 **TITLE II—RESEARCH, DEVELOP-**
7 **MENT, TEST, AND EVALUA-**
8 **TION**

9 **Subtitle A—Authorization of**
10 **Appropriations**

11 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

12 *Funds are hereby authorized to be appropriated for fis-*
13 *cal year 2013 for the use of the Department of Defense for*
14 *research, development, test, and evaluation as specified in*
15 *the funding table in section 4201.*

16 **Subtitle B—Program Requirements,**
17 **Restrictions, and Limitations**

18 **SEC. 211. NEXT GENERATION FOUNDRY FOR THE DEFENSE**

19 **MICROELECTRONICS ACTIVITY.**

20 *Amounts authorized to be appropriated for fiscal year*
21 *2013 by section 201 and available for research, develop-*
22 *ment, test, and evaluation for the Next Generation Foundry*
23 *for the Defense Microelectronics Activity (DMEA) (PE*
24 *#603720S) as specified in the funding table in section 4201*
25 *may not be obligated or expended for that purpose until*

1 60 days after the date on which the Assistant Secretary of
2 Defense for Research and Engineering—

3 (1) develops a microelectronics strategy as de-
4 scribed in the Senate report to accompany S. 1235 of
5 the 112th Congress (S. Rept. 112–26) and an estimate
6 of the full life-cycle costs for the upgrade of the Next
7 Generation Foundry; and

8 (2) submits the strategy and cost estimate re-
9 quired by paragraph (1) to the congressional defense
10 committees.

11 **SEC. 212. ADVANCED ROTORCRAFT INITIATIVE.**

12 (a) *IN GENERAL.*—Not later than 180 days after the
13 date of the enactment of this Act, the Under Secretary of
14 Defense for Acquisition, Technology, and Logistics shall, in
15 consultation with the military departments, the Defense Ad-
16 vanced Research Projects Agency, and industry (including
17 the Vertical Lift Consortium (VLC)), submit to the congres-
18 sional defense committees a report setting forth a strategy
19 for the use of integrated platform design teams and agile
20 prototyping approaches for the development of advanced
21 rotorcraft capabilities.

22 (b) *ELEMENTS.*—The strategy required by subsection
23 (a) shall include the following:

24 (1) Mechanisms for establishing agile proto-
25 typing practices and programs, including rotorcraft

1 *X-planes, and an identification of the resources re-*
2 *quired for such purposes.*

3 (2) *A restructuring of the Joint Multi-role*
4 *(JMR) development program of the Army to include*
5 *more technology demonstration platforms with chal-*
6 *lenge goals of significant reductions in cost and time*
7 *to flight.*

8 (3) *A restructuring of the X-Plane Rotorcraft*
9 *program of the Defense Advanced Research Projects*
10 *Agency to develop performance objectives beyond the*
11 *Joint Multi-role development program, including at*
12 *least two competing teams.*

13 (4) *Approaches, including competitive prize*
14 *awards, to encourage the development of advanced*
15 *rotorcraft capabilities to address challenge problems*
16 *such as nap-of-earth automated flight, urban oper-*
17 *ation near buildings, slope landings, automated auto-*
18 *rotation or power-off recovery, and automated selec-*
19 *tion of landing areas.*

20 **SEC. 213. TRANSFER OF CERTAIN FISCAL YEAR 2012 NAVY**
21 **RESEARCH, DEVELOPMENT, TEST, AND EVAL-**
22 **UATION FUNDS.**

23 (a) *IN GENERAL.—To the extent provided in appro-*
24 *priations Acts, the Secretary of the Navy may transfer from*
25 *fiscal year 2012 Navy research, development, test, and eval-*

1 uation funds, \$8,832,000 to other, higher priority programs
2 of the Navy.

3 (b) *COVERED FUNDS.*—For purposes of this section,
4 the term “fiscal year 2012 Navy research, development, test,
5 and evaluation funds” means amounts authorized to be ap-
6 propriated for fiscal year 2012 by section 201 of the Na-
7 tional Defense Authorization Act for Fiscal Year 2012 (Pub-
8 lic Law 112–81; 125 Stat. 1329) and available for Re-
9 search, Development, Test, and Evaluation, Navy as speci-
10 fied in the funding table in section 4201 of that Act.

11 (c) *EFFECT ON AUTHORIZATION AMOUNTS.*—A trans-
12 fer made from one account to another under the authority
13 of this section shall be deemed to increase the amount au-
14 thorized for the account to which the amount is transferred
15 by an amount equal to the amount transferred.

16 (d) *CONSTRUCTION OF AUTHORITY.*—The transfer au-
17 thority in this section is in addition to any other transfer
18 authority provided in this Act.

19 **SEC. 214. AUTHORITY FOR DEPARTMENT OF DEFENSE LAB-**
20 **ORATORIES TO ENTER INTO EDUCATION**
21 **PARTNERSHIPS WITH EDUCATIONAL INSTI-**
22 **TUTIONS IN UNITED STATES TERRITORIES**
23 **AND POSSESSIONS.**

24 (a) *AUTHORITY.*—Subsection (a) of section 2194 of
25 title 10, United States Code, is amended by inserting “,

1 *the Commonwealth of Puerto Rico, the Commonwealth of*
2 *the Northern Mariana Islands, and any possession of the*
3 *United States” after “institutions of the United States”.*

4 (b) *TECHNICAL AMENDMENT.—Subsection (f)(2) of*
5 *such section is amended by inserting “(20 U.S.C. 7801)”*
6 *before the period.*

7 **SEC. 215. TRANSFER OF CERTAIN FISCAL YEAR 2012 AIR**
8 **FORCE RESEARCH, DEVELOPMENT, TEST,**
9 **AND EVALUATION FUNDS.**

10 (a) *IN GENERAL.—To the extent provided in appro-*
11 *priations Acts, the Secretary of the Air Force may transfer*
12 *from fiscal year 2012 Air Force research, development, test,*
13 *and evaluation funds, \$78,426,000 to other, higher priority*
14 *programs of the Air Force.*

15 (b) *COVERED FUNDS.—For purposes of this section,*
16 *the term “fiscal year 2012 Air Force research, development,*
17 *test, and evaluation funds” means amounts authorized to*
18 *be appropriated for fiscal year 2012 by section 201 of the*
19 *National Defense Authorization Act for Fiscal Year 2012*
20 *(Public Law 112–81; 125 Stat. 1329) and available for Re-*
21 *search, Development, Test, and Evaluation, Air Force as*
22 *specified in the funding table in section 4201 of that Act.*

23 (c) *EFFECT ON AUTHORIZATION AMOUNTS.—A trans-*
24 *fer made from one account to another under the authority*
25 *of this section shall be deemed to increase the amount au-*

1 *thorized for the account to which the amount is transferred*
2 *by an amount equal to the amount transferred.*

3 *(d) CONSTRUCTION OF AUTHORITY.—The transfer au-*
4 *thority in this section is in addition to any other transfer*
5 *authority provided in this Act.*

6 **SEC. 216. RELOCATION OF C-BAND RADAR FROM ANTIGUA**
7 **TO H.E. HOLT STATION IN WESTERN AUS-**
8 **TRALIA TO ENHANCE SPACE SITUATIONAL**
9 **AWARENESS CAPABILITIES.**

10 *To the extent provided in appropriations Acts, of the*
11 *amounts authorized to be appropriated for fiscal year 2013*
12 *by section 201 and available for research, development, test,*
13 *and evaluation for Space Situation Awareness Systems*
14 *(PE 0604425F) for System Development and Demonstra-*
15 *tion as specified in the funding table in section 4201,*
16 *\$3,000,000 may be obligated and expended for a new pro-*
17 *gram for the relocation and research and development ac-*
18 *tivities to enhance Space Situational Awareness capabili-*
19 *ties through—*

20 *(1) the repurposing of the C-Band Radar at An-*
21 *tigua;*

22 *(2) the relocation of that radar to the H.E. Holt*
23 *Station in Western Australia;*

1 (3) upgrades of the hardware and software of
2 that radar to meet Space Situational Awareness mis-
3 sion needs;

4 (4) operational testing of that radar; and

5 (5) transfer of jurisdiction of that radar to the
6 Air Force Space Command for operations and
7 sustainment by September 30, 2016.

8 **SEC. 217. DETAILED DIGITAL RADIO FREQUENCY MODULA-**
9 **TION COUNTERMEASURES STUDIES AND SIM-**
10 **ULATIONS.**

11 (a) *ADDITIONAL AMOUNT FOR RDT&E, ARMY.*—The
12 amount authorized to be appropriated for fiscal year 2013
13 by section 201 is hereby increased by \$38,000,000, with the
14 amount of the increase to be available for amounts author-
15 ized to be appropriated by that section and available for
16 research, development, test, and evaluation, Army, for sys-
17 tem development and demonstration (PE 0605457A) Army
18 Integrated Air and Missile Defense (AIAMD), as specified
19 in the funding table in section 4201.

20 (b) *AVAILABILITY OF AMOUNT.*—To the extent pro-
21 vided in appropriations Acts, the amount authorized and
22 made available by subsection (a) may be obligated and ex-
23 pended for a new program to conduct detailed digital radio
24 frequency modulation (DRFM) countermeasures studies
25 and simulations to develop algorithms to address this threat

1 *change in support of the accelerated fielding of a new capa-*
2 *bility in Patriot, Sentinel, and Integrated Air and Missile*
3 *Defense (IAMD) for the requirements of the commanders of*
4 *the combatant commands.*

5 ***Subtitle C—Missile Defense Matters***

6 **SEC. 231. HOMELAND BALLISTIC MISSILE DEFENSE.**

7 (a) *FINDINGS.*—Congress makes the following findings:

8 (1) *The Ballistic Missile Defense Review of Feb-*
9 *ruary 2010 stated as its first policy priority that “the*
10 *United States will continue to defend the homeland*
11 *against the threat of limited ballistic missile attack”*
12 *and that “an essential element of the United States’*
13 *homeland ballistic missile defense strategy is to hedge*
14 *against future uncertainties, including both the un-*
15 *certainty of future threat capabilities and the tech-*
16 *nical risks inherent to our own development plans”.*

17 (2) *The United States currently has an oper-*
18 *ational Ground-based Midcourse Defense (GMD) sys-*
19 *tem with 30 Ground-Based Interceptors (GBIs) de-*
20 *ployed in Alaska and California, protecting the*
21 *United States against the potential future threat of*
22 *limited ballistic missile attack from countries such as*
23 *North Korea and Iran.*

24 (3) *As Deputy Assistant Secretary of Defense for*
25 *Nuclear and Missile Defense Policy Bradley Roberts*

1 *testified before the Committee on Armed Services of*
2 *the Senate on April 25, 2012, “[w]ith 30 GBIs in*
3 *place, the United States is in an advantageous posi-*
4 *tion vis-à-vis the threats from North Korea and*
5 *Iran,” and “neither has successfully tested an ICBM*
6 *or demonstrated an ICBM-class warhead”.*

7 *(4) Deputy Assistant Secretary Roberts testified*
8 *that maintaining this advantageous position “re-*
9 *quires continued improvement to the GMD system,*
10 *including enhanced performance by the GBIs and the*
11 *deployment of new sensors. It also requires the devel-*
12 *opment of the Precision Tracking Space System*
13 *(PTSS) to handle larger raid sizes and the Standard*
14 *Missile-3 (SM-3) Block IIB as the ICBM threat from*
15 *states like Iran and North Korea matures. These ef-*
16 *forts will help to ensure that the United States pos-*
17 *sesses the capability to counter the projected threat for*
18 *the foreseeable future”.*

19 *(5) As its highest priority, the Missile Defense*
20 *Agency is designing a correction to the problem that*
21 *caused a December 2010 flight test failure of the*
22 *Ground-based Midcourse Defense system using the Ca-*
23 *pability Enhancement II (CE-II) model of exo-atmos-*
24 *pheric kill vehicle, and plans to demonstrate the cor-*
25 *rection in two flight tests before resuming production*

1 *or assembly of additional Capability Enhancement II*
2 *kill vehicles.*

3 *(6) The Department of Defense has a program to*
4 *improve the performance and reliability of the*
5 *Ground-based Midcourse Defense system, including a*
6 *plan to test every component of the Ground-Based*
7 *Interceptors for reliability. According to Department*
8 *of Defense officials, the goal of the Ground-Based In-*
9 *terceptor reliability program is to double the number*
10 *of threat Intercontinental Ballistic Missiles (ICBMs)*
11 *that our current inventory of Ground-Based Intercep-*
12 *tors could defeat, thereby effectively doubling the ca-*
13 *pability of our current Ground-based Midcourse De-*
14 *fense system.*

15 *(7) The Missile Defense Agency, working with the*
16 *Director of Operational Test and Evaluation and*
17 *with United States Strategic Command, has devel-*
18 *oped a comprehensive Integrated Master Test Plan*
19 *(IMTP) for missile defense, with flight tests for the*
20 *Ground-based Midcourse Defense system planned*
21 *through fiscal year 2022, including salvo testing, mul-*
22 *tiple simultaneous engagement testing, and oper-*
23 *ational testing.*

24 *(8) The Director of Operational Test and Eval-*
25 *uation, who must review, approve, and sign each*

1 *semi-annual version of the Integrated Master Test*
2 *Plan, testified that the Test Plan is “a robust and*
3 *rigorous test plan”. He also testified that the current*
4 *pace of Ground-based Midcourse Defense system test-*
5 *ing of one flight test per year is the “best that we’ve*
6 *been able to achieve over a decade”.*

7 *(9) The Director of the Missile Defense Agency*
8 *testified before the Committee on Armed Services of*
9 *the Senate on April 25, 2012, that flight testing the*
10 *Ground-based Midcourse Defense system more often*
11 *than once per year could cause “greater risk of fur-*
12 *ther failure and setbacks to developing our homeland*
13 *defense capability as rapidly as possible”.*

14 *(10) As part of its homeland defense hedging*
15 *strategy, the Department of Defense has already de-*
16 *ecided upon or implemented a number of actions to*
17 *improve the missile defense posture of the United*
18 *States in case the threat of Intercontinental Ballistic*
19 *Missiles from North Korea or Iran emerges sooner or*
20 *in greater numbers than anticipated. These include*
21 *the following actions:*

22 *(A) The Missile Defense Agency has com-*
23 *pleted construction of Missile Field-2 at Fort*
24 *Greely, Alaska, with eight extra silos available to*

1 *deploy additional operational Ground-Based*
2 *Interceptors, if needed.*

3 *(B) With its request for 5 additional*
4 *Ground-Based Interceptors in the budget of the*
5 *President for fiscal year 2013, the Missile De-*
6 *fense Agency plans to have enough test and spare*
7 *Ground-Based Interceptors to emplace in the 8*
8 *extra silos from 2014 through 2025, and will*
9 *keep the Ground-Based Interceptor production*
10 *line active for 5 additional years, thus allowing*
11 *additional Ground-Based Interceptor purchases*
12 *in the future, if needed.*

13 *(C) The Department has decided not to de-*
14 *commission prototype Missile Field-1 at Fort*
15 *Greely but, instead, to keep it in a storage status*
16 *that would permit it to be refurbished and reac-*
17 *tivated within a few years if future threat devel-*
18 *opments make that necessary.*

19 *(D) The Missile Defense Agency plans to*
20 *build an in-flight interceptor communications*
21 *terminal at Fort Drum, New York, to enhance*
22 *the performance of Ground-Based Interceptors*
23 *defending the eastern United States against pos-*
24 *sible future missile threats from Iran.*

1 (E) *The Missile Defense Agency is con-*
2 *tinuing the development and testing of the two-*
3 *stage Ground-Based Interceptor for possible de-*
4 *ployment in the future, if needed.*

5 (F) *The Missile Defense Agency is upgrad-*
6 *ing early warning radars in Clear, Alaska, and*
7 *Cape Cod, Massachusetts, to enhance the ability*
8 *to defend against potential multiple future Inter-*
9 *continental Ballistic Missile threats from North*
10 *Korea and Iran.*

11 (G) *The Missile Defense Agency is pursuing*
12 *development of the Standard Missile-3 Block IIB*
13 *interceptor for Phase 4 of the European Phased*
14 *Adaptive Approach. It is intended to augment*
15 *the Ground-based Midcourse Defense system as a*
16 *cost-effective first layer of defense of the home-*
17 *land against a possible future Intercontinental*
18 *Ballistic Missile threat from Iran.*

19 (H) *The Missile Defense Agency is pursuing*
20 *development of the Precision Tracking Space*
21 *System, a satellite sensor system to provide per-*
22 *sistent tracking of large numbers of missiles in*
23 *flight, and fire-control quality targeting data to*
24 *various missile defense interceptor systems. Ac-*
25 *cording to the Director of the Missile Defense*

1 Agency, “the greatest future enhancement for
2 both homeland and regional defense in the next
3 ten years is the development of the Precision
4 Tracking Space System satellites”.

5 (11) *As part of its homeland defense hedging*
6 *strategy review, the Department of Defense is consid-*
7 *ering other options to enhance the future United*
8 *States posture to defend the homeland, including the*
9 *feasibility, advisability and affordability of deploying*
10 *additional Ground-Based Interceptors, either in Alas-*
11 *ka or at a missile defense site on the East Coast of*
12 *the United States.*

13 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
14 *that—*

15 (1) *it is a national priority to defend the home-*
16 *land against the potential future threat of limited*
17 *ballistic missile attack from countries such as North*
18 *Korea and Iran;*

19 (2) *the currently deployed Ground-based Mid-*
20 *course Defense system, with 30 Ground-Based Inter-*
21 *ceptors deployed in Alaska and California, provides*
22 *protection of the United States homeland against the*
23 *potential future threat of limited ballistic missile at-*
24 *tack from North Korea and Iran;*

1 (3) *it is essential for the Ground-based Mid-*
2 *course Defense system to achieve the levels of reli-*
3 *ability, availability, sustainability, and operational*
4 *performance that will allow it to continue providing*
5 *protection of the United States homeland against lim-*
6 *ited ballistic missile attack;*

7 (4) *the Missile Defense Agency should, as its*
8 *highest priority, correct the problem that caused the*
9 *December 2010 Ground-based Midcourse Defense sys-*
10 *tem flight test failure and demonstrate the correction*
11 *in flight tests before resuming production of the Capa-*
12 *bility Enhancement-II kill vehicle, in order to provide*
13 *confidence that the system will work as intended;*

14 (5) *the Department of Defense should continue to*
15 *enhance the performance and reliability of the*
16 *Ground-based Midcourse Defense system, and enhance*
17 *the capability of the Ballistic Missile Defense System,*
18 *to provide improved capability to defend the home-*
19 *land against possible increased future missile threats*
20 *from North Korea and Iran;*

21 (6) *the Missile Defense Agency should continue*
22 *its robust, rigorous, and realistic testing of the*
23 *Ground-based Midcourse Defense system at a pace of*
24 *one flight test per year, as described in the Integrated*
25 *Master Test Plan, including salvo testing, multiple si-*

1 *multaneous engagement testing, and operational test-*
2 *ing;*

3 *(7) if successfully developed, the Standard Mis-*
4 *sile-3 Block IIB interceptor would provide an essen-*
5 *tial first layer of defense of the homeland against an*
6 *emerging Intercontinental Ballistic Missile threat*
7 *from Iran, using a cost-effective forward-based early*
8 *intercept system that could permit holding Ground-*
9 *Based Interceptors in reserve, and if such interceptor*
10 *could be deployed on ships, it would also provide a*
11 *significant enhancement to defense against possible*
12 *future threats from North Korea;*

13 *(8) the Precision Tracking Space System has the*
14 *potential to improve dramatically the capability of*
15 *homeland and regional missile defense systems*
16 *against large numbers of missiles launched simulta-*
17 *neously, and should remain a high priority for devel-*
18 *opment;*

19 *(9) the Department of Defense has taken a num-*
20 *ber of prudent, affordable, cost-effective, and oper-*
21 *ationally significant steps to hedge against the possi-*
22 *bility of future growth in the missile threat to the*
23 *homeland from North Korea and Iran; and*

24 *(10) the Department of Defense should continue*
25 *to evaluate the evolution of the long-range missile*

1 *threat from North Korea and Iran and consider other*
2 *possibilities for prudent, affordable, cost-effective, and*
3 *operationally significant steps to improve the posture*
4 *of the United States to defend the homeland against*
5 *possible future growth in the threat.*

6 *(c) REPORT.—*

7 *(1) REPORT REQUIRED.—Not later than 180*
8 *days after the date of the enactment of this Act, the*
9 *Secretary of Defense shall submit to the congressional*
10 *defense committees a report on the status of efforts to*
11 *improve the homeland ballistic missile defense capa-*
12 *bility of the United States.*

13 *(2) ELEMENTS OF REPORT.—The report required*
14 *by paragraph (1)) shall include the following:*

15 *(A) A detailed description of the actions*
16 *taken or planned to improve the reliability,*
17 *availability, and capability of the Ground-based*
18 *Midcourse Defense system.*

19 *(B) A description of any improvements*
20 *achieved as a result of the actions described in*
21 *subparagraph (A).*

22 *(C) A description of the results of the two*
23 *planned flight tests of the Ground-based Mid-*
24 *course Defense system (Control Test Vehicle flight*
25 *test-1, and GMD Flight Test–06b) intended to*

1 *demonstrate the success of the correction of the*
2 *problem that caused the flight test failure of De-*
3 *cember 2010, and the status of any decision to*
4 *resume production of the Capability Enhance-*
5 *ment-II kill vehicle.*

6 *(D) A detailed description of actions taken*
7 *or planned to improve the homeland defense pos-*
8 *ture of the United States to hedge against poten-*
9 *tial future Intercontinental Ballistic Missile*
10 *threat growth from North Korea and Iran.*

11 *(E) Any other matters the Secretary con-*
12 *siders appropriate.*

13 (3) *FORM OF REPORT.*—*The report shall be sub-*
14 *mitted in unclassified form, but may include a classi-*
15 *fied annex.*

16 **SEC. 232. REGIONAL BALLISTIC MISSILE DEFENSE.**

17 (a) *FINDINGS.*—*Congress makes the following findings:*

18 (1) *In the introduction to the Ballistic Missile*
19 *Defense Review of February 2010, Secretary of De-*
20 *fense Robert Gates states that “I have made defending*
21 *against near-term regional threats a top priority of*
22 *our missile defense plans, programs and capabilities”.*

23 (2) *In describing the threat of regional ballistic*
24 *missiles, the report of the Ballistic Missile Defense Re-*
25 *view states that “there is no uncertainty about the ex-*

1 *istence of regional threats. They are clear and present.*
2 *The threat from short-range, medium-range, and in-*
3 *termediate-range ballistic missiles (SRBMs, MRBMs,*
4 *and IRBMs) in regions where the United States de-*
5 *ploys forces and maintains security relationships is*
6 *growing at a particularly rapid pace”.*

7 (3) *In testimony before the Committee on Armed*
8 *Services of the Senate on April 25, 2012, Dr. Bradley*
9 *Roberts, Deputy Assistant Secretary of Defense for*
10 *Nuclear and Missile Defense Policy stated, with re-*
11 *spect to regional missile defense, that “the need arises*
12 *from the rapidly emerging threats to our armed forces*
13 *in Europe, the Middle East, and East Asia from re-*
14 *gional missile proliferators and the basic challenge*
15 *such proliferation poses to the safety and security of*
16 *our forces and allies and to our power projection*
17 *strategy”.*

18 (4) *Iran has the largest inventory of regional*
19 *ballistic missiles in the Middle East, with hundreds*
20 *of missiles that can reach southeastern Europe and*
21 *all of the Middle East, including Israel. Iran is im-*
22 *proving its existing missiles and developing new and*
23 *longer-range missiles.*

24 (5) *North Korea has a large and growing inven-*
25 *tory of short-range and medium-range ballistic mis-*

1 *siles that can reach United States forces and allies in*
2 *South Korea and Japan. North Korea is improving*
3 *its existing missiles and developing new and longer-*
4 *range missiles.*

5 *(6) In September 2009, President Barack Obama*
6 *announced that he had accepted the unanimous rec-*
7 *ommendation of the Secretary of Defense and the*
8 *Joint Chiefs of Staff to establish a European Phased*
9 *Adaptive Approach to missile defense, designed to*
10 *protect deployed United States forces and allies and*
11 *partners in Europe against the large and growing*
12 *threat of ballistic missiles from Iran.*

13 *(7) In November 2010, at the Lisbon Summit,*
14 *the North Atlantic Treaty Organization (NATO) de-*
15 *ecided to adopt the core mission of missile defense of*
16 *its population, territory and forces. The North Atlan-*
17 *tic Treaty Organization agreed to enhance its missile*
18 *defense command and control system, the Active Lay-*
19 *ered Theater Ballistic Missile Defense, to provide a*
20 *North Atlantic Treaty Organization command and*
21 *control capability. This is in addition to contribu-*
22 *tions of missile defense capability from individual na-*
23 *tions.*

24 *(8) During 2011, the United States successfully*
25 *implemented Phase 1 of the European Phased Adapt-*

1 *ive Approach, including deployment of an AN/TPY-*
2 *2 radar in Turkey, deployment of an Aegis Ballistic*
3 *Missile Defense ship in the eastern Mediterranean Sea*
4 *with Standard Missile-3 Block IA interceptors, and*
5 *establishment of a missile defense command and con-*
6 *trol system in Germany.*

7 (9) *During 2011, the United States successfully*
8 *negotiated all the international agreements with*
9 *North Atlantic Treaty Organization allies needed to*
10 *permit future phases of the European Phased Adapt-*
11 *ive Approach, including agreements with Romania*
12 *and Poland to permit the deployment of Aegis Ashore*
13 *missile defense systems on their territory, an agree-*
14 *ment with Turkey to permit deployment of an AN/*
15 *TPY-2 radar on its territory, and an agreement with*
16 *Spain to permit the forward stationing of four Aegis*
17 *Ballistic Missile Defense ships at Rota.*

18 (10) *Phase 2 of the European Phased Adaptive*
19 *Approach is planned for deployment in 2015, and is*
20 *planned to include the deployment of Standard Mis-*
21 *sile-3 Block IB interceptors on Aegis Ballistic Missile*
22 *Defense ships and at an Aegis Ashore site in Roma-*
23 *nia.*

24 (11) *Phase 3 of the European Phased Adaptive*
25 *Approach is planned for deployment in 2018, and is*

1 *planned to include the deployment of Standard Mis-*
2 *sile-3 Block IIA interceptors on Aegis Ballistic Missile*
3 *Defense ships and at an Aegis Ashore site in Poland.*

4 *(12) Phase 4 of the European Phased Adaptive*
5 *Approach is planned for deployment in 2020, and is*
6 *planned to include the deployment of Standard Mis-*
7 *sile-3 Block IIB interceptors at Aegis Ashore sites.*
8 *This interceptor is intended to protect both Europe*
9 *and the United States against potential future long-*
10 *range ballistic missiles from Iran.*

11 *(13) At the North Atlantic Treaty Organization*
12 *Summit in Chicago in 2012, the North Atlantic Trea-*
13 *ty Organization plans to announce it has achieved an*
14 *“interim capability” for the North Atlantic Treaty*
15 *Organization missile defense system, including initial*
16 *capability of its Active Layered Theater Ballistic*
17 *Missile Defense system at a command and control fa-*
18 *cility in Germany.*

19 *(14) The United States has a robust program of*
20 *missile defense cooperation with Israel, including*
21 *joint development of the Arrow Weapon System and*
22 *the new Arrow-3 upper tier interceptor, designed to*
23 *defend Israel against ballistic missiles from Iran.*
24 *These jointly developed missile defense systems are de-*
25 *signed to be interoperable with United States ballistic*

1 *missile defenses, and these interoperable systems are*
2 *tested in large military exercises. The United States*
3 *has deployed an AN/TPY-2 radar in Israel to en-*
4 *hance missile defense against missiles from Iran.*

5 *(15) The United States is working with the na-*
6 *tions of the Gulf Cooperation Council on enhanced*
7 *national and regional missile defense capabilities*
8 *against growing missile threats from Iran. As part of*
9 *this effort, the United Arab Emirates plans to pur-*
10 *chase two batteries of the Terminal High Altitude Air*
11 *Defense (THAAD) system, as well as other equipment.*

12 *(16) The United States has a strong program of*
13 *missile defense cooperation with Japan, including the*
14 *co-development of the Standard Missile-3 (SM-3)*
15 *Block IIA interceptor for the Aegis Ballistic Missile*
16 *Defense system, intended to be deployed by Japan and*
17 *in Phase 3 of the European Phased Adaptive Ap-*
18 *proach, Japan's fleet of Aegis Ballistic Missile Defense*
19 *ships using the SM-3 Block IA interceptors, and the*
20 *United States deployment of an AN/TPY-2 radar in*
21 *Japan.*

22 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
23 *that—*

24 *(1) the threat from regional ballistic missiles,*
25 *particularly from Iran and North Korea, is serious*

1 *and growing, and puts at risk forward-deployed*
2 *United States forces and allies and partners in Eu-*
3 *rope, the Middle East, and the Asia-Pacific region;*

4 *(2) the Department of Defense has an obligation*
5 *to provide force protection of forward-deployed United*
6 *States forces, assets, and facilities from regional bal-*
7 *listic missile attack;*

8 *(3) the United States has an obligation to meet*
9 *its security commitments to its allies, including bal-*
10 *listic missile defense commitments;*

11 *(4) the Department of Defense has a balanced*
12 *program of investment and capabilities to provide for*
13 *both homeland defense and regional defense against*
14 *ballistic missiles, consistent with the Ballistic Missile*
15 *Defense Review and with the prioritized and inte-*
16 *grated needs of the commanders of the combatant*
17 *commands;*

18 *(5) the European Phased Adaptive Approach to*
19 *missile defense is an appropriate and necessary re-*
20 *sponse to the existing and growing ballistic missile*
21 *threat from Iran to forward deployed United States*
22 *forces and allies and partners in Europe;*

23 *(6) the Department of Defense—*

24 *(A) should, as a high priority, continue to*
25 *develop, test, and plan to deploy all four phases*

1 *of the European Phased Adaptive Approach, in-*
2 *cluding all variants of the Standard Missile-3*
3 *interceptor; and*

4 *(B) should also continue with its other*
5 *phased and adaptive regional missile defense ef-*
6 *forts tailored to the Middle East and the Asia-*
7 *Pacific region;*

8 *(7) European members of the North Atlantic*
9 *Treaty Organization are making valuable contribu-*
10 *tions to missile defense in Europe, by hosting ele-*
11 *ments of United States missile defense systems on*
12 *their territories, through individual national con-*
13 *tributions to missile defense capability, and by collec-*
14 *tive funding and development of the Active Layered*
15 *Theater Ballistic Missile Defense system; and*

16 *(8) the Department of Defense should continue*
17 *with the development of the key enablers of enhanced*
18 *regional missile defense, including the Precision*
19 *Tracking Space System.*

20 *(c) REPORT.—*

21 *(1) IN GENERAL.—Not later than 180 days after*
22 *the date of enactment of this Act, the Secretary of De-*
23 *fense shall submit to the congressional defense com-*
24 *mittees a report describing the status and progress of*
25 *regional missile defense programs and efforts.*

1 (2) *ELEMENTS OF REPORT.*—*The report required*
2 *by paragraph (1) shall include the following:*

3 (A) *An assessment of the adequacy of the ex-*
4 *isting and planned European Phased Adaptive*
5 *Approach to provide force protection for forward*
6 *deployed United States forces in Europe against*
7 *ballistic missile threats from Iran, and an as-*
8 *essment whether adequate force protection would*
9 *be available absent the European Phased Adapt-*
10 *ive Approach.*

11 (B) *An assessment whether the European*
12 *Phased Adaptive Approach and other planned*
13 *regional missile defense approaches of the United*
14 *States meet the integrated priorities of the com-*
15 *manders of the regional combatant commands in*
16 *an affordable and balanced manner.*

17 (C) *A description of the progress made in*
18 *the development and testing of elements of sys-*
19 *tems intended for deployment in Phases 2*
20 *through 4 of the European Phased Adaptive Ap-*
21 *proach, including the Standard Missile-3 Block*
22 *IB interceptor and the Aegis Ashore system.*

23 (D) *A description of the manner in which*
24 *elements of regional missile defense architectures,*
25 *such as forward-based X-band radars in Turkey*

1 *and Japan, contribute to the enhancement of*
2 *homeland defense of the United States.*

3 *(E) A description of the current and*
4 *planned contributions of North Atlantic Treaty*
5 *Organization allies, both collectively and indi-*
6 *vidually, to missile defense in Europe.*

7 *(3) FORM.—The report required by paragraph*
8 *(1) shall be submitted in unclassified form, but may*
9 *include a classified annex.*

10 **SEC. 233. MISSILE DEFENSE COOPERATION WITH RUSSIA.**

11 *(a) FINDINGS.—Congress makes the following findings:*

12 *(1) For more than a decade, the United States*
13 *and Russia have discussed a variety of options for co-*
14 *operation on shared early warning and ballistic mis-*
15 *sile defense. For example, on May 1, 2001, President*
16 *George W. Bush spoke of a “new cooperative relation-*
17 *ship” with Russia and said “it should be premised on*
18 *openness, mutual confidence and real opportunities*
19 *for cooperation, including the area of missile defense.*
20 *It should allow us to share information so that each*
21 *nation can improve its early warning capability, and*
22 *its capability to defend its people and territory. And*
23 *perhaps one day, we can even cooperate in a joint de-*
24 *fense”.*

1 (2) *Section 1231 of the Floyd D. Spence Na-*
2 *tional Defense Authorization Act for Fiscal Year 2001*
3 *(as enacted into law by Public Law 106–398; 1654A–*
4 *329) authorized the Department of Defense to estab-*
5 *lish in Russia a “joint center for the exchange of data*
6 *from systems to provide early warning of launches of*
7 *ballistic missiles and for notification of launches of*
8 *such missiles”, also known as the Joint Data Ex-*
9 *change Center (JDEC).*

10 (3) *On March 31, 2008, Deputy Secretary of De-*
11 *fense Gordon England stated that “we have offered*
12 *Russia a wide-ranging proposal to cooperate on mis-*
13 *sile defense—everything from modeling and simula-*
14 *tion, to data sharing, to joint development of a re-*
15 *gional missile defense architecture—all designed to*
16 *defend the United States, Europe, and Russia from*
17 *the growing threat of Iranian ballistic missiles. An*
18 *extraordinary series of transparency measures have*
19 *also been offered to reassure Russia. Despite some*
20 *Russian reluctance to sign up to these cooperative*
21 *missile defense activities, we continue to work toward*
22 *this goal”.*

23 (4) *On July 6, 2009, President Barack Obama*
24 *and Russian President Dmitry Medvedev issued a*
25 *joint statement on missile defense issues, which stated*

1 that “Russia and the United States plan to continue
2 the discussion concerning the establishment of co-
3 operation in responding to the challenge of ballistic
4 missile proliferation. . . We have instructed our ex-
5 perts to work together to analyze the ballistic missile
6 challenges of the 21st century and to prepare appro-
7 priate recommendations”.

8 (5) *The February 2010 report of the Ballistic*
9 *Missile Defense Review established as one of its cen-*
10 *tral policy pillars that increased international missile*
11 *defense cooperation is in the national security interest*
12 *of the United States and, with regard to cooperation*
13 *with Russia, the United States “is pursuing a broad*
14 *agenda focused on shared early warning of missile*
15 *launches, possible technical cooperation, and even*
16 *operational cooperation”.*

17 (6) *at the November 2010 Lisbon Summit, the*
18 *North Atlantic Treaty Organization (NATO) decided*
19 *to develop a missile defense system to “protect NATO*
20 *European populations, territory and forces” and also*
21 *to seek cooperation with Russia on missile defense. In*
22 *its Lisbon Summit Declaration, the North Atlantic*
23 *Treaty Organization reaffirmed its readiness to “in-*
24 *voke Russia to explore jointly the potential for linking*
25 *current and planned missile defence systems at an*

1 *appropriate time in mutually beneficial ways”. The*
2 *new NATO Strategic Concept adopted at the Lisbon*
3 *Summit states that “we will actively seek cooperation*
4 *on missile defense with Russia”, that “NATO-Russia*
5 *cooperation is of strategic importance”, and that “the*
6 *security of the North Atlantic Treaty Organization*
7 *and Russia is intertwined”.*

8 *(7) In a December 18, 2010, letter to the leader-*
9 *ship of the Senate, President Obama wrote that the*
10 *North Atlantic Treaty Organization “invited Russia*
11 *to cooperate on missile defense, which could lead to*
12 *adding Russian capabilities to those deployed by*
13 *NATO to enhance our common security against com-*
14 *mon threats. The Lisbon Summit thus demonstrated*
15 *that the Alliance’s missile defenses can be strength-*
16 *ened by improving NATO-Russian relations. This*
17 *comes even as we have made clear that the system we*
18 *intend to pursue with Russia will not be a joint sys-*
19 *tem, and it will not in any way limit United States’*
20 *or NATO’s missile defense capabilities. Effective co-*
21 *operation with Russia could enhance the overall effi-*
22 *ciency of our combined territorial missile defenses,*
23 *and at the same time provide Russia with greater se-*
24 *curity”.*

1 (8) *Section 221(a)(3) of the Ike Skelton National*
2 *Defense Authorization Act for Fiscal Year 2011 (Pub-*
3 *lic Law 111–383; 124 Stat. 4167) states that it is the*
4 *sense of Congress “to support the efforts of the United*
5 *States Government and the North Atlantic Treaty Or-*
6 *ganization to pursue cooperation with the Russian*
7 *Federation on ballistic missile defense relative to Ira-*
8 *nian missile threats”.*

9 (9) *In a speech in Russia on March 21, 2011,*
10 *Secretary of Defense Robert Gates cited “the NATO-*
11 *Russian decision to cooperate on defense against bal-*
12 *listic missiles. We’ve disagreed before, and Russia still*
13 *has uncertainties about the European Phased Adapt-*
14 *ive Approach, a limited system that poses no chal-*
15 *lenges to the large Russian nuclear arsenal. However,*
16 *we’ve mutually committed to resolving these difficul-*
17 *ties in order to develop a roadmap toward truly effec-*
18 *tive anti-ballistic missile collaboration. This collabo-*
19 *ration may include exchanging launch information,*
20 *setting up a joint data fusion center, allowing greater*
21 *transparency with respect to our missile defense plans*
22 *and exercises, and conducting a joint analysis to de-*
23 *termine areas of future cooperation”.*

24 (10) *In testimony to the Committee on Armed*
25 *Services of the Senate on April 13, 2011, Deputy As-*

1 *sistant Secretary of Defense for Nuclear and Missile*
2 *Defense Policy Bradley H. Roberts stated that the*
3 *United States has been pursuing a Defense Tech-*
4 *nology Cooperation Agreement with Russia since*
5 *2004, and that such an agreement is necessary “for*
6 *the safeguarding of sensitive information in support*
7 *of cooperation” on missile defense, and to “provide*
8 *the legal framework for undertaking cooperative ef-*
9 *forts”. Further, Dr. Roberts stated that the United*
10 *States would not provide any classified information*
11 *to Russia without first conducting a National Disclo-*
12 *sure Policy review. He also stated that the United*
13 *States is not considering sharing “hit-to-kill” tech-*
14 *nology with Russia.*

15 *(11) In a March 2012 answer to a question from*
16 *the Committee on Armed Services of the Senate on*
17 *missile defense cooperation with Russia, Acting*
18 *Under Secretary of Defense for Policy Jim Miller*
19 *wrote that “I support U.S.-Russian cooperation on*
20 *missile defenses first and foremost because it could*
21 *improve the effectiveness of U.S. and NATO missile*
22 *defenses, thereby improving the protection of the*
23 *United States, our forces overseas, and our Allies.*
24 *Missile defense cooperation with Russia is in the secu-*
25 *rity interests of the United States, NATO, and Rus-*

1 *sia, first and foremost because it could strengthen ca-*
2 *pabilities across Europe to intercept Iranian mis-*
3 *siles”. He also wrote that “[t]he United States has*
4 *pursued missile defense cooperation with Russia with*
5 *the clear understanding that we would not accept con-*
6 *straints on missile defense, and that we would under-*
7 *take necessary qualitative and quantitative improve-*
8 *ments to meet U.S. Security needs”.*

9 *(12) In February 2012, an international group*
10 *of independent experts known as the Euro-Atlantic*
11 *Security Initiative issued a report proposing missile*
12 *defense cooperation between the United States (with*
13 *its North Atlantic Treaty Organization allies) and*
14 *Russia. The group, whose leaders included Stephen*
15 *Hadley, the National Security Advisor to President*
16 *George W. Bush, proposed that the nations share sat-*
17 *ellite and radar early warning data at joint coopera-*
18 *tion centers in order to improve their ability to de-*
19 *tect, track, and defeat medium-range and inter-*
20 *mediate-range ballistic missiles from the Middle East.*

21 *(13) In a letter dated April 13, 2012, Robert*
22 *Nabors, Assistant to the President and Director of the*
23 *Office of Legislative Affairs, wrote that “it is Admin-*
24 *istration policy that we will only provide information*
25 *to Russia that will enhance the effectiveness of our*

1 *missile defenses. The Administration will not provide*
2 *Russia with sensitive information that would in any*
3 *way compromise our national security, including hit-*
4 *to-kill technology and interceptor telemetry”.*

5 *(14) The United States and Russia already en-*
6 *gage in substantial cooperation on a number of inter-*
7 *national security efforts, including nuclear non-*
8 *proliferation, anti-piracy, counter-narcotics, nuclear*
9 *security, counter-terrorism, and logistics resupply*
10 *through Russia of coalition forces in Afghanistan.*
11 *These areas of cooperation require each side to share*
12 *and protect sensitive information, which they have*
13 *both done successfully.*

14 *(15) The United States currently has shared*
15 *early warning agreements and programs of coopera-*
16 *tion with eight nations in addition to the North At-*
17 *lantic Treaty Organization. The United States has*
18 *developed procedures and mechanisms for sharing*
19 *early warning information with partner nations*
20 *while ensuring the protection of sensitive United*
21 *States information.*

22 *(16) Russia and the United States each have*
23 *missile launch early warning and detection and*
24 *tracking sensors that could contribute to and enhance*

1 *each others' ability to detect, track, and defend against*
2 *ballistic missile threats from Iran.*

3 *(17) The Obama Administration has provided*
4 *regular briefings to Congress on its discussions with*
5 *Russia on possible missile defense cooperation.*

6 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
7 *that—*

8 *(1) it is in the national security interest of the*
9 *United States to pursue efforts at missile defense co-*
10 *operation with Russia that would enhance the secu-*
11 *rity of the United States, its North Atlantic Treaty*
12 *Organization allies, and Russia, particularly against*
13 *missile threats from Iran;*

14 *(2) the United States should pursue ballistic*
15 *missile defense cooperation with Russia on both a bi-*
16 *lateral basis and a multilateral basis with its North*
17 *Atlantic Treaty Organization allies, particularly*
18 *through the NATO-Russia Council;*

19 *(3) missile defense cooperation with Russia*
20 *should not “in any way limit United States’ or*
21 *NATO’s missile defense capabilities”, as acknowledged*
22 *in the December 18, 2010, letter from President*
23 *Obama to the leadership of the Senate, and should be*
24 *mutually beneficial and reciprocal in nature;*

1 (4) *the United States should not provide Russia*
2 *with sensitive missile defense information that would*
3 *in any way compromise United States national secu-*
4 *urity, including “hit-to-kill” technology and inter-*
5 *ceptor telemetry; and*

6 (5) *the United States should pursue missile de-*
7 *fense cooperation with Russia in a manner that en-*
8 *sures that—*

9 (A) *United States classified information is*
10 *appropriately safeguarded and protected from*
11 *unauthorized disclosure;*

12 (B) *prior to sharing classified information*
13 *with Russia, the United States conducts a Na-*
14 *tional Disclosure Policy review and determines*
15 *the types and levels of information that may be*
16 *shared and whether any additional procedures*
17 *are necessary to protect such information;*

18 (C) *prior to entering into missile defense*
19 *technology cooperation projects, the United*
20 *States enters into a Defense Technology Coopera-*
21 *tion Agreement with Russia that establishes the*
22 *legal framework for a broad spectrum of poten-*
23 *tial cooperative defense projects; and*

1 (D) such cooperation does not limit the mis-
2 sile defense capabilities of the United States or
3 its North Atlantic Treaty Organization allies.

4 **SEC. 234. NEXT GENERATION EXO-ATMOSPHERIC KILL VE-**
5 **HICLE.**

6 (a) *PLAN FOR NEXT GENERATION KILL VEHICLE.*—
7 *The Director of the Missile Defense Agency shall develop a*
8 *long-term plan for the Exo-atmospheric Kill Vehicle (EKV)*
9 *that addresses both modifications and enhancements to the*
10 *current Exo-atmospheric Kill Vehicle and options for the*
11 *competitive development of a next generation Exo-atmos-*
12 *pheric Kill Vehicle for the Ground-Based Interceptor (GBI)*
13 *of the Ground-based Midcourse Defense (GMD) system and*
14 *any other interceptor that might be developed for the defense*
15 *of the United States against long-range ballistic missiles.*

16 (b) *DEFINITION OF PARAMETERS AND CAPABILI-*
17 *TIES.*—

18 (1) *ASSESSMENT REQUIRED.*—*The Director shall*
19 *define the desired technical parameters and perform-*
20 *ance capabilities for a next generation Exo-atmos-*
21 *pheric Kill Vehicle using an assessment conducted by*
22 *the Director for that purpose that is designed to en-*
23 *sure that a next generation Exo-atmospheric Kill Ve-*
24 *hicle design—*

1 (A) enables ease of manufacturing, high tol-
2 erances to production processes and supply chain
3 variability, and inherent reliability;

4 (B) will be optimized to take advantage of
5 the Ballistic Missile Defense System architecture
6 and sensor system capabilities;

7 (C) leverages all relevant kill vehicle devel-
8 opment activities and technologies, including
9 from the current Standard Missile-3 Block IIB
10 (SM-3 IIB) program and the previous Multiple
11 Kill Vehicle technology development program;

12 (D) seeks to maximize, to the greatest extent
13 practicable, commonality between subsystems of
14 a next generation Exo-atmospheric Kill Vehicle
15 and other exo-atmospheric kill vehicle programs;
16 and

17 (E) meets Department of Defense criteria,
18 as established in the February 2010 Ballistic
19 Missile Defense Review, for affordability, reli-
20 ability, suitability, and operational effectiveness
21 to defend against limited attacks from evolving
22 and future threats from long-range missiles.

23 (2) EVALUATION OF PAYLOADS.—The assessment
24 required by paragraph (1) shall include an evaluation
25 of the potential benefits and drawbacks of options for

1 *both unitary and multiple Exo-atmospheric Kill Vehi-*
2 *cle payloads.*

3 (3) *STANDARD MISSILE-3 BLOCK IIB INTER-*
4 *CEPTOR.—As part of the assessment required by para-*
5 *graph (1), the Director shall evaluate whether there*
6 *are potential options and opportunities arising from*
7 *the Standard Missile-3 Block IIB interceptor develop-*
8 *ment program for development of an exo-atmospheric*
9 *kill vehicle, or kill vehicle technologies or components,*
10 *that could be used for potential upgrades to the*
11 *Ground-Based Interceptor or for a next generation*
12 *Exo-atmospheric Kill Vehicle.*

13 (c) *REPORT.—*

14 (1) *IN GENERAL.—Not later than one year after*
15 *the date of the enactment of this Act, the Director*
16 *shall submit to the congressional defense committees a*
17 *report setting forth the plan developed under sub-*
18 *section (a), including the results of the assessment*
19 *under subsection (b), and an estimate of the cost and*
20 *schedule of implementing the plan.*

21 (2) *FORM.—The report required by paragraph*
22 *(1) shall be submitted in unclassified form, but may*
23 *include a classified annex.*

1 **SEC. 235. MODERNIZATION OF THE PATRIOT AIR AND MIS-**
2 **SILE DEFENSE SYSTEM.**

3 (a) *PLAN FOR MODERNIZATION.*—Not later than 180
4 days after the date of the enactment of this Act, the Sec-
5 retary of the Army shall submit to the congressional defense
6 committees a prioritized plan for support of the long-term
7 requirements in connection with the modernization of the
8 Patriot air and missile defense system.

9 (b) *ADDITIONAL ELEMENTS.*—The report required by
10 subsection (a) shall also set forth the following:

11 (1) *An assessment of the integrated air and mis-*
12 *sile defense capabilities required to meet the demands*
13 *of evolving and emerging threats.*

14 (2) *A plan for the introduction of changes to the*
15 *Patriot air and missile defense system program to*
16 *achieve reductions in the life-cycle cost of the Patriot*
17 *air and missile defense system.*

18 **SEC. 236. MEDIUM EXTENDED AIR DEFENSE SYSTEM.**

19 *None of the funds authorized to be appropriated by this*
20 *Act or otherwise made available for fiscal year 2013 for the*
21 *Department of Defense may be obligated or expended for*
22 *the Medium Extended Air Defense System (MEADS).*

23 **SEC. 237. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-**
24 **RANGE ROCKET DEFENSE PROGRAM.**

25 *Of the amounts authorized to be appropriated for fiscal*
26 *year 2013 by section 201 for research, development, test,*

1 *and evaluation, Defense-wide, and available for the Missile*
 2 *Defense Agency, \$210,000,000 may be provided to the Gov-*
 3 *ernment of Israel for the Iron Dome short-range rocket de-*
 4 *fense program as specified in the funding table in section*
 5 *4201.*

6 **SEC. 238. READINESS AND FLEXIBILITY OF INTERCONTI-**
 7 **NENTAL BALLISTIC MISSILE FORCE.**

8 *The Secretary of Defense may, in a manner consistent*
 9 *with the obligations of the United States under inter-*
 10 *national agreements—*

11 *(1) retain intercontinental ballistic missile*
 12 *launch facilities currently supporting deployed stra-*
 13 *tegic nuclear delivery vehicles within the limit of 800*
 14 *deployed and non-deployed strategic launchers;*

15 *(2) maintain intercontinental ballistic missiles*
 16 *on alert or operationally deployed status; and*

17 *(3) preserve intercontinental ballistic missile*
 18 *silos in operational or warm status.*

19 **SEC. 239. SENSE OF CONGRESS ON THE SUBMITTAL TO**
 20 **CONGRESS OF THE HOMELAND DEFENSE**
 21 **HEDGING POLICY AND STRATEGY REPORT OF**
 22 **THE SECRETARY OF DEFENSE.**

23 *(a) FINDINGS.—Congress makes the following findings:*

24 *(1) Section 233 of the National Defense Author-*
 25 *ization Act for Fiscal Year 2012 (Public Law 112—*

1 81; 125 Stat. 1340) requires a homeland defense hedg-
2 ing policy and strategy report from the Secretary of
3 Defense.

4 (2) The report was required to be submitted not
5 later than 75 days after the date of the enactment of
6 the National Defense Authorization Act for Fiscal
7 Year 2012, namely by March 16, 2012.

8 (3) The Secretary of Defense has not yet sub-
9 mitted the report as required.

10 (4) In March 2012, General Charles Jacoby, Jr.,
11 Commander of the United States Northern Command,
12 the combatant command responsible for operation of
13 the Ground-based Midcourse Defense system to defend
14 the homeland against ballistic missile threats, testified
15 before Congress that “I am confident in my ability to
16 successfully defend the homeland from the current set
17 of limited long-range ballistic missile threats”, and
18 that “[a]gainst current threats from the Middle East,
19 I am confident we are well postured”.

20 (5) Phase 4 of the European Phased Adaptive
21 Approach (EPAA) is intended to augment the cur-
22 rently deployed homeland defense capability of the
23 Ground-based Midcourse Defense system against a po-
24 tential future Iranian long-range missile threat by de-

1 *ploying an additional layer of forward-deployed*
2 *interceptors in Europe in the 2020 timeframe.*

3 *(6) The Director of National Intelligence, James*
4 *Clapper, has testified to Congress that, although the*
5 *intelligence community does “not know if Iran will*
6 *eventually decide to build nuclear weapons”, it judges*
7 *“that Iran would likely choose missile delivery as its*
8 *preferred method of delivering a nuclear weapon”. He*
9 *also testified that “Iran already has the largest inven-*
10 *tory of ballistic missiles in the Middle East, and it*
11 *is expanding the scale, reach, and sophistication of its*
12 *ballistic missile forces, many of which are inherently*
13 *capable of carrying a nuclear payload”.*

14 *(7) The 2012 Annual Report to Congress on the*
15 *Military Power of Iran by the Department of Defense*
16 *states that, in addition to increasing its missile in-*
17 *ventories, “Iran has boosted the lethality and effec-*
18 *tiveness of its existing missile systems with accuracy*
19 *improvements and new submunitions payloads”, and*
20 *that it continues to develop missiles that can strike*
21 *Israel and Eastern Europe. It also states that “Iran*
22 *has launched multistage space launch vehicles that*
23 *could serve as a testbed for developing long-range bal-*
24 *listic missiles technologies”, and that “[w]ith suffi-*
25 *cient foreign assistance, Iran may be technically ca-*

1 *pable of flight-testing an intercontinental ballistic*
2 *missile by 2015”.*

3 *(8) Despite the failure of its April 2012 satellite*
4 *launch attempt, North Korea warned the United*
5 *States in October 2012 that the United States main-*
6 *land is within range of its missiles.*

7 *(9) The threat of limited ballistic missile attack*
8 *against the United States homeland from countries*
9 *such as North Korea and Iran is increasing.*

10 *(b) SENSE OF CONGRESS.—It is the sense of the Con-*
11 *gress that—*

12 *(1) the homeland defense hedging policy and*
13 *strategy report required by section 233 of the Na-*
14 *tional Defense Authorization Act for Fiscal Year 2012*
15 *is necessary to inform Congress on options to protect*
16 *the United States homeland against the evolving bal-*
17 *listic missile threat, including potential options prior*
18 *to the deployment of Phase 4 of the European Phased*
19 *Adaptive Approach to missile defense; and*

20 *(2) the Secretary of Defense should comply with*
21 *the requirements of section 233 of the National De-*
22 *fense Authorization Act for Fiscal Year 2012 by sub-*
23 *mitting the homeland defense hedging policy and*
24 *strategy report to Congress.*

Subtitle D—Reports

SEC. 251. MISSION PACKAGES FOR THE LITTORAL COMBAT SHIP.

(a) *REPORT REQUIRED.*—Not later than March 1, 2013, the Secretary of the Navy shall, in consultation with the Director of Operational Test and Evaluation, submit to the congressional defense committees a report on the mine countermeasures warfare (MCM), antisubmarine warfare (ASW), and surface warfare (SUW) Mission Packages for the Littoral Combat Ship.

(b) *ELEMENTS.*—The report required by subsection (a) shall set forth the following:

(1) A plan for the Mission Packages demonstrating that Preliminary Design Review for every capability increment precedes Milestone B or equivalent approval for that increment.

(2) A plan for demonstrating that the capability increment for each Mission Package, combined with a Littoral Combat Ship, on the basis of a Preliminary Design Review and post-Preliminary Design Review assessment, will achieve the capability specified for that increment.

(3) A plan for demonstrating the survivability and lethality of the Littoral Combat Ship with its Mission Packages sufficiently early in the develop-

1 *ment phase of the system to minimize costs of con-*
2 *currency.*

3 **SEC. 252. COMPTROLLER GENERAL OF THE UNITED STATES**
4 **ANNUAL REPORTS ON THE ACQUISITION PRO-**
5 **GRAM FOR THE AMPHIBIOUS COMBAT VEHI-**
6 **CLE.**

7 *(a) ANNUAL GAO REVIEW.—The Comptroller General*
8 *of the United States shall conduct on an annual basis a*
9 *review of the acquisition program for the Amphibious Com-*
10 *bat Vehicle (ACV).*

11 *(b) ANNUAL REPORTS.—*

12 *(1) IN GENERAL.—Not later than March 1 of*
13 *each year beginning in 2013, the Comptroller General*
14 *shall submit to the congressional defense committees a*
15 *report on the review of the acquisition program for*
16 *the Amphibious Combat Vehicle conducted under sub-*
17 *section (a).*

18 *(2) MATTERS TO BE INCLUDED.—Each report on*
19 *the review of the acquisition program for the Amphib-*
20 *ious Combat Vehicle shall include, to the extent ap-*
21 *propriate and feasible, the following:*

22 *(A) An assessment of the extent to which the*
23 *program is meeting development and procure-*
24 *ment cost, schedule, performance, and risk miti-*
25 *gation goals.*

1 (B) *With respect to meeting the desired ini-*
2 *tial operational capability and full operational*
3 *capability dates for the Amphibious Combat Ve-*
4 *hicle, an assessment of the progress and results*
5 *of—*

6 (i) *developmental and operational test-*
7 *ing of the vehicle; and*

8 (ii) *plans for correcting deficiencies in*
9 *vehicle performance, operational effective-*
10 *ness, reliability, suitability, and safety.*

11 (C) *An assessment of procurement plans,*
12 *production results, and efforts to improve manu-*
13 *facturing efficiency and supplier performance in*
14 *connection with the Amphibious Combat Vehicle.*

15 (D) *An assessment of the acquisition strat-*
16 *egy for the Amphibious Combat Vehicle, includ-*
17 *ing whether the strategy complies with acquisi-*
18 *tion management best-practices and the acquisi-*
19 *tion policy and regulations of the Department of*
20 *Defense.*

21 (E) *A risk assessment of the integrated mas-*
22 *ter schedule and the test and evaluation master*
23 *plan of the Amphibious Combat Vehicle as it re-*
24 *lates to—*

25 (i) *the probability of success;*

1 (ii) the funding required for the vehicle
2 in comparison with the funding pro-
3 grammed for the vehicle; and

4 (iii) development and production con-
5 currency.

6 (3) *ADDITIONAL INFORMATION IN FIRST RE-*
7 *PORT.—In submitting to the congressional defense*
8 *committees the first report under paragraph (1), the*
9 *Comptroller General shall include, with respect to the*
10 *Amphibious Combat Vehicle program, an assessment*
11 *of the sufficiency and objectivity of the following doc-*
12 *uments:*

13 (A) *The analysis of alternatives.*

14 (B) *The initial capabilities document.*

15 (C) *The capability development document.*

16 (4) *INFORMATION IN SUBSEQUENT REPORTS.—*

17 (A) *CERTAIN INFORMATION REQUIRED ONLY*
18 *FOLLOWING SIGNIFICANT CHANGES.—A report*
19 *under this subsection after the first report under*
20 *paragraph (1) shall address the matters identi-*
21 *fied in subparagraphs (C), (D), and (E) of para-*
22 *graph (2) only to the extent that the Comptroller*
23 *General determines that there have been signifi-*
24 *cant changes to the applicable plans, strategies,*

1 *or schedules since the last report under this sub-*
2 *section addressing such matters.*

3 *(B) ADDITIONAL INFORMATION AFTER AP-*
4 *PROVAL OR CHANGE OF DOCUMENTS.—If any*
5 *document specified in paragraph (3) is approved*
6 *or changed after the first report under para-*
7 *graph (1), the Comptroller General shall provide*
8 *an assessment of the sufficiency and objectivity*
9 *of that document in the report to the congres-*
10 *sional defense committees under paragraph (1)*
11 *submitted immediately following such approval*
12 *or change.*

13 *(5) TERMINATION.—No report is required under*
14 *this subsection after the first report following the*
15 *award of a contract for full rate production of the*
16 *Amphibious Combat Vehicle.*

17 **SEC. 253. CONDITIONAL REQUIREMENT FOR REPORT ON**
18 **AMPHIBIOUS ASSAULT VEHICLES FOR THE**
19 **MARINE CORPS.**

20 *(a) IN GENERAL.—If the ongoing Marine Corps*
21 *ground combat vehicle fleet mix study recommends the ac-*
22 *quisition of a separate Marine Personnel Carrier, the Sec-*
23 *retary of the Navy and the Commandant of the Marine*
24 *Corps shall jointly submit to the congressional defense com-*
25 *mittees a report that includes the following:*

1 (1) *A detailed description of the capability gaps*
2 *that Marine Personnel Carriers are intended to miti-*
3 *gate and the capabilities that the Marine Personnel*
4 *Carrier will be required to have to mitigate such*
5 *gaps, and an assessment whether, and to what extent,*
6 *Amphibious Combat Vehicles could mitigate such*
7 *gaps.*

8 (2) *A detailed explanation of the role of the Ma-*
9 *rine Personnel Carriers in fulfilling the forcible entry*
10 *requirement for the two Marine Expeditionary Bri-*
11 *gades (MEBs) that make up the assault echelons of*
12 *the three Marine Expeditionary Brigade force re-*
13 *quired to meet applicable war plans of the combatant*
14 *commands.*

15 (3) *A description of the fraction of the assault*
16 *echelon of the brigades referred to in paragraph (2)*
17 *that would be comprised of Marine Personnel Car-*
18 *riers.*

19 (4) *An assessment of the direct operational risk*
20 *associated with using ship-to-shore connectors to de-*
21 *liver Marine Personnel Carriers to shore in an am-*
22 *phibious assault.*

23 (5) *An assessment of the indirect operational*
24 *risk associated with using ship-to-shore connectors to*

1 *deliver Marine Personnel Carriers rather than tanks*
 2 *and artillery and other tactical vehicles.*

3 (6) *A comparative estimate of the acquisition*
 4 *and life-cycle costs of a split fleet of Amphibious Com-*
 5 *bat Vehicles and Marine Personnel Carriers with the*
 6 *acquisition and life-cycle costs of a pure fleet of Am-*
 7 *phibious Combat Vehicles.*

8 (b) *SUBMITTAL DATE.*—*If required, the report under*
 9 *subsection (a) shall be submitted not later than the later*
 10 *of—*

11 (1) *the date that is 60 days after the date of the*
 12 *completion of the study referred to in subsection (a);*
 13 *or*

14 (2) *February 1, 2013.*

15 ***Subtitle E—Other Matters***

16 ***SEC. 271. TRANSFER OF ADMINISTRATION OF OCEAN RE-***
 17 ***SEARCH AND RESOURCES ADVISORY PANEL***
 18 ***FROM DEPARTMENT OF THE NAVY TO NA-***
 19 ***TIONAL OCEANIC AND ATMOSPHERIC ADMIN-***
 20 ***ISTRATION.***

21 (a) *IN GENERAL.*—*Subsection (a) of section 7903 of*
 22 *title 10, United States Code, is amended—*

23 (1) *in the matter preceding paragraph (1)—*

1 (A) by inserting “, through the Adminis-
2 trator of the National Oceanic and Atmospheric
3 Administration,” after “The Council”;

4 (B) by inserting “and Resources” after
5 “Ocean Research”;

6 (C) by striking “Panel consisting” and in-
7 serting “Panel. The Panel shall consist”; and

8 (D) by striking “chairman” and inserting
9 “Administrator, on behalf of the Council”;

10 (2) in paragraph (1), by striking “National
11 Academy of Science” and inserting “National Acad-
12 emies of Science”;

13 (3) by striking paragraphs (2) and (3); and

14 (4) by redesignating paragraphs (4) and (5) as
15 paragraphs (2) and (3), respectively.

16 (b) *RESPONSIBILITIES OF PANEL.*—Subsection (b) of
17 such section is amended—

18 (1) by inserting “, through the Administrator of
19 the National Oceanic and Atmospheric Administra-
20 tion,” after “The Council”;

21 (2) by striking paragraph (2);

22 (3) by redesignating paragraphs (3) and (4) as
23 paragraphs (4) and (5), respectively; and

24 (4) by inserting after paragraph (1) the fol-
25 lowing new paragraphs (2) and (3):

1 “(2) *To advise the Council on the determination*
2 *of scientific priorities and needs.*”

3 “(3) *To provide the Council strategic advice re-*
4 *garding national ocean program execution and col-*
5 *laboration.*”.

6 (c) *FUNDING TO SUPPORT ACTIVITIES OF PANEL.*—
7 Subsection (c) of such section is amended by striking “*Sec-*
8 *retary of the Navy*” and inserting “*Secretary of Com-*
9 *merce*”.

10 (d) *CONFORMING AMENDMENT.*—Section 7902(e)(1) of
11 such title is amended by striking “*Ocean Research Advisory*
12 *Panel*” and inserting “*Ocean Research and Resources Advi-*
13 *sory Panel*”.

14 (e) *CLERICAL AMENDMENTS.*—

15 (1) *HEADING AMENDMENT.*—*The heading of sec-*
16 *tion 7903 of such title is amended to read as follows:*

17 “**§ 7903. Ocean Research and Resources Advisory**
18 **Panel**”.

19 (2) *TABLE OF SECTIONS.*—*The table of sections*
20 *at the beginning of chapter 665 of such title is*
21 *amended by striking the item relating to section 7903*
22 *and inserting the following new item:*

“7903. *Ocean Research and Resources Advisory Panel.*”.

23 (f) *REFERENCES.*—*Any reference to the Ocean Re-*
24 *search Advisory Panel in any law, regulation, map, docu-*
25 *ment, record, or other paper of the United States shall be*

1 *deemed to be a reference to the Ocean Research and Re-*
2 *sources Advisory Panel.*

3 **SEC. 272. SENSE OF SENATE ON INCREASING THE COST-EF-**
4 **ECTIVENESS OF TRAINING EXERCISES FOR**
5 **MEMBERS OF THE ARMED FORCES.**

6 *It is the sense of the Senate that—*

7 *(1) modeling and simulation will continue to*
8 *play a critical role in the training of the members of*
9 *the Armed Forces;*

10 *(2) while increased modeling and simulation has*
11 *reduced overall costs of training of members of the*
12 *Armed Forces, there are still significant costs associ-*
13 *ated with the human resources required to execute cer-*
14 *tain training exercises where role-playing actors for*
15 *certain characters such as opposing forces, the civil-*
16 *ian populace, other government agencies, and non-*
17 *governmental organizations are required;*

18 *(3) technological advances in areas such as vary-*
19 *ing levels of autonomy for systems, multi-player gam-*
20 *ing techniques, and artificial intelligence could reduce*
21 *the number of personnel required to support certain*
22 *training exercises for members of the Armed Forces,*
23 *and thereby reduce the overall cost of the exercises;*
24 *and*

1 (4) *the Secretary of Defense should develop a*
2 *plan to increase the use of emerging technologies in*
3 *autonomous systems, the commercial gaming sector,*
4 *and artificial intelligence for training exercises for*
5 *members of the Armed Forces to increase training ef-*
6 *fectiveness and reduce costs.*

7 ***TITLE III—OPERATION AND***
8 ***MAINTENANCE***

9 ***Subtitle A—Authorization of***
10 ***Appropriations***

11 ***SEC. 301. OPERATION AND MAINTENANCE FUNDING.***

12 *Funds are hereby authorized to be appropriated for fis-*
13 *cal year 2013 for the use of the Armed Forces and other*
14 *activities and agencies of the Department of Defense for ex-*
15 *penses, not otherwise provided for, for operation and main-*
16 *tenance, as specified in the funding table in section 4301.*

17 ***Subtitle B—Energy and***
18 ***Environmental Provisions***

19 ***SEC. 311. DEPARTMENT OF DEFENSE GUIDANCE ON ENVI-***
20 ***RONMENTAL EXPOSURES AT MILITARY IN-***
21 ***STALLATIONS.***

22 *(a) GUIDANCE.—Not later than 180 days after the date*
23 *of the enactment of this Act, the Secretary of Defense shall*
24 *issue to the appropriate military departments and other de-*

1 *fense agencies written guidance on environmental exposures*
2 *at military installations. The guidance shall—*

3 (1) *set forth criteria for when and under what*
4 *circumstances public health assessments by the Agen-*
5 *cy for Toxic Substances and Disease Registry shall be*
6 *requested in connection with environmental contami-*
7 *nation at military installations, including past inci-*
8 *dents of environmental contamination;*

9 (2) *establish procedures for tracking and docu-*
10 *menting the status and nature of responses to the*
11 *findings and recommendations of the public health as-*
12 *sessments of the Agency of Toxic Substances and Dis-*
13 *ease Registry that involve contamination at military*
14 *installations; and*

15 (3) *prescribe appropriate actions with respect to*
16 *the identification of military and civilian individuals*
17 *who may have been exposed to contamination while*
18 *living or working on military installations.*

19 (b) *REPORT.—Not later than 30 days after issuing the*
20 *guidance required under subsection (a), the Secretary of De-*
21 *fense shall transmit a copy of the guidance to the congres-*
22 *sional defense committees.*

1 **SEC. 312. FUNDING OF AGREEMENTS UNDER THE SIKES**
2 **ACT.**

3 *Section 103a of the Sikes Act (16 U.S.C. 670c-1) is*
4 *amended—*

5 *(1) in subsection (b)—*

6 *(A) by inserting “(1)” before “Funds”; and*

7 *(B) by adding at the end the following new*
8 *paragraph:*

9 *“(2) In the case of a cooperative agreement under sub-*
10 *section (a)(2), such funds—*

11 *“(A) may be paid in a lump sum and include*
12 *an amount intended to cover the future costs of the*
13 *natural resource maintenance and improvement ac-*
14 *tivities provided for under the agreement; and*

15 *“(B) may be placed by the recipient in an inter-*
16 *est-bearing account, and any interest shall be applied*
17 *for the same purposes as the principal.”; and*

18 *(2) by amending subsection (c) to read as fol-*
19 *lows:*

20 *“(c) AVAILABILITY OF FUNDS; AGREEMENT UNDER*
21 *OTHER LAWS.—(1) Cooperative agreements and inter-*
22 *agency agreements entered into under this section shall be*
23 *subject to the availability of funds.*

24 *“(2) Notwithstanding chapter 63 of title 31, a coopera-*
25 *tive agreement under this section may be used to acquire*

1 *property or services for the direct benefit or use of the*
2 *United States Government.”.*

3 **SEC. 313. REPORT ON PROPERTY DISPOSALS AND ADDI-**
4 **TIONAL AUTHORITIES TO ASSIST LOCAL COM-**
5 **MUNITIES AROUND CLOSED MILITARY IN-**
6 **STALLATIONS.**

7 (a) *IN GENERAL.*—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall submit to the congressional defense committees a re-
10 port on the disposition of any not yet completed closure of
11 an active duty military installation since 1988 in the
12 United States that was not subject to the property disposal
13 provisions contained in the Defense Base Closure and Re-
14 alignment Act of 1990 (part A of title XXIX of Public Law
15 101–510; 10 U.S.C. 2687 note).

16 (b) *ELEMENTS.*—The report required by subsection (a)
17 shall include the following:

18 (1) *The status of property described in subsection*
19 *(a) that is yet to be disposed of.*

20 (2) *An assessment of the environmental condi-*
21 *tions of, and plans and costs for environmental reme-*
22 *diation for, each such property.*

23 (3) *The anticipated schedule for the completion*
24 *of the disposal of each such property.*

1 (4) *An estimate of the costs, and a description*
2 *of additional potential future financial liability or*
3 *other impacts on the Department of Defense, if the*
4 *authorities provided by Congress for military instal-*
5 *lations closed under defense base closure and realign-*
6 *ment (BRAC) are extended to military installations*
7 *closed outside the defense base closure and realign-*
8 *ment process and for which property has yet to be*
9 *disposed.*

10 (5) *Such recommendations as the Secretary con-*
11 *siders appropriate for additional authorities to assist*
12 *the Department in expediting the disposal of property*
13 *at closed military installations in order to facilitate*
14 *economic redevelopment for local communities.*

15 (c) *MILITARY INSTALLATION DEFINED.*—*In this sec-*
16 *tion, the term “military installation” means a base, camp,*
17 *post, station, yard, center, homeport facility for any ship,*
18 *or other activity under the jurisdiction of the Department*
19 *of Defense, which is located within any of the several States,*
20 *the District of Columbia, the Commonwealth of Puerto Rico,*
21 *American Samoa, the Virgin Islands, the Commonwealth*
22 *of the Northern Mariana Islands, or Guam.*

1 ***Subtitle C—Logistics and***
2 ***Sustainment***

3 **SEC. 321. REPEAL OF CERTAIN PROVISIONS RELATING TO**
4 **DEPOT-LEVEL MAINTENANCE.**

5 (a) *REPEAL.*—

6 (1) *Section 2460 of title 10, United States Code*
7 *(as amended by section 321 of the National Defense*
8 *Authorization Act for Fiscal Year 2012 (Public Law*
9 *112–81)), is repealed.*

10 (2) *Section 2464 of title 10, United States Code*
11 *(as amended by section 327 of the National Defense*
12 *Authorization Act for Fiscal Year 2012), is repealed.*

13 (b) *REVIVAL OF SUPERSEDED PROVISIONS.*—

14 (1) *The provisions of section 2460 of title 10,*
15 *United States Code, as in effect on December 30, 2011*
16 *(the day before the date of the enactment of the Na-*
17 *tional Defense Authorization Act for Fiscal Year*
18 *2012), are hereby revived.*

19 (2)(A) *The provisions of section 2464 of 10,*
20 *United States Code, as in effect on that date, are*
21 *hereby revived.*

22 (B) *The table of sections at the beginning of*
23 *chapter 146 of such title is amended by striking the*

1 *item relating to section 2464 and inserting the fol-*
2 *lowing new item:*

“2464. Core logistics capabilities.”.

3 *(c) CONFORMING AMENDMENTS.—*

4 *(1) Section 2366a of title 10, United States*
5 *Code, is amended by striking “core depot-level main-*
6 *tenance and repair capabilities” each place it ap-*
7 *pears and inserting “core logistics capabilities”.*

8 *(2) Section 2366b(A)(3)(F) of title 10, United*
9 *States Code, is amended by striking “core depot-level*
10 *maintenance and repair capabilities, as well as the*
11 *associated logistics capabilities” and inserting “core*
12 *logistics capabilities”.*

13 *(3) Section 801(c) of the National Defense Au-*
14 *thorization Act for Fiscal Year 2012 (125 Stat. 1483;*
15 *10 U.S.C. 2366a note) is amended by striking “core*
16 *depot-level maintenance and repair capabilities, as*
17 *well as the associated logistics capabilities” and in-*
18 *serting “core logistics capabilities”.*

19 *(d) EFFECTIVE DATE.—This section and the amend-*
20 *ments made by this section shall take effect on December*
21 *31, 2011, the date of the enactment of the National Defense*
22 *Authorization Act for Fiscal Year 2012, immediately after*
23 *the enactment of that Act.*

1 **SEC. 322. EXPANSION AND REAUTHORIZATION OF MULTI-**
2 **TRADES DEMONSTRATION PROJECT.**

3 (a) *EXPANSION.*—Section 338 of the National Defense
4 Authorization Act for Fiscal Year 2004 (10 U.S.C. 5013
5 note) is amended—

6 (1) by striking subsection (a) and inserting the
7 following new subsection:

8 “(a) *DEMONSTRATION PROJECT AUTHORIZED.*—In
9 accordance with section 4703 of title 5, United States Code,
10 the Secretary of a military department may carry out a
11 demonstration project at facilities described in subsection
12 (b) under which workers who are certified at the journey
13 level as able to perform multiple trades shall be promoted
14 by one grade level.”; and

15 (2) in subsection (b), by striking “Logistics Cen-
16 ter, Navy Fleet Readiness Center,” and inserting “Lo-
17 gistics Complex, Navy Fleet Readiness Center, Navy
18 shipyard, Marine Corps Logistics Base,”.

19 (b) *REAUTHORIZATION.*—Such section is further
20 amended—

21 (1) in subsection (d), by striking “2013” and in-
22 serting “2018”; and

23 (2) in subsection (e), by striking “2014” and in-
24 serting “2019”.

1 **SEC. 323. RATING CHAINS FOR SYSTEM PROGRAM MAN-**
 2 **AGERS.**

3 *The Secretary of the Air Force, in managing system*
 4 *program management responsibilities for sustainment pro-*
 5 *grams not assigned to a program executive officer or a di-*
 6 *rect reporting program manager, shall comply with the De-*
 7 *partment of Defense Instructions regarding assignment of*
 8 *program responsibility.*

9 **Subtitle D—Reports**

10 **SEC. 331. ANNUAL REPORT ON DEPARTMENT OF DEFENSE**
 11 **LONG-TERM CORROSION STRATEGY.**

12 *Section 2228(e) of title 10, United States Code, is*
 13 *amended—*

14 *(1) in paragraph (1)—*

15 *(A) in subparagraph (B), by inserting “,*
 16 *including available validated data on return on*
 17 *investment for completed corrosion projects and*
 18 *activities” after “the strategy”;*

19 *(B) in subparagraph (E), by striking “For*
 20 *the fiscal year covered by the report and the pre-*
 21 *ceding fiscal year” and inserting “For the pre-*
 22 *ceding fiscal year covered by the report”;* and

23 *(C) by inserting at the end the following*
 24 *new subparagraph:*

25 *“(F) For the preceding fiscal year covered by the*
 26 *report, a breakdown of the amount of funds used for*

1 *military corrosion projects, the Technical Corrosion*
 2 *Collaboration pilot program, and other corrosion-re-*
 3 *lated activities.”;*

4 *(2) by striking paragraph (2); and*

5 *(3) by redesignating paragraph (3) as para-*
 6 *graph (2).*

7 **SEC. 332. MODIFIED DEADLINE FOR COMPTROLLER GEN-**
 8 **ERAL REVIEW OF ANNUAL REPORT ON**
 9 **PREPOSITIONED MATERIEL AND EQUIPMENT.**

10 *Section 2229a(b) of title 10, United States Code, is*
 11 *amended by striking “By not later than 120 days after the*
 12 *date on which a report is submitted under subsection (a),*
 13 *the Comptroller General shall review the report” and insert-*
 14 *ing “The Comptroller General shall review the report sub-*
 15 *mitted under subsection (a)”.*

16 ***Subtitle E—Other Matters***

17 **SEC. 341. SAVINGS TO BE ACHIEVED IN CIVILIAN WORK-**
 18 **FORCE AND CONTRACTOR EMPLOYEE WORK-**
 19 **FORCE OF THE DEPARTMENT OF DEFENSE.**

20 *(a) REQUIRED SAVINGS.—Commencing not later than*
 21 *90 days after the date of the enactment of this Act, the Sec-*
 22 *retary of Defense shall begin the implementation of an effi-*
 23 *ciencies plan for the civilian workforce and the service con-*
 24 *tractor workforce of the Department of Defense which shall*
 25 *achieve savings in the funding for each such workforce over*

1 *the period from fiscal year 2012 through fiscal year 2017*
2 *that are not less, as a percentage of such funding, than the*
3 *savings in funding for military personnel achieved by the*
4 *planned reduction in military end strengths over the same*
5 *period of time.*

6 (b) *EXCLUSIONS.—The funding reduction required by*
7 *subsection (a) shall not include funding for the following:*

8 (1) *Civilian personnel expenses for personnel as*
9 *follows:*

10 (A) *Personnel in Mission Critical Occupa-*
11 *tions, as defined by the Civilian Human Capital*
12 *Strategic Plan of the Department of Defense and*
13 *the Acquisition Workforce Plan of the Depart-*
14 *ment of Defense.*

15 (B) *Personnel employed at facilities pro-*
16 *viding core logistics capabilities pursuant to sec-*
17 *tion 2464 of title 10, United States Code.*

18 (C) *Personnel in the Offices of the Inspec-*
19 *tors General of the Department of Defense.*

20 (2) *Service contractor expenses for personnel as*
21 *follows:*

22 (A) *Personnel performing maintenance and*
23 *repair of military equipment.*

24 (B) *Personnel providing medical services.*

1 (C) *Personnel performing financial audit*
2 *services.*

3 (3) *Personnel expenses for personnel in the civil-*
4 *ian personnel or service contractor workforce per-*
5 *forming such other critical functions as may be iden-*
6 *tified by the Secretary as requiring exemption in the*
7 *interest of the national defense.*

8 (c) *REPORTS.—*

9 (1) *INITIAL REPORT.—Not later than 120 days*
10 *after the date of the enactment of this Act, the Sec-*
11 *retary shall submit to the congressional defense com-*
12 *mittees a report including a comprehensive descrip-*
13 *tion of the plan required by subsection (a).*

14 (2) *STATUS REPORTS.—Not later than 60 days*
15 *after the end of each fiscal year from fiscal year 2013*
16 *through fiscal year 2017, the Secretary shall submit*
17 *to the congressional defense committees a report de-*
18 *scribing the implementation of the plan during the*
19 *prior fiscal year. Each such report shall include a di-*
20 *rect comparison of the savings achieved under the*
21 *plan to the savings achieved in the same fiscal year*
22 *through reductions in military end strengths. In any*
23 *case in which savings fall short of the annual target,*
24 *the report shall include an explanation of the reasons*
25 *for such shortfall.*

1 (3) *EXEMPTIONS.*—Each report under para-
2 graphs (1) and (2) shall specifically identify any ex-
3 emption granted by the Secretary under subsection
4 (b)(3) in the period of time covered by the report.

5 (d) *LIMITATION ON TRANSFERS OF FUNCTIONS.*—The
6 Secretary shall ensure that the savings required by this sec-
7 tion are not achieved through unjustified transfers of func-
8 tions between or among the military, civilian, and service
9 contractor workforces of the Department of Defense.

10 (e) *SENSE OF CONGRESS.*—It is the sense of Congress
11 that an amount equal to 30 percent of the amount of the
12 reductions in appropriated funds attributable to reduced
13 budgets for the civilian and service contractor workforces
14 of the Department by reason of the plan required by sub-
15 section (a) should be made available for costs of assisting
16 military personnel separated from the Armed Forces in the
17 transition from military service.

18 (f) *SERVICE CONTRACTOR WORKFORCE DEFINED.*—In
19 this section, the term “service contractor workforce” means
20 contractor employees performing contract services, as de-
21 fined in section 2330(c)(2) of title 10, United States Code,
22 other than contract services that are funded out of amounts
23 available for overseas contingency operations.

1 **SEC. 342. NATO SPECIAL OPERATIONS HEADQUARTERS.**

2 (a) *IN GENERAL.*—Chapter 138 of title 10, United
3 States Code, is amended by adding at the end the following
4 new section:

5 **“§2350n. NATO Special Operations Headquarters**

6 “(a) *AUTHORIZATION.*—Of the amounts authorized to
7 be appropriated for fiscal year 2013 and for subsequent fis-
8 cal years for the Department of Defense for operation and
9 maintenance, up to \$50,000,000 may be used for a fiscal
10 year for the purposes set forth in subsection (b) for support
11 of operations of the North Atlantic Treaty Organization
12 (NATO) Special Operations Headquarters.

13 “(b) *PURPOSES.*—The Secretary of Defense may pro-
14 vide funds for the NATO Special Operations Head-
15 quarters—

16 “(1) *to improve coordination and cooperation be-*
17 *tween the special operations forces of NATO member*
18 *countries;*

19 “(2) *to facilitate joint operations by special oper-*
20 *ations forces of NATO member countries;*

21 “(3) *to support command, control, and commu-*
22 *nications capabilities peculiar to special operations*
23 *forces of NATO member countries;*

24 “(4) *to promote special operations forces intel-*
25 *ligence and informational requirements within the*
26 *NATO structure; and*

1 “(5) to promote interoperability through the de-
2 velopment of common equipment standards, tactics,
3 techniques, and procedures, and through execution of
4 multinational education and training programs.

5 “(c) ANNUAL REPORT.—Not later than April 1 of each
6 year, the Secretary of Defense shall submit to the congres-
7 sional defense committees a report regarding Department
8 of Defense support for the NATO Special Operations Head-
9 quarters. Each report shall include the following:

10 “(1) The total amount of funding provided to the
11 NATO Special Operations Headquarters.

12 “(2) A summary of the activities funded with
13 such support.

14 “(3) Other contributions, financial or in kind,
15 provided in support of the NATO Special Operations
16 Headquarters by other NATO member countries.”.

17 (b) CLERICAL AMENDMENT.—The table of sections at
18 the beginning of such chapter is amended by inserting after
19 the item relating to section 2350m the following new item:
 “2350n. NATO Special Operations Headquarters.”.

20 **SEC. 343. REPEAL OF REDUNDANT AUTHORITY TO ENSURE**
21 **INTEROPERABILITY OF LAW ENFORCEMENT**
22 **AND EMERGENCY RESPONDER TRAINING.**

23 Section 372 of title 10, United States Code, is amend-
24 ed—

25 (1) by striking “(a) IN GENERAL.—”; and

1 (2) *by striking subsection (b).*

2 **SEC. 344. SENSE OF THE CONGRESS ON NAVY FLEET RE-**
3 **QUIREMENTS.**

4 *It is the sense of Congress that—*

5 (1) *The Secretary of the Navy, in supporting the*
6 *operational requirements of the combatant commands,*
7 *should maintain in the operational capability of and*
8 *perform the necessary maintenance on each cruiser*
9 *and dock landing ship belonging to the Navy;*

10 (2) *for retirements of ships owned by the Navy*
11 *prior to their projected end of service life, the Chief*
12 *of Naval Operations must explain to the Congres-*
13 *sional Defense Committees how the retention of each*
14 *ship would degrade the overall readiness of the fleet*
15 *and endanger United States National Security and*
16 *the objectives of the combatant commanders; and*

17 (3) *revitalizing the Navy's 30-year shipbuilding*
18 *plan should be a national priority, and a commensu-*
19 *rate amount of increased funding should be provided*
20 *to the Navy in the Future Years Defense Program to*
21 *help close the gap between requirements and the cur-*
22 *rent size of the fleet.*

1 **TITLE IV—MILITARY PERSONNEL**
2 **AUTHORIZATIONS**
3 **Subtitle A—Active Forces**

4 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

5 *The Armed Forces are authorized strengths for active*
6 *duty personnel as of September 30, 2013, as follows:*

- 7 (1) *The Army, 552,100.*
8 (2) *The Navy, 322,700.*
9 (3) *The Marine Corps, 197,300.*
10 (4) *The Air Force, 329,597.*

11 **SEC. 402. ADDITIONAL MARINE CORPS PERSONNEL FOR**
12 **THE MARINE CORPS SECURITY GUARD PRO-**
13 **GRAM.**

14 (a) *ADDITIONAL PERSONNEL.—*

15 (1) *IN GENERAL.—The Secretary of Defense shall*
16 *develop and implement a plan which shall increase*
17 *the number of Marine Corps personnel assigned to the*
18 *Marine Corps Embassy Security Group at Quantico,*
19 *Virginia, and Marine Security Group Regional Com-*
20 *mands and Marine Security Group detachments at*
21 *United States missions around the world by up to*
22 *1,000 Marines during fiscal years 2014 through 2017.*

23 (2) *PURPOSE.—The purpose of the increase*
24 *under paragraph (1) shall be to provide the end*
25 *strength and resources necessary to support an in-*

1 crease in Marine Corps security at United States con-
2 sulates and embassies throughout the world, and in
3 particular at locations identified by the Secretary of
4 State as in need of increased security in light of
5 threats to United States personnel and property by
6 terrorists.

7 (b) *CONSULTATION.*—The Secretary of Defense shall
8 develop and implement the plan required by subsection (a)
9 in consultation with the Secretary of State pursuant to the
10 responsibility of the Secretary of State for diplomatic secu-
11 rity under section 103 of the Diplomatic Security Act (22
12 U.S.C. 4802), and in accordance with any current memo-
13 randum of understanding between the Department of State
14 and the Marine Corps on the operational and administra-
15 tive supervision of the Marine Corps Security Guard Pro-
16 gram.

17 (c) *FUNDING.*—

18 (1) *BUDGET REQUESTS.*—The budget of the
19 President for each fiscal year after fiscal year 2013,
20 as submitted to Congress pursuant to section 1105(a)
21 of title 31, United States Code, shall set forth as sepa-
22 rate line elements, under the amounts requested for
23 such fiscal year for each of procurement, operation
24 and maintenance, and military personnel to fully
25 fund each of the following:

1 (A) *The Marine Corps.*

2 (B) *The Marine Corps Security Guard Pro-*
3 *gram, including for the additional personnel*
4 *under the Marine Corps Security Guard Pro-*
5 *gram as result of the plan required by subsection*
6 *(a).*

7 (2) *PRESERVATION OF FUNDING FOR USMC*
8 *UNDER NATIONAL MILITARY STRATEGY.—In deter-*
9 *mining the amounts to be requested for a fiscal year*
10 *for the Marine Corps Security Guard Program and*
11 *for additional personnel under the Marine Corps Se-*
12 *curity Guard Program under paragraph (1), the*
13 *President shall ensure that amounts requested for the*
14 *Marine Corps for that fiscal year do not degrade the*
15 *readiness of the Marine Corps to fulfill the require-*
16 *ments of the National Military Strategy.*

17 (d) *REPORTS.—*

18 (1) *REPORTS ON PROGRAM.—Not later than Oc-*
19 *tober 1, 2014, and annually thereafter through Octo-*
20 *ber 1, 2017, the Secretary of Defense shall, in coordi-*
21 *nation with the Secretary of State, submit to Con-*
22 *gress a report on the Marine Corps Security Guard*
23 *Program. Each report shall include the following:*

24 (A) *A description of the expanded security*
25 *support provided by Marine Corps Security*

1 *Guards to the Department of State during the*
2 *fiscal year ending on the date of such report, in-*
3 *cluding—*

4 *(i) any increased internal security pro-*
5 *vided at United States embassies and con-*
6 *sulates throughout the world;*

7 *(ii) any increased support for emer-*
8 *gency action planning, training, and advis-*
9 *ing of host nation security forces; and*

10 *(iii) any expansion of intelligence col-*
11 *lection activities.*

12 *(B) A description of the current status of*
13 *Marine Corps personnel assigned to the Program*
14 *as a result of the plan required by subsection (a).*

15 *(C) A description of the Department of De-*
16 *fense resources required in the fiscal year ending*
17 *on the date of such report to support the Marine*
18 *Corps Security Guard program, including total*
19 *end strength and key supporting programs that*
20 *enable both its current and expanded mission*
21 *during such fiscal year.*

22 *(D) A reassessment of the mission of the*
23 *Program, as well as procedural rules of engage-*
24 *ment under the Program, in light of current and*
25 *emerging threats to United States diplomatic*

1 *personnel, and a description and assessment of*
2 *options to improve the Program to respond to*
3 *such threats.*

4 *(E) An assessment of the feasibility and ad-*
5 *visability of authorizing, funding, and admin-*
6 *istering the Program as a separate program*
7 *within the Marine Corps, and if such actions are*
8 *determined to be feasible and advisable, rec-*
9 *ommendations for legislative and administrative*
10 *actions to provide for authorizing, funding, and*
11 *administering the Program as a separate pro-*
12 *gram within the Marine Corps.*

13 (2) *REPORT ON CHANGES IN SCOPE OF PROGRAM*
14 *IN RESPONSE TO CHANGING THREATS.—If the Presi-*
15 *dent determines that a modification (whether an in-*
16 *crease or a decrease) in the scope of the Marine Corps*
17 *Security Guard Program is necessary or advisable in*
18 *light of any change in the nature of threats to United*
19 *States embassies, consulates and other diplomatic fa-*
20 *cilities abroad, the President shall—*

21 *(A) notify Congress of such modification*
22 *and the change in the nature of threats prompt-*
23 *ing such modification; and*

24 *(B) take such modification into account in*
25 *requesting an end strength and funds for the*

1 *Program for any fiscal year in which such modi-*
2 *fication is in effect.*

3 ***Subtitle B—Reserve Forces***

4 ***SEC. 411. END STRENGTHS FOR SELECTED RESERVE.***

5 *(a) IN GENERAL.—The Armed Forces are authorized*
6 *strengths for Selected Reserve personnel of the reserve com-*
7 *ponents as of September 30, 2013, as follows:*

8 *(1) The Army National Guard of the United*
9 *States, 358,200.*

10 *(2) The Army Reserve, 205,000.*

11 *(3) The Navy Reserve, 62,500.*

12 *(4) The Marine Corps Reserve, 39,600.*

13 *(5) The Air National Guard of the United*
14 *States, 106,435.*

15 *(6) The Air Force Reserve, 72,428.*

16 *(7) The Coast Guard Reserve, 9,000.*

17 *(b) END STRENGTH REDUCTIONS.—The end strengths*
18 *prescribed by subsection (a) for the Selected Reserve of any*
19 *reserve component shall be proportionately reduced by—*

20 *(1) the total authorized strength of units orga-*
21 *nized to serve as units of the Selected Reserve of such*
22 *component which are on active duty (other than for*
23 *training) at the end of the fiscal year; and*

24 *(2) the total number of individual members not*
25 *in units organized to serve as units of the Selected*

1 *Reserve of such component who are on active duty*
2 *(other than for training or for unsatisfactory partici-*
3 *ipation in training) without their consent at the end*
4 *of the fiscal year.*

5 *(c) END STRENGTH INCREASES.—Whenever units or*
6 *individual members of the Selected Reserve of any reserve*
7 *component are released from active duty during any fiscal*
8 *year, the end strength prescribed for such fiscal year for*
9 *the Selected Reserve of such reserve component shall be in-*
10 *creased proportionately by the total authorized strengths of*
11 *such units and by the total number of such individual mem-*
12 *bers.*

13 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
14 **DUTY IN SUPPORT OF THE RESERVES.**

15 *Within the end strengths prescribed in section 411(a),*
16 *the reserve components of the Armed Forces are authorized,*
17 *as of September 30, 2013, the following number of Reserves*
18 *to be serving on full-time active duty or full-time duty, in*
19 *the case of members of the National Guard, for the purpose*
20 *of organizing, administering, recruiting, instructing, or*
21 *training the reserve components:*

22 (1) *The Army National Guard of the United*
23 *States, 32,060.*

24 (2) *The Army Reserve, 16,277.*

25 (3) *The Navy Reserve, 10,114.*

1 (4) *The Marine Corps Reserve, 2,261.*

2 (5) *The Air National Guard of the United*
3 *States, 14,871.*

4 (6) *The Air Force Reserve, 2,888.*

5 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**
6 **(DUAL STATUS).**

7 *The minimum number of military technicians (dual*
8 *status) as of the last day of fiscal year 2013 for the reserve*
9 *components of the Army and the Air Force (notwith-*
10 *standing section 129 of title 10, United States Code) shall*
11 *be the following:*

12 (1) *For the Army Reserve, 8,445.*

13 (2) *For the Army National Guard of the United*
14 *States, 28,380.*

15 (3) *For the Air Force Reserve, 10,716.*

16 (4) *For the Air National Guard of the United*
17 *States, 22,313.*

18 **SEC. 414. FISCAL YEAR 2013 LIMITATION ON NUMBER OF**
19 **NON-DUAL STATUS TECHNICIANS.**

20 (a) *LIMITATIONS.—*

21 (1) *NATIONAL GUARD.—Within the limitation*
22 *provided in section 10217(c)(2) of title 10, United*
23 *States Code, the number of non-dual status techni-*
24 *cians employed by the National Guard as of Sep-*
25 *tember 30, 2013, may not exceed the following:*

1 (3) *The Navy Reserve, 6,200.*

2 (4) *The Marine Corps Reserve, 3,000.*

3 (5) *The Air National Guard of the United*
4 *States, 16,000.*

5 (6) *The Air Force Reserve, 14,000.*

6 ***Subtitle C—Authorization of***
7 ***Appropriations***

8 ***SEC. 421. MILITARY PERSONNEL.***

9 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
10 *hereby authorized to be appropriated for fiscal year 2013*
11 *for the use of the Armed Forces and other activities and*
12 *agencies of the Department of Defense for expenses, not oth-*
13 *erwise provided for, for military personnel, as specified in*
14 *the funding table in section 4401.*

15 (b) *CONSTRUCTION OF AUTHORIZATION.—The author-*
16 *ization of appropriations in subsection (a) supersedes any*
17 *other authorization of appropriations (definite or indefi-*
18 *nite) for such purpose for fiscal year 2013.*

19 ***TITLE V—MILITARY PERSONNEL***
20 ***POLICY***

21 ***Subtitle A—Officer Policy***

22 ***SEC. 501. EXTENSION OF RELAXATION OF LIMITATION ON***
23 ***SELECTIVE EARLY DISCHARGES.***

24 *Section 638a(d)(2) of title 10 United States Code, is*
25 *amended in subparagraphs (A) and (B) by striking “except*

1 *that during the period beginning on October 1, 2006, and*
2 *ending on December 31, 2012,” and inserting “except that*
3 *through December 31, 2018,”.*

4 **SEC. 502. EXCEPTION TO 30-YEAR RETIREMENT FOR REG-**
5 **ULAR NAVY WARRANT OFFICERS IN THE**
6 **GRADE OF CHIEF WARRANT OFFICER, W-5.**

7 (a) *EXCEPTION TO STATUTORY 30-YEAR RETIRE-*
8 *MENT.—Paragraph (1) of section 1305(a) of title 10, United*
9 *States Code, is amended—*

10 (1) *by inserting “or a regular Navy warrant of-*
11 *ficer in the grade of chief warrant officer, W-5, ex-*
12 *empted under paragraph (3)” after “Army warrant*
13 *officer”;* and

14 (2) *by striking “he” and inserting “the officer”.*

15 (b) *MODIFICATION OF STATUTORY RETIREMENT FROM*
16 *30 TO 33 YEARS.—Such section is further amended by add-*
17 *ing at the end the following new paragraph:*

18 “(3) *In the case of a regular Navy warrant officer in*
19 *the grade of chief warrant officer, W-5, the officer shall be*
20 *retired 60 days after the date on which the officer completes*
21 *33 years of total active service.”.*

1 **SEC. 503. MODIFICATION OF DEFINITION OF JOINT DUTY**
 2 **ASSIGNMENT TO INCLUDE ALL INSTRUCTOR**
 3 **ASSIGNMENTS FOR JOINT TRAINING AND**
 4 **EDUCATION.**

5 *Section 668(b)(1)(B) of title 10, United States Code,*
 6 *is amended by striking “assignments for joint” and all that*
 7 *follows through “Phase II” and inserting “student assign-*
 8 *ments for joint training and education”.*

9 **SEC. 504. SENSE OF SENATE ON INCLUSION OF ASSIGN-**
 10 **MENTS AS ACADEMIC INSTRUCTOR AT THE**
 11 **MILITARY SERVICE ACADEMIES AS JOINT**
 12 **DUTY ASSIGNMENTS.**

13 *It is the sense of the Senate that the Secretary of De-*
 14 *fense should include assignments in which military officers*
 15 *are assigned as instructors responsible for preparing and*
 16 *presenting academic courses on the faculty of the United*
 17 *States Military Academy, the United States Naval Acad-*
 18 *emy, or the United States Air Force Academy as joint duty*
 19 *assignments.*

20 ***Subtitle B—Reserve Component***
 21 ***Management***

22 **SEC. 511. AUTHORITY FOR APPOINTMENT OF PERSONS**
 23 **WHO ARE LAWFUL PERMANENT RESIDENTS**
 24 **AS OFFICERS OF THE NATIONAL GUARD.**

25 *Section 313(b)(1) of title 32, United States Code, is*
 26 *amended by inserting “or an alien lawfully admitted for*

1 *permanent residence (as that term is defined in section*
2 *101(a)(20) of the Immigration and Nationality Act (8*
3 *U.S.C.1101(a)(20))” before the semicolon.*

4 **SEC. 512. RESERVE COMPONENT SUICIDE PREVENTION**
5 **AND RESILIENCE PROGRAM.**

6 *(a) CODIFICATION, TRANSFER OF RESPONSIBILITY,*
7 *AND EXTENSION.—*

8 *(1) IN GENERAL.—Chapter 1007 of title 10,*
9 *United States Code, is amended by adding at the end*
10 *the following new section:*

11 **“§ 10219. Suicide prevention and resilience program**

12 *“(a) PROGRAM REQUIREMENT.—The Secretary of De-*
13 *fense shall carry out a program to provide members of the*
14 *National Guard and Reserves and their families with train-*
15 *ing in suicide prevention, resilience, and community heal-*
16 *ing and response to suicide.*

17 *“(b) SUICIDE PREVENTION TRAINING.—Under the*
18 *program, the Secretary shall provide members of the Na-*
19 *tional Guard and Reserves with training in suicide preven-*
20 *tion. Such training may include—*

21 *“(1) describing the warning signs for suicide and*
22 *teaching effective strategies for prevention and inter-*
23 *vention;*

24 *“(2) examining the influence of military culture*
25 *on risk and protective factors for suicide; and*

1 “(3) *engaging in interactive case scenarios and*
2 *role plays to practice effective intervention strategies.*

3 “(c) *COMMUNITY RESPONSE TRAINING.—Under the*
4 *program, the Secretary shall provide the families and com-*
5 *munities of members of the National Guard and Reserves*
6 *with training in responses to suicide that promote indi-*
7 *vidual and community healing. Such training may in-*
8 *clude—*

9 “(1) *enhancing collaboration among community*
10 *members and local service providers to create an inte-*
11 *grated, coordinated community response to suicide;*

12 “(2) *communicating best practices for preventing*
13 *suicide, including safe messaging, appropriate memo-*
14 *rial services, and media guidelines;*

15 “(3) *addressing the impact of suicide on the*
16 *military and the larger community, and the increased*
17 *risk that can result; and*

18 “(4) *managing resources to assist key commu-*
19 *nity and military service providers in helping the*
20 *families, friends, and fellow servicemembers of a sui-*
21 *cide victim through the processes of grieving and heal-*
22 *ing.*

23 “(d) *COMMUNITY TRAINING ASSISTANCE.—The pro-*
24 *gram shall include the provision of assistance with such*
25 *training to the local communities of those servicemembers*

1 *and families, to be provided in coordination with local com-*
 2 *munity programs.*

3 “(e) *COLLABORATION.*—*In carrying out the program,*
 4 *the Secretary shall collect and analyze ‘lessons learned’ and*
 5 *suggestions from State National Guard and Reserve organi-*
 6 *zations with existing or developing suicide prevention and*
 7 *community response programs.*

8 “(f) *TERMINATION.*—*The program under this section*
 9 *shall terminate on October 1, 2015.”.*

10 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 11 *tions at the beginning of chapter 1007 of such title is*
 12 *amended by adding at the end the following new item:*
 “10219. *Suicide prevention and resilience program.”.*

13 (b) *REPEAL OF SUPERSEDED PROVISION.*—*Subsection*
 14 *(i) of section 582 of the National Defense Authorization Act*
 15 *for Fiscal Year 2008 (10 U.S.C. 10101 note) is repealed.*

16 **SEC. 513. REPORT ON MECHANISMS TO EASE THE RE-**
 17 **INTEGRATION INTO CIVILIAN LIFE OF MEM-**
 18 **BERS OF THE NATIONAL GUARD AND THE RE-**
 19 **SERVES FOLLOWING A DEPLOYMENT ON AC-**
 20 **TIVE DUTY.**

21 (a) *STUDY REQUIRED.*—*The Secretary of Defense shall*
 22 *conduct a study of the adequacy of mechanisms for the re-*
 23 *integration into civilian life of members of the National*
 24 *Guard and the Reserves following a deployment on active*
 25 *duty in the Armed Forces, including whether permitting*

1 *such members to remain on active duty for a limited period*
2 *after such deployment (often referred to as a “soft landing”)*
3 *is feasible and advisable for facilitating and easing that re-*
4 *integration.*

5 (b) *ELEMENTS.—*

6 (1) *IN GENERAL.—The study required by sub-*
7 *section (a) shall address the unique challenges mem-*
8 *bers of the National Guard and the Reserves face*
9 *when reintegrating into civilian life following a de-*
10 *ployment on active duty in the Armed Forces and the*
11 *adequacy of the policies, programs, and activities of*
12 *the Department of Defense to assist such members in*
13 *meeting such challenges.*

14 (2) *PARTICULAR ELEMENTS.—The study shall*
15 *take into consideration the following:*

16 (A) *Disparities in reintegration after de-*
17 *ployment between members of the regular compo-*
18 *nents of the Armed Forces and members of the*
19 *reserve components of the Armed Forces, includ-*
20 *ing—*

21 (i) *disparities in access to services, in-*
22 *cluding, but not limited to, health care,*
23 *mental health counseling, job counseling,*
24 *and family counseling;*

1 (ii) disparities in amounts of com-
2 pensated time provided to take care of per-
3 sonal affairs;

4 (iii) disparities in amounts of time re-
5 quired to properly access services and to
6 take care of personal affairs, including trav-
7 el time; and

8 (iv) disparities in costs of uncompen-
9 sated events or requirements, including, but
10 not limited to, travel costs and legal fees.

11 (B) Disparities in reintegration policies
12 and practices among the various Armed Forces
13 and between the regular and reserve components
14 of the Armed Forces.

15 (C) Disparities in the lengths of time of de-
16 ployment between the regular and reserve compo-
17 nents of the Armed Forces.

18 (D) Applicable medical studies on re-
19 integration, including studies on the rest and re-
20 cuperation needed to appropriately recover from
21 combat and training stress.

22 (E) Other applicable studies on reintegra-
23 tion policies and practices, including the rec-
24 ommendations made by such studies.

1 (F) *Appropriate recommendations for the*
2 *elements of a program to assist members of the*
3 *National Guard and the Reserves following a de-*
4 *ployment on active duty in the Armed Forces in*
5 *reintegrating into civilian life, including means*
6 *of ensuring that the program applies uniformly*
7 *across the Armed Forces and between the regular*
8 *components and reserve components of the Armed*
9 *Forces.*

10 (c) *REPORT.—Not later than 180 days after the date*
11 *of the enactment of this Act, the Secretary shall submit to*
12 *the congressional defense committees a report on the study*
13 *required by subsection (a). The report shall set forth the*
14 *results of the study, including the matters specified in sub-*
15 *section (b), and include such comments and recommenda-*
16 *tion in light of the study as the Secretary considers appro-*
17 *priate.*

18 ***Subtitle C—General Service***
19 ***Authorities***

20 ***SEC. 521. DIVERSITY IN THE ARMED FORCES AND RELATED***
21 ***REPORTING REQUIREMENTS.***

22 (a) *PLAN TO ACHIEVE DIVERSITY IN THE ARMED*
23 *FORCES.—The Secretary of Defense shall develop and im-*
24 *plement a plan to accurately measure the efforts of the De-*
25 *partment of Defense to achieve the goal of having a dynamic*

1 *and sustainable 20–30 year pipeline that yields a diverse*
2 *officer and enlisted corps for the Armed Forces that reflects*
3 *the population of the United States eligible to serve in the*
4 *Armed Forces across all the Armed Forces, and all grades*
5 *of each Armed Force, that is able to prevail in its wars,*
6 *prevent and deter conflicts, defeat adversaries and succeed*
7 *in a wide-range of contingencies, and preserve and enhance*
8 *the all volunteer force. Any metric established pursuant to*
9 *this subsection may not be used in a manner that under-*
10 *mines the merit-based processes of the Department of De-*
11 *fense, including such processes for accession, retention, and*
12 *promotion. Such metrics may not be combined with the*
13 *identification of specific quotas based upon diversity char-*
14 *acteristics. The Secretary shall continue to account for di-*
15 *versified language and cultural skills among the total force*
16 *of the military.*

17 *(b) METRICS TO MEASURE PROGRESS IN DEVELOPING*
18 *AND IMPLEMENTING PLAN.—In developing and imple-*
19 *menting the plan under subsection (a), the Secretary of De-*
20 *fense shall develop a standard set of metrics and collection*
21 *procedures that are uniform across the armed forces. The*
22 *metrics required by this subsection shall be designed—*

23 *(1) to accurately capture the inclusion and capa-*
24 *bility aspects of the armed forces broader diversity*
25 *plans, including race, ethnic, and gender specific*

1 *groups, functional expertise, and diversified cultural*
2 *and language skills so as to leverage and improve*
3 *readiness; and*

4 *(2) to be verifiable and systematically linked to*
5 *strategic plans that will drive improvements.*

6 *(c) DEFINITION OF DIVERSITY.—In developing and*
7 *implementing the plan under subsection (a), each Secretary*
8 *of a military department shall, in consultation with the*
9 *Secretary of Defense, develop a definition of diversity that*
10 *is reflective of the culture, mission, and core values of each*
11 *Armed Force under the jurisdiction of such Secretary.*

12 *(d) CONSULTATION.—Not less than annually, the Sec-*
13 *retary of Defense shall meet with the Secretaries of the mili-*
14 *tary departments, the Joint Chiefs of Staff, and senior en-*
15 *listed members of the Armed Forces to discuss the progress*
16 *being made toward developing and implementing the plan*
17 *established under subsection (a).*

18 *(e) REPORTS ON IMPLEMENTATION OF PLAN.—Not*
19 *later than July 1, 2013, and biennially thereafter through*
20 *July 1, 2017, the Secretary of Defense shall submit to the*
21 *congressional defense committees a report on the following:*

22 *(1) The progress made in implementing the plan*
23 *required by subsection (a) to accurately measure the*
24 *efforts of the Department of Defense to achieve its di-*
25 *versity goals.*

1 (2) *The number of members of the Armed Forces,*
2 *including reserve components, listed by sex and race*
3 *or ethnicity for each grade under each military de-*
4 *partment.*

5 (3) *The number of members of the Armed Forces,*
6 *including reserve components, who were promoted*
7 *during the years covered by the report, listed by sex*
8 *and race or ethnicity for each grade under each mili-*
9 *tary department.*

10 (4) *The number of members of the Armed Forces,*
11 *including reserve components, who reenlisted or other-*
12 *wise extended the commitment to military service*
13 *during the years covered by the report, listed by sex*
14 *and race or ethnicity for each grade under each mili-*
15 *tary department.*

16 (5) *The available pool of qualified candidates for*
17 *the general officer grades of general and lieutenant*
18 *general and the flag officer grades of admiral and vice*
19 *admiral.*

20 (f) *APPLICABILITY TO COAST GUARD.*—*The Secretary*
21 *of Homeland Security shall apply the provisions of this sec-*
22 *tion (other than subsection (d)) to the Coast Guard when*
23 *it is not operating as a service in the Navy in order to*
24 *achieve diversity in the Coast Guard in the same manner,*
25 *under the same schedule, and subject to the same conditions*

1 *as diversity is achieved in the other Armed Forces under*
 2 *this section. The Secretary shall submit to the congressional*
 3 *defense committees the reports required by subsection (e)*
 4 *with respect to the implementation of the provisions of this*
 5 *section regarding the Coast Guard when it is not operating*
 6 *as a service in the Navy.*

7 **SEC. 522. MODIFICATION OF AUTHORITY TO CONDUCT PRO-**
 8 **GRAMS ON CAREER FLEXIBILITY TO EN-**
 9 **HANCE RETENTION OF MEMBERS OF THE**
 10 **ARMED FORCES.**

11 *(a) EXTENSION OF PROGRAMS TO CERTAIN ACTIVE*
 12 *GUARD AND RESERVE PERSONNEL.—Section 533 of Dun-*
 13 *can Hunter National Defense Authorization Act for Fiscal*
 14 *Year 2009 (10 U.S.C. prec. 701 note) is amended—*

15 *(1) in subsection (a)(1), by inserting “and mem-*
 16 *bers on active Guard and Reserve duty” after “offi-*
 17 *cers and enlisted members of the regular components”;*

18 *(2) by redesignating subsection (l) as subsection*
 19 *(m); and*

20 *(3) by inserting after subsection (k) the following*
 21 *new subsection (l)*

22 *“(l) DEFINITION.—In this section, the term ‘active*
 23 *Guard and Reserve duty’ has the meaning given that term*
 24 *in section 101(d)(6) of title 10, United States Code.”.*

1 **(b) AUTHORITY TO CARRY FORWARD UNUSED AC-**
2 **CRUED LEAVE.**—*Subsection (h) of such section is amended*
3 *by adding at the end the following new paragraph:*

4 “(5) **LEAVE.**—*A member who participates in a*
5 *pilot program is entitled to carry forward the existing*
6 *leave balance accumulated in accordance with section*
7 *701 of title 10, United States Code, but not to exceed*
8 *60 days.”.*

9 **(c) AUTHORITY FOR DISABILITY PROCESSING.**—*Sub-*
10 *section (j) of such section is amended—*

11 (1) *by striking “for purposes of the entitlement”*
12 *and inserting “for purposes of—*

13 *“(1) the entitlement”;*

14 (2) *by striking the period at the end and insert-*
15 *ing “; and”; and*

16 (3) *by adding at the end the following new para-*
17 *graph:*

18 “(2) *retirement or separation for physical dis-*
19 *ability under the provisions of chapters 55 and 61 of*
20 *title 10, United States Code.”.*

1 **SEC. 523. AUTHORITY FOR ADDITIONAL BEHAVIORAL**
2 **HEALTH PROFESSIONALS TO CONDUCT PRE-**
3 **SEPARATION MEDICAL EXAMINATIONS FOR**
4 **POST-TRAUMATIC STRESS DISORDER.**

5 *Section 1177(a) of title 10, United States Code, is*
6 *amended—*

7 *(1) in paragraph (1), by striking “or psychia-*
8 *trist” and inserting “psychiatrist, licensed clinical so-*
9 *cial worker, or psychiatric nurse practitioner”; and*

10 *(2) in paragraph (3), by striking “or psychia-*
11 *trist” and inserting “, psychiatrist, licensed clinical*
12 *social worker, or psychiatric nurse practitioner”.*

13 **SEC. 524. QUARTERLY REPORTS ON INVOLUNTARY SEPARA-**
14 **TION OF MEMBERS OF THE ARMED FORCES.**

15 *(a) QUARTERLY REPORTS REQUIRED.—Not later than*
16 *30 days after the end of each calendar year quarter in 2013*
17 *and 2014, each Secretary of a military department shall*
18 *submit to the Committees on Armed Services of the Senate*
19 *and the House of Representatives a report on the number*
20 *of members of the regular components of the Armed Forces*
21 *under the jurisdiction of such Secretary who were involun-*
22 *tarily separated from active duty in the Armed Forces dur-*
23 *ing such calendar year quarter.*

24 *(b) ELEMENTS.—Each report on an Armed Force for*
25 *a calendar year quarter under subsection (a) shall set forth*
26 *the following:*

1 (1) *The total number members involuntarily sep-*
2 *arated.*

3 (2) *The number of members separated set forth*
4 *by grade.*

5 (3) *The number of members separated set forth*
6 *by total years of service in the Armed Forces at the*
7 *time of separation.*

8 (4) *The number of members separated set forth*
9 *by military occupational specialty or rating, or com-*
10 *petitive category for officers.*

11 (5) *The number of members separated who re-*
12 *ceived involuntary separation pay, or who are au-*
13 *thorized to receive temporary retired pay, in connec-*
14 *tion with separation.*

15 (6) *The number of members who completed tran-*
16 *sition assistance programs relating to future employ-*
17 *ment.*

18 (7) *The average number of months deployed to*
19 *overseas contingency operations set forth by grade.*

20 **SEC. 525. REVIEW OF ELIGIBILITY OF VICTIMS OF DOMES-**
21 **TIC TERRORISM FOR AWARD OF THE PURPLE**
22 **HEART AND THE DEFENSE MEDAL OF FREE-**
23 **DOM.**

24 (a) *REPORT.*—*Not later than March 1, 2013, the Sec-*
25 *retary of Defense shall, in coordination with the Secretaries*

1 *of the military departments, submit to the Committees on*
2 *Armed Services of the Senate and the House of Representa-*
3 *tives a report on—*

4 (1) *the advisability of modifying the criteria for*
5 *the award of the Purple Heart to provide for the*
6 *award of the Purple Heart to members of the Armed*
7 *Forces who are killed or wounded in a terrorist attack*
8 *within the United States that is determined to be in-*
9 *spired by ideological, political, or religious beliefs that*
10 *give rise to terrorism; and*

11 (2) *the advisability of modifying the criteria for*
12 *the award of the Defense Medal of Freedom to provide*
13 *for the award of the Defense Medal of Freedom to ci-*
14 *vilian employees of the United States who are killed*
15 *or wounded in a terrorist attack within the United*
16 *States that is determined to be inspired by ideolog-*
17 *ical, political, or religious beliefs that give rise to ter-*
18 *rorism.*

19 (b) *DETERMINATION.*—*As part of the review under-*
20 *taken to prepare the report required by subsection (a), the*
21 *Secretary of Defense shall conduct a review of each death*
22 *or wounding of a member of the Armed Forces or civilian*
23 *employee of the United States Government that occurred*
24 *within the United States since September 11, 2001, that*
25 *could meet the criteria as being the result of a terrorist at-*

1 *tack within the United States in order to determine whether*
2 *such death or wounding qualifies or potentially would qual-*
3 *ify for the award of the Purple Heart or the Defense Medal*
4 *of Freedom.*

5 (c) *CONSIDERATIONS.*—*In conducting the review to*
6 *prepare the report required by subsection (a), the Secretary*
7 *of Defense shall take into consideration the following:*

8 (1) *The views of veterans service organizations,*
9 *including the Military Order of the Purple Heart.*

10 (2) *The importance that has been assigned to de-*
11 *termining all available facts before a decision is made*
12 *to award the Purple Heart.*

13 (3) *Potential effects of an award on the ability*
14 *to prosecute perpetrators of terrorist acts in military*
15 *or civilian courts.*

16 (4) *The views of the Chairman of the Joint*
17 *Chiefs of Staff.*

18 **SEC. 526. EXTENSION OF TEMPORARY INCREASE IN ACCU-**
19 **MULATED LEAVE CARRYOVER FOR MEMBERS**
20 **OF THE ARMED FORCES.**

21 *Section 701(d) of title 10, United States Code, is*
22 *amended by striking “September 30, 2013” and inserting*
23 *“September 30, 2015”.*

1 **SEC. 527. PROHIBITION ON WAIVER FOR COMMISSIONING**
2 **OR ENLISTMENT IN THE ARMED FORCES FOR**
3 **ANY INDIVIDUAL CONVICTED OF A FELONY**
4 **SEXUAL OFFENSE.**

5 *An individual may not be provided a waiver for com-*
6 *missioning or enlistment in the Armed Forces if the indi-*
7 *vidual has been convicted under Federal or State law of*
8 *a felony offense of any of the following:*

- 9 (1) *Rape.*
10 (2) *Sexual abuse.*
11 (3) *Sexual assault.*
12 (4) *Incest.*
13 (5) *Any other sexual offense.*

14 **SEC. 528. RESEARCH STUDY ON RESILIENCE IN MEMBERS**
15 **OF THE ARMY.**

16 (a) *RESEARCH STUDY REQUIRED.—*

17 (1) *IN GENERAL.—The Secretary of the Army*
18 *shall carry out a research program on resilience in*
19 *members of the Army.*

20 (2) *PURPOSE.—The purpose of the research*
21 *study shall be to determine the effectiveness of the cur-*
22 *rent Comprehensive Soldier and Family Fitness*
23 *(CSF2) Program of the Army while verifying the cur-*
24 *rent means of the Army to reduce trends in high risk*
25 *or self-destructive behavior and to prepare members of*
26 *the Army to manage stressful or traumatic situations*

1 *by training members in resilience strategies and tech-*
2 *niques.*

3 (3) *ELEMENTS.—In carrying out the research*
4 *study, the Secretary shall determine the effectiveness*
5 *of training under the Comprehensive Soldier and*
6 *Family Fitness program in—*

7 (A) *enhancing individual performance*
8 *through resiliency techniques and use of positive*
9 *and sports psychology; and*

10 (B) *identifying and responding to early*
11 *signs of high-risk behavior in members of the*
12 *Army assigned to units involved in the research*
13 *study.*

14 (4) *SCIENCE-BASED EVIDENCE AND TECH-*
15 *NIQUES.—The research study shall be rooted in sci-*
16 *entific evidence, using professionally accepted meas-*
17 *urements of experiments, of longitudinal research,*
18 *random-assignment, and placebo-controlled outcome*
19 *studies to evaluate which interventions can prove*
20 *positive results and which result in no impact.*

21 (b) *LOCATIONS.—The Secretary carry out the research*
22 *study at locations selected by the Secretary from among*
23 *Army installations which are representative of the Total*
24 *Force. Units from all components of the Army shall be in-*
25 *olved in the research study.*

1 (c) *TRAINING.*—*In carrying out the research study at*
2 *an installation selected pursuant to subsection (b), the Sec-*
3 *retary shall ensure, at a minimum, that whenever a unit*
4 *returns from combat deployment to the installation the*
5 *training established for purposes of the research study is*
6 *provided to all members of the Army returning for such de-*
7 *ployment. The training shall include such training as the*
8 *Secretary considers appropriate to reduce trends in high*
9 *risk or self-destructive behavior.*

10 (d) *PERIOD.*—*The Secretary shall carry out the re-*
11 *search study through September 30, 2014.*

12 (e) *REPORTS.*—*Not later than 30 days after the end*
13 *of each of fiscal years 2013 and 2014, the Secretary shall*
14 *submit to the Committees on Armed Forces of the Senate*
15 *and the House of Representatives a report on the research*
16 *study during the preceding fiscal year. Each report shall*
17 *include the following:*

18 (1) *A description of the trends in high risk or*
19 *self-destructive behavior within each of the units in-*
20 *volved in the research study during the fiscal year*
21 *covered by such report.*

22 (2) *A description of the effectiveness of Com-*
23 *prehensive Soldier and Family Fitness Program*
24 *training in enhancing individual performance*

1 *through resiliency techniques, utilization of positive*
2 *psychology.*

3 *(3) In the case of the report on fiscal year 2014,*
4 *such recommendations for the expansion or modifica-*
5 *tion of the research study as the Secretary considers*
6 *appropriate.*

7 ***Subtitle D—Military Justice and***
8 ***Legal Matters Generally***

9 ***SEC. 531. CLARIFICATION AND ENHANCEMENT OF THE***
10 ***ROLE OF THE STAFF JUDGE ADVOCATE TO***
11 ***THE COMMANDANT OF THE MARINE CORPS.***

12 *(a) APPOINTMENT BY THE PRESIDENT AND PERMA-*
13 *NENT APPOINTMENT TO GRADE OF MAJOR GENERAL.—*
14 *Subsection (a) of section 5046 of title 10, United States*
15 *Code, is amended—*

16 *(1) in the first sentence, by striking “detailed”*
17 *and inserting “appointed by the President, by and*
18 *with the advice and consent of the Senate,”; and*

19 *(2) in the second sentence—*

20 *(A) by striking “The” and inserting “If an*
21 *officer appointed as the”; and*

22 *(B) by striking “, while so serving, has the*
23 *grade” and inserting “holds a lower grade, the*
24 *officer shall be appointed in the grade”.*

1 (b) *DUTIES, AUTHORITY, AND ACCOUNTABILITY.*—

2 *Such section is further amended—*

3 (1) *by redesignating subsection (c) as subsection*
4 *(d); and*

5 (2) *by inserting after subsection (b) the following*
6 *new subsection (c):*

7 “(c) *The Staff Judge Advocate to the Commandant of*
8 *the Marine Corps, under the direction of the Commandant*
9 *of the Marine Corps and the Secretary of the Navy, shall—*

10 “(1) *perform duties relating to legal matters*
11 *arising in the Marine Corps as may be assigned to*
12 *the Staff Judge Advocate;*

13 “(2) *perform the functions and duties and exer-*
14 *cise the powers prescribed for the Staff Judge Advo-*
15 *cate to the Commandant of the Marine Corps in*
16 *chapter 47 of this title (the Uniform Code of Military*
17 *Justice) and chapter 53 of this title; and*

18 “(3) *perform such other duties as may be as-*
19 *signed to the Staff Judge Advocate.”.*

20 (c) *COMPOSITION OF HEADQUARTERS, MARINE*
21 *CORPS.*—*Section 5041(b) of such title is amended—*

22 (1) *by redesignating paragraphs (4) and (5) as*
23 *paragraphs (5) and (6), respectively; and*

24 (2) *by inserting after paragraph (3) the fol-*
25 *lowing new paragraph (4):*

1 “(4) *The Staff Judge Advocate to the Com-*
2 *mandant of the Marine Corps.*”

3 (d) *SUPERVISION OF CERTAIN LEGAL SERVICES.*—

4 (1) *ADMINISTRATION OF MILITARY JUSTICE.*—

5 *Section 806(a) of such title (article 6(a) of the Uni-*
6 *form Code of Military Justice) is amended in the*
7 *third sentence by striking “The Judge Advocate Gen-*
8 *eral” and all that follows through “shall” and insert-*
9 *ing “The Judge Advocates General, and within the*
10 *Marine Corps the Staff Judge Advocate to the Com-*
11 *mandant of the Marine Corps, or senior members of*
12 *their staffs, shall”.*

13 (2) *DELIVERY OF LEGAL ASSISTANCE.*—*Section*
14 *1044(b) of such title is amended by inserting “and*
15 *within the Marine Corps the Staff Judge Advocate to*
16 *the Commandant of the Marine Corps” after “title”).*

17 **SEC. 532. ADDITIONAL INFORMATION IN REPORTS ON AN-**

18 **NUAL SURVEYS OF THE COMMITTEE ON THE**

19 **UNIFORM CODE OF MILITARY JUSTICE.**

20 *Subsection (c)(2) of section 946 of title 10, United*
21 *States Code (article 146 of the Uniform Code of Military*
22 *Justice), is amended—*

23 (1) *by redesignating subparagraph (B) as sub-*
24 *paragraph (C); and*

1 (2) *by inserting after subparagraph (A) the fol-*
2 *lowing new subparagraph (B):*

3 “(B) *Information from the Judge Advocates Gen-*
4 *eral and the Staff Judge Advocate to the Com-*
5 *mandant of the Marine Corps on the following:*

6 “(i) *The appellate review process, includ-*
7 *ing—*

8 “(I) *information on compliance with*
9 *processing time goals;*

10 “(II) *discussions of the circumstances*
11 *surrounding cases in which general court-*
12 *martial or special court-martial convictions*
13 *are reversed as a result of command influ-*
14 *ence or denial of the right to a speedy re-*
15 *view or otherwise remitted due to loss of*
16 *records of trial or other administrative defi-*
17 *ciencies; and*

18 “(III) *discussions of cases in which a*
19 *provision of this chapter is held unconstitu-*
20 *tional.*

21 “(ii) *Developments in appellate case law re-*
22 *lating to courts-martial involving allegations of*
23 *sexual misconduct under this chapter.*

1 “(iii) *Issues associated with implementing*
2 *recent, legislatively directed changes to this chap-*
3 *ter or the Manual for Courts-Martial.*

4 “(iv) *Measures implemented by each armed*
5 *force to ensure the ability of judge advocates to*
6 *competently participate as trial and defense*
7 *counsel in, and preside as military judges over,*
8 *capital cases, national security cases, sexual as-*
9 *sault cases, and proceedings of military commis-*
10 *sions.*

11 “(v) *The independent views of the Judge*
12 *Advocates General and the Staff Judge Advocate*
13 *to the Commandant of the Marine Corps on the*
14 *sufficiency of resources available within their re-*
15 *spective armed forces, including manpower,*
16 *funding, training, and officer and enlisted grade*
17 *structure, to capably perform military justice*
18 *functions.”.*

1 ***Subtitle E—Sexual Assault, Hazing,***
2 ***and Related Matters***

3 ***SEC. 541. AUTHORITY TO RETAIN OR RECALL TO ACTIVE***
4 ***DUTY RESERVE COMPONENT MEMBERS WHO***
5 ***ARE VICTIMS OF SEXUAL ASSAULT WHILE ON***
6 ***ACTIVE DUTY.***

7 (a) *IN GENERAL.*—Chapter 1209 of title 10, United
8 States Code, is amended by adding at the end the following
9 new section:

10 ***“§ 12323. Active duty for response to sexual assault***

11 *“(a) CONTINUATION ON ACTIVE DUTY.—In the case of*
12 *a member of a reserve component who is the alleged victim*
13 *of sexual assault committed while on active duty and who*
14 *is expected to be released from active duty before the deter-*
15 *mination of whether the member was assaulted while in the*
16 *line of duty, the Secretary concerned may, upon the request*
17 *of the member, order the member to be retained on active*
18 *duty until the line of duty determination. A member eligible*
19 *for continuation on active duty under this subsection shall*
20 *be informed as soon as practicable after the alleged assault*
21 *of the option to request continuation on active duty under*
22 *this subsection.*

23 *“(b) RETURN TO ACTIVE DUTY.—In the case of a*
24 *member of a reserve component not on active duty who is*
25 *the alleged victim of a sexual assault that occurred while*

1 *the member was on active duty and when the determination*
2 *whether the member was in the line of duty is not com-*
3 *pleted, the Secretary concerned may, upon the request of*
4 *the member, order the member to active duty for such time*
5 *as necessary to complete the line of duty determination.*

6 “(c) *REGULATIONS.—The Secretaries of the military*
7 *departments shall prescribe regulations to carry out this*
8 *section, subject to guidelines prescribed by the Secretary of*
9 *Defense. The guidelines of the Secretary of Defense shall*
10 *provide that—*

11 “(1) *a request submitted by a member described*
12 *in subsection (a) or (b) to continue on active duty, or*
13 *to be ordered to active duty, respectively, must be de-*
14 *ecided within 30 days from the date of the request; and*

15 “(2) *if the request is denied, the member may*
16 *appeal to the first general officer or flag officer in the*
17 *chain of command of the member, and in the case of*
18 *such an appeal a decision on the appeal must be*
19 *made within 15 days from the date of the appeal.”.*

20 “(b) *CLERICAL AMENDMENT.—The table of sections at*
21 *the beginning of chapter 1209 of such title is amended add-*
22 *ing at the end the following new item:*

“12323. *Active duty for response to sexual assault.*”.

1 **SEC. 542. ADDITIONAL ELEMENTS IN COMPREHENSIVE DE-**
2 **PARTMENT OF DEFENSE POLICY ON SEXUAL**
3 **ASSAULT PREVENTION AND RESPONSE.**

4 (a) *ADDITIONAL ELEMENTS.*—Not later than 180 days
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall modify the revised comprehensive policy for
7 the Department of Defense sexual assault prevention and
8 response program required by section 1602 of the Ike Skel-
9 ton National Defense Authorization Act for Fiscal Year
10 2011 (Public Law 111–383; 124 Stat. 4430; 10 U.S.C. 1561
11 note) to include in the policy the following:

12 (1) *A requirement to establish within each mili-*
13 *tary department, under regulations prescribed by the*
14 *Secretary of Defense, an enhanced capability for the*
15 *investigation, prosecution, and defense of special vic-*
16 *tim offenses under chapter 47 of title 10, United*
17 *States Code (the Uniform Code of Military Justice).*

18 (2) *A requirement that each military department*
19 *initiate and retain for a period prescribed by the Sec-*
20 *retary of Defense a record on the disposition of allega-*
21 *tions of sexual assault using forms and procedures*
22 *prescribed by the Secretary.*

23 (3) *A requirement that all commanders and com-*
24 *manding officers receive training on sexual assault*
25 *prevention, response, and policies before, or shortly*
26 *after, assuming command.*

1 (4) *A requirement that all new members of the*
2 *Armed Forces (whether in the regular or reserve com-*
3 *ponents) receive training on the Department of De-*
4 *fense policy on sexual assault prevention and response*
5 *program during initial entry training.*

6 (5) *A requirement for military commands and*
7 *units specified by the Secretary of Defense for pur-*
8 *poses of the policy to conduct periodic climate assess-*
9 *ments of such commands and units for purposes of*
10 *preventing and responding to sexual assaults.*

11 (6) *A requirement to post and widely dissemi-*
12 *nate information about resources available to report*
13 *and respond to sexual assaults, including hotline*
14 *phone numbers and Internet websites available to all*
15 *members of the Armed Forces.*

16 (7) *A requirement to assign responsibility to re-*
17 *ceive and investigate complaints against members of*
18 *the Armed Forces and civilian personnel of the De-*
19 *partment of Defense for the violation or failure to*
20 *provide the rights of a crime victim established by*
21 *section 3771 of title 18, United States Code, as appli-*
22 *cable to such members and personnel in accordance*
23 *with Department of Defense Directive 1030.1, or a*
24 *successor directive, and Department of Defense In-*
25 *struction 1030.2, or a successor instruction.*

1 (8) *A requirement that each Secretary of a mili-*
2 *tary department establish policies that require that*
3 *each member of the Armed Forces under the jurisdic-*
4 *tion of such Secretary whose conviction for a covered*
5 *offense is final and who is not punitively discharged*
6 *from the Armed Forces in connection with such con-*
7 *viction be processed for administrative separation*
8 *from the Armed Forces, which requirement shall not*
9 *be interpreted to limit or alter the authority of such*
10 *Secretary to process members of the Armed Forces for*
11 *administrative separation for other offenses or under*
12 *other provisions of law.*

13 **(b) DEFINITIONS.**—*In this section:*

14 (1) *The term “covered offense” means the fol-*
15 *lowing:*

16 (A) *Rape or sexual assault under subsection*
17 *(a) or (b) of section 920 of title 10, United States*
18 *Code (article 120 of the Uniform Code of Mili-*
19 *tary Justice).*

20 (B) *Forcible sodomy under section 925 of*
21 *title 10, United States Code (article 125 of the*
22 *Uniform Code of Military Justice).*

23 (C) *An attempt to commit an offense speci-*
24 *fied in subparagraph (A) or (B) under section*

1 880 of title 10, United States Code (article 80 of
2 the Uniform Code of Military Justice).

3 (2) The term “special victim offenses” means of-
4 fenses involving allegations of any of the following:

5 (A) Child abuse.

6 (B) Rape, sexual assault, or forcible sod-
7 omy.

8 (C) Domestic violence involving aggravated
9 assault.

10 **SEC. 543. HAZING IN THE ARMED FORCES.**

11 (a) *REPORT.*—Not later than 180 days after the date
12 of the enactment of this Act, each Secretary of a military
13 department shall, in consultation with the Chief of Staff
14 of each Armed Force under the jurisdiction of such Sec-
15 retary, submit to the Committees on Armed Services of the
16 Senate and the House of Representatives a report on hazing
17 in such Armed Force. Not later than 180 days after the
18 date of the enactment of this Act, the Secretary of Homeland
19 Security shall submit to the committees of Congress referred
20 to in the preceding sentence a report on hazing in the Coast
21 Guard when it is not operating as a service in the Navy,
22 and, for purposes of such report, the Armed Forces shall
23 include the Coast Guard when it is not operating as a serv-
24 ice in the Navy.

1 **(b) ELEMENTS.**—*Each report on an Armed Force re-*
2 *quired by subsection (a) shall include the following:*

3 (1) *A discussion of the policies of the Armed*
4 *Force for preventing and responding to incidents of*
5 *hazing.*

6 (2) *A description of the methods implemented to*
7 *track and report, including report anonymously, inci-*
8 *dents of hazing in the Armed Force.*

9 (3) *An assessment by the Secretary submitting*
10 *such report of the following:*

11 (A) *The scope of the problem of hazing in*
12 *the Armed Force.*

13 (B) *The training on recognizing and pre-*
14 *venting hazing provided members of the Armed*
15 *Force.*

16 (C) *The actions taken to prevent and re-*
17 *spond to hazing incidents in the Armed Force.*

18 (4) *A description of the additional actions, if*
19 *any, the Secretary submitting such report and the*
20 *Chief of Staff of the Armed Force propose to take to*
21 *further address the incidence of hazing in the Armed*
22 *Force.*

1 **SEC. 544. RETENTION OF CERTAIN FORMS IN CONNECTION**
2 **WITH RESTRICTED REPORTS ON SEXUAL AS-**
3 **SAULT INVOLVING MEMBERS OF THE ARMED**
4 **FORCES.**

5 (a) *PERIOD OF RETENTION.*—*The Secretary of Defense*
6 *shall ensure that all copies of Department of Defense Form*
7 *2910 and Department of Defense Form 2911 filed in con-*
8 *nection with a Restricted Report on an incident of sexual*
9 *assault involving a member of the Armed Forces shall be*
10 *retained for the longer of—*

11 (1) *50 years commencing on the date of signa-*
12 *ture of the member on Department of Defense Form*
13 *2910; or*

14 (2) *the time provided for the retention of such*
15 *forms in connection with Unrestricted Reports on in-*
16 *cidents of sexual assault involving members of the*
17 *Armed Forces under Department of Defense Directive-*
18 *Type Memorandum (DTM) 11-062, entitled “Docu-*
19 *ment Retention in Cases of Restricted and Unre-*
20 *stricted Reports of Sexual Assault”, or any successor*
21 *directive or policy.*

22 (b) *PROTECTION OF CONFIDENTIALITY.*—*Any Depart-*
23 *ment of Defense form retained under subsection (a) shall*
24 *be retained in a manner that protects the confidentiality*
25 *of the member of the Armed Forces concerned in accordance*
26 *with procedures for the protection of confidentiality of in-*

1 *formation in Restricted Reports under Department of De-*
2 *fense memorandum JTF-SAPR-009, relating to the De-*
3 *partment of Defense policy on confidentiality for victims*
4 *of sexual assault, or any successor policy or directive.*

5 **SEC. 545. PREVENTION AND RESPONSE TO SEXUAL HARASS-**
6 **MENT IN THE ARMED FORCES.**

7 *(a) COMPREHENSIVE POLICY REQUIRED.—*

8 *(1) IN GENERAL.—The Secretary of Defense*
9 *shall, in consultation with the Secretaries of the mili-*
10 *tary departments and the Equal Opportunity Office*
11 *of the Department of Defense, develop a comprehen-*
12 *sive policy to prevent and respond to sexual harass-*
13 *ment in the Armed Forces. The policy shall provide*
14 *for the following:*

15 *(A) Training for members of the Armed*
16 *Forces on the prevention of sexual harassment.*

17 *(B) Mechanisms for reporting incidents of*
18 *sexual harassment in the Armed Forces, includ-*
19 *ing procedures for reporting anonymously.*

20 *(C) Mechanisms for responding to and re-*
21 *solving incidents of alleged sexual harassment*
22 *incidences involving members of the Armed*
23 *Forces, including through the prosecution of of-*
24 *fenders.*

1 (2) *REPORT.*—Not later than one year after the
2 date of the enactment of this Act, the Secretary of De-
3 fense shall submit to the Committees on Armed Serv-
4 ices of the Senate and the House of Representatives a
5 report setting forth the policy required by paragraph
6 (1).

7 (b) *COLLECTION AND RETENTION OF RECORDS ON*
8 *DISPOSITION OF REPORTS OF SEXUAL HARASSMENT.*—

9 (1) *COLLECTION.*—The Secretary of Defense shall
10 require that the Secretary of each military depart-
11 ment establish a record on the disposition of any re-
12 port of sexual harassment, whether such disposition is
13 court martial, non-judicial punishment, or other ad-
14 ministrative action. The record of any such disposi-
15 tion shall include the following, as appropriate:

16 (A) *Documentary information collected*
17 *about the incident reported.*

18 (B) *Punishment imposed, including the sen-*
19 *tencing by judicial or non-judicial means includ-*
20 *ing incarceration, fines, restriction, and extra*
21 *duty as a result of military court-martial, Fed-*
22 *eral and local court and other sentencing, or any*
23 *other punishment imposed.*

24 (C) *Reasons for the selection of the disposi-*
25 *tion and punishments selected.*

1 (D) *Administrative actions taken, if any.*

2 (E) *Any pertinent referrals offered as a re-*
3 *sult of the incident (such as drug and alcohol*
4 *counseling and other types of counseling or inter-*
5 *vention).*

6 (2) *RETENTION.—The Secretary of Defense shall*
7 *require that—*

8 (A) *the records established pursuant to*
9 *paragraph (1) be retained by the Department of*
10 *Defense for a period of not less than 50 years;*
11 *and*

12 (B) *a copy of such records be maintained at*
13 *a centralized location for the same period as ap-*
14 *plies to retention of the records under subpara-*
15 *graph (A).*

16 (c) *ANNUAL REPORT ON SEXUAL HARASSMENT IN-*
17 *VOLVING MEMBERS OF THE ARMED FORCES.—*

18 (1) *ANNUAL REPORT ON SEXUAL HARASS-*
19 *MENT.—Not later than March 1, 2015, and each*
20 *March 1 thereafter through March 1, 2018, the Sec-*
21 *retary of each military department shall submit to*
22 *the Secretary of Defense a report on the sexual har-*
23 *assments involving members of the Armed Forces*
24 *under the jurisdiction of such Secretary during the*
25 *preceding year. Each Secretary of a military depart-*

1 *ment shall submit the report on a year under this sec-*
2 *tion at the same time as the submittal of the annual*
3 *report on sexual assaults during that year under sec-*
4 *tion 1631 of the Ike Skelton National Defense Author-*
5 *ization Act for Fiscal Year 2011 (10 U.S.C. 1561*
6 *note). In the case of the Secretary of the Navy, sepa-*
7 *rate reports shall be prepared under this section for*
8 *the Navy and the Marine Corps.*

9 (2) *CONTENTS.—The report of a Secretary of a*
10 *military department for an Armed Force under para-*
11 *graph (1) shall contain the following:*

12 (A) *The number of sexual harassments com-*
13 *mitted against members of the Armed Force that*
14 *were reported to military officials during the*
15 *year covered by the report, and the number of the*
16 *cases so reported that were substantiated.*

17 (B) *The number of sexual harassments com-*
18 *mitted by members of the Armed Force that were*
19 *reported to military officials during the year*
20 *covered by the report, and the number of the*
21 *cases so reported that were substantiated. The in-*
22 *formation required by this subparagraph may*
23 *not be combined with the information required*
24 *by subparagraph (A).*

1 (C) *A synopsis of each such substantiated*
2 *case and, for each such case, the action taken in*
3 *such case, including the type of disciplinary or*
4 *administrative sanction imposed, section 815 of*
5 *title 10, United States Code (article 15 of the*
6 *Uniform Code of Military Justice).*

7 (D) *The policies, procedures, and processes*
8 *implemented by the Secretary during the year*
9 *covered by the report in response to incidents of*
10 *sexual harassment involving members of that*
11 *Armed Force.*

12 (E) *Any other matters relating to sexual*
13 *harassment involving members of the Armed*
14 *Forces that the Secretary considers appropriate.*

15 **SEC. 546. ENHANCEMENT OF ANNUAL REPORTS REGARD-**
16 **ING SEXUAL ASSAULTS INVOLVING MEMBERS**
17 **OF THE ARMED FORCES.**

18 (a) *IN GENERAL.*—Section 1631(b) of the Ike Skelton
19 *National Defense Authorization Act for Fiscal Year 2011*
20 *(10 U.S.C. 1561 note) is amended—*

21 (1) *by striking paragraph (3) and inserting the*
22 *following new paragraph (3):*

23 “(3) *A synopsis of each such substantiated case,*
24 *organized by offense, and, for each such case, the ac-*

1 *tion taken in such case, including the following infor-*
2 *mation:*

3 *“(A) The type of disciplinary or adminis-*
4 *trative sanction imposed, if any, including*
5 *courts-martial sentences, non-judicial punish-*
6 *ments administered by commanding officers pur-*
7 *suant to section 815 of title 10, United States*
8 *Code (article 15 of the Uniform Code of Military*
9 *Justice), and administrative separations.*

10 *“(B) A description of and rationale for the*
11 *final disposition and punishment, regardless of*
12 *type of disciplinary or administrative sanction*
13 *imposed.*

14 *“(C) The unit and location of service at*
15 *which the incident occurred.*

16 *“(D) Whether the accused was previously*
17 *accused of a substantiated sexual assault or sex-*
18 *ual harassment.*

19 *“(E) Whether the accused was admitted to*
20 *the Armed Forces under a moral waiver granted*
21 *with respect to prior sexual misconduct.*

22 *“(F) Whether alcohol was involved in the*
23 *incident.*

24 *“(G) If the member was administratively*
25 *separated or, in the case of an officer, allowed to*

1 *resign in lieu of facing a court-martial, the char-*
2 *acterization given the service of the member upon*
3 *separation.”; and*

4 *(2) by adding at the end the following new para-*
5 *graphs*

6 “(7) *The number of applications submitted*
7 *under section 673 of title 10, United States Code,*
8 *during the year covered by the report for a permanent*
9 *change of station or unit transfer for members of the*
10 *Armed Forces on active duty who are the victim of*
11 *a sexual assault or related offense, the number of ap-*
12 *plications denied, and, for each application denied, a*
13 *description of the reasons why such application was*
14 *denied.*

15 “(8) *An analysis and assessment of trends in the*
16 *incidence, disposition, and prosecution of sexual as-*
17 *saults by commands and installations during the year*
18 *covered by the report, including trends relating to*
19 *prevalence of incidents, prosecution of incidents, and*
20 *avoidance of incidents.*

21 “(9) *An assessment of the adequacy of sexual as-*
22 *sault prevention and response activities carried out*
23 *by training commands during the year covered by the*
24 *report.*

1 “(10) *An analysis of the specific factors that*
2 *may have contributed to sexual assault during the*
3 *year covered by the report, including sexual harass-*
4 *ment and substance abuse, an assessment of the role*
5 *of such factors in contributing to sexual assaults dur-*
6 *ing that year, and recommendations for mechanisms*
7 *to eliminate or reduce the incidence of such factors or*
8 *their contributions to sexual assaults.”.*

9 ***(b) EFFECTIVE DATE.***—*The amendments made by this*
10 *section shall take effect on the date of the enactment of this*
11 *Act, and shall apply beginning with the report required to*
12 *be submitted by March 1, 2014, under section 1631 of the*
13 *Ike Skelton National Defense Authorization Act for Fiscal*
14 *Year 2011 (as amended by subsection (a)).*

15 ***Subtitle F—Education and***
16 ***Training***

17 ***SEC. 551. INCLUSION OF THE SCHOOL OF ADVANCED MILI-***
18 ***TARY STUDIES SENIOR LEVEL COURSE AS A***
19 ***SENIOR LEVEL SERVICE SCHOOL.***

20 *Section 2151(b)(1) of title 10, United States Code, is*
21 *amended by adding at the end the following new subpara-*
22 *graph:*

23 ***(E) The Senior Level Course of the School***
24 ***of Advanced Military Studies of the United***

1 *States Army Command and General Staff Col-*
 2 *lege.”.*

3 **SEC. 552. MODIFICATION OF ELIGIBILITY FOR ASSOCIATE**
 4 **DEGREE PROGRAMS UNDER THE COMMUNITY**
 5 **COLLEGE OF THE AIR FORCE.**

6 *Section 9315(b) of title 10, United States Code, is*
 7 *amended by adding at the end the following new paragraph:*

8 “(3) *Enlisted members of the armed forces other*
 9 *than the Air Force who are participating in joint-*
 10 *service medical training and education or serving as*
 11 *instructors in joint-service medical training and edu-*
 12 *cation.”.*

13 **SEC. 553. SUPPORT OF NAVAL ACADEMY ATHLETIC PRO-**
 14 **GRAMS.**

15 *(a) IN GENERAL.—Chapter 603 of title 10, United*
 16 *States Code, is amended by adding at the end the following*
 17 *new section:*

18 **“§ 6981. Support of athletic and physical fitness pro-**
 19 **grams**

20 “(a) *AUTHORITY.—*

21 “(1) *CONTRACTS AND COOPERATIVE AGREE-*
 22 *MENTS.—The Secretary of the Navy may enter into*
 23 *contracts and cooperative agreements with the Asso-*
 24 *ciation for the purpose of supporting the athletic and*
 25 *physical fitness programs of the Naval Academy. Not-*

1 *withstanding section 2304(k) of this title, the Sec-*
2 *retary may enter such contracts or cooperative agree-*
3 *ments on a sole source basis pursuant to section*
4 *2304(c)(5) of this title. Notwithstanding chapter 63 of*
5 *title 31, a cooperative agreement under this section*
6 *may be used to acquire property or services for the di-*
7 *rect benefit or use of the Naval Academy.*

8 “(2) *LEASES.—The Secretary may enter into*
9 *leases, in accordance with section 2667 of this title,*
10 *or licenses with the Association for the purpose of*
11 *supporting the athletic and physical fitness programs*
12 *of the Naval Academy. Any such lease or license shall*
13 *be deemed to satisfy the conditions of section*
14 *2667(h)(2) of this title.*

15 “(b) *USE OF NAVY PERSONAL PROPERTY BY THE AS-*
16 *SOCIATION.—The Secretary may allow the Association to*
17 *use, at no cost, personal property of the Department of the*
18 *Navy to assist the Association in supporting the athletic*
19 *and physical fitness programs of the Naval Academy.*

20 “(c) *ACCEPTANCE OF SUPPORT.—*

21 “(1) *SUPPORT RECEIVED FROM THE ASSOCIA-*
22 *TION.—Notwithstanding section 1342 of title 31, the*
23 *Secretary may accept from the Association funds,*
24 *supplies, and services for the support of the athletic*
25 *and physical fitness programs of the Naval Academy.*

1 *For purposes of this section, employees or personnel*
2 *of the Association may not be considered to be em-*
3 *ployees of the United States.*

4 “(2) *FUNDS RECEIVED FROM NCAA.—The Sec-*
5 *retary may accept funds from the National Collegiate*
6 *Athletic Association to support the athletic and phys-*
7 *ical fitness programs of the Naval Academy.*

8 “(3) *LIMITATION.—The Secretary shall ensure*
9 *that contributions under this subsection do not reflect*
10 *unfavorably on the ability of the Department of the*
11 *Navy, any of its employees, or any member of the*
12 *armed forces to carry out any responsibility or duty*
13 *in a fair and objective manner, or compromise the in-*
14 *tegrity or appearance of integrity of any program of*
15 *the Department of the Navy, or any individual in-*
16 *volved in such a program.*

17 “(d) *RETENTION AND USE OF FUNDS.—Notwith-*
18 *standing section 2260(d) of this title, funds received under*
19 *this section may be retained for use in support of the Naval*
20 *Academy athletic program and shall remain available until*
21 *expended.*

22 “(e) *TRADEMARKS AND SERVICE MARKS.—*

23 “(1) *LICENSING, MARKETING, AND SPONSORSHIP*
24 *AGREEMENTS.—An agreement under subsection (a)(1)*
25 *may, consistent with sections 2260 (other than sub-*

1 *section (d)) and 5022(b)(3) of this title, authorize the*
2 *Association to enter into licensing, marketing, and*
3 *sponsorship agreements relating to trademarks and*
4 *service marks identifying the Naval Academy, subject*
5 *to the approval of the Department of the Navy.*

6 “(2) *LIMITATIONS.—No such licensing, mar-*
7 *keting, or sponsorship agreement may be entered into*
8 *if it would reflect unfavorably on the ability of the*
9 *Department of the Navy, any of its employees, or any*
10 *member of the armed forces to carry out any responsi-*
11 *bility or duty in a fair and objective manner, or if*
12 *the Secretary determines that the use of the trademark*
13 *or service mark would compromise the integrity or*
14 *appearance of integrity of any program of the De-*
15 *partment of the Navy, or any individual involved in*
16 *such a program.*

17 “(f) *SERVICE ON ASSOCIATION BOARD OF CONTROL.—*
18 *The Association is a designated entity for which authoriza-*
19 *tion under sections 1033(a) and 1589(a) of this title may*
20 *be provided.*

21 “(g) *CONDITIONS.—The authority provided in this sec-*
22 *tion with respect to the Association is available only so long*
23 *as the Association continues to—*

24 “(1) *qualify as a nonprofit organization under*
25 *section 501(c)(3) of the Internal Revenue Code of*

1 1986 and operates in accordance with this section, the
 2 laws of the State of Maryland, and the constitution
 3 and bylaws of the Association; and

4 “(2) operate exclusively to support the athletic
 5 and physical fitness programs of the Naval Academy.

6 “(h) ASSOCIATION DEFINED.—In this section, the term
 7 ‘Association’ means the Naval Academy Athletic Associa-
 8 tion.”.

9 (b) CLERICAL AMENDMENT.—The table of sections at
 10 the beginning of chapter 603 of such title is amended by
 11 adding at the end the following new item:

“6981. Support of athletic and physical fitness programs.”.

12 **SEC. 554. GRADE OF COMMISSIONED OFFICERS IN UNI-**
 13 **FORMED MEDICAL ACCESSION PROGRAMS.**

14 (a) MEDICAL STUDENTS OF USUHS.—Section
 15 2114(b) of title 10, United States Code, is amended—

16 (1) in paragraph (1), by striking the second sen-
 17 tence and inserting the following new sentences:

18 “Each medical student shall be appointed as a reg-
 19 ular officer in the grade of second lieutenant or en-
 20 sign. An officer so appointed may, upon meeting such
 21 criteria for promotion as may be prescribed by the
 22 Secretary concerned, be appointed in the regular
 23 grade of first lieutenant or lieutenant (junior grade).

24 Medical students commissioned under this section

1 *shall serve on active duty in their respective grades.”;*
2 *and*

3 *(2) in paragraph (2), by striking “grade of sec-*
4 *ond lieutenant or ensign” and inserting “grade in*
5 *which the member is serving under paragraph (1)”.*

6 *(b) PARTICIPANTS IN HEALTH PROFESSIONS SCHOL-*
7 *ARSHIP AND FINANCIAL ASSISTANCE PROGRAM.—Section*
8 *2121(c) of such title is amended—*

9 *(1) in paragraph (1), by striking the second sen-*
10 *tence and inserting the following new sentences:*
11 *“Each person so commissioned shall be appointed as*
12 *a reserve officer in the grade of second lieutenant or*
13 *ensign. An officer so appointed may, upon meeting*
14 *such criteria for promotion as may be prescribed by*
15 *the Secretary concerned, be appointed in the reserve*
16 *grade of first lieutenant or lieutenant (junior grade).*
17 *Medical students commissioned under this section*
18 *shall serve on active duty in their respective grades*
19 *for a period of 45 days during each year of participa-*
20 *tion in the program.”; and*

21 *(2) in paragraph (2), by striking “grade of sec-*
22 *ond lieutenant or ensign” and inserting “grade in*
23 *which the member is serving under paragraph (1)”.*

1 (c) *OFFICERS DETAILED AS STUDENTS AT MEDICAL*
 2 *SCHOOLS.*—*Subsection (e) of section 2004a of such title is*
 3 *amended—*

4 (1) *in the subsection heading, by striking “AP-*
 5 *POINTMENT AND TREATMENT OF PRIOR ACTIVE*
 6 *SERVICE” and inserting “SERVICE ON ACTIVE*
 7 *DUTY”;* and

8 (2) *by striking paragraph (1) and inserting the*
 9 *following new paragraph (1):*

10 “(1) *A commissioned officer detailed under subsection*
 11 *(a) shall serve on active duty, subject to the limitations on*
 12 *grade specified in section 2114(b)(1) of this title and with*
 13 *the entitlement to basic pay as specified in section*
 14 *2114(b)(2) of this title.”.*

15 **SEC. 555. AUTHORITY FOR SERVICE COMMITMENT FOR RE-**
 16 **SERVISTS WHO ACCEPT FELLOWSHIPS,**
 17 **SCHOLARSHIPS, OR GRANTS TO BE PER-**
 18 **FORMED IN THE SELECTED RESERVE.**

19 (a) *IN GENERAL.*—*Subsection (b) of section 2603 of*
 20 *title 10, United States Code, is amended by striking “on*
 21 *active duty” and all that follows and inserting the fol-*
 22 *lowing: “as follows:*

23 “(1) *On active duty for a period at least three*
 24 *times the length of the period of the education or*
 25 *training.*

1 “(2) *In the case of a member of the Selected Re-*
2 *serve—*

3 “(A) *on active duty in accordance with*
4 *paragraph (1); or*

5 “(B) *in the Selected Reserve for a period at*
6 *least five times the length of the period of the*
7 *education or training.”.*

8 (b) *TECHNICAL AMENDMENTS.—Such section is fur-*
9 *ther amended by striking “Armed Forces” each place it ap-*
10 *pears and inserting “armed forces”.*

11 (c) *EFFECTIVE DATE.—The amendment made by sub-*
12 *section (a) shall apply to agreements entered into under sec-*
13 *tion 2603(b) of title 10, United States Code, after the date*
14 *of the enactment of this Act.*

15 **SEC. 556. REPEAL OF REQUIREMENT FOR ELIGIBILITY FOR**
16 **IN-STATE TUITION OF AT LEAST 50 PERCENT**
17 **OF PARTICIPANTS IN SENIOR RESERVE OFFI-**
18 **CERS’ TRAINING CORPS PROGRAM.**

19 *Section 2107(c)(1) of title 10, United States Code, is*
20 *amended by striking the third sentence.*

1 **SEC. 557. MODIFICATION OF REQUIREMENTS ON PLAN TO**
2 **INCREASE THE NUMBER OF UNITS OF THE**
3 **JUNIOR RESERVE OFFICERS' TRAINING**
4 **CORPS.**

5 (a) *NUMBER OF UNITS COVERED BY PLAN.*—Sub-
6 section (a) of section 548 of the Duncan Hunter National
7 Defense Authorization Act for Fiscal Year 2009 (Public
8 Law 110–417; 122 Stat. 4466) is amended by striking “not
9 less than 3,700 units” and inserting “not less than 3,000,
10 and not more than 3,700, units”.

11 (b) *ADDITIONAL EXCEPTION.*—Subsection (b) of such
12 section is amended—

13 (1) in paragraph (1), by striking “or” at the
14 end;

15 (2) in paragraph (2), by striking the period at
16 the end and inserting “; or”; and

17 (3) by adding at the end the following new para-
18 graph:

19 “(3) if the Secretaries of the military depart-
20 ments determine that the level of support of all kinds
21 (including, but not limited to, appropriated funds)
22 provided to youth development programs within the
23 Armed Forces is consistent with funding limitations
24 and the achievement of the objectives of such pro-
25 grams.”.

1 (c) *SUBMITTAL OF REPORTS.*—Subsection (e) of such
 2 section is amended by striking “not later than” and all that
 3 follows and inserting “annually through 2012, and there-
 4 after not later than March 31 of each of 2015, 2018, and
 5 2020.”.

6 **SEC. 558. CONSOLIDATION OF MILITARY DEPARTMENT AU-**
 7 **THORITY TO ISSUE ARMS, TENTAGE, AND**
 8 **EQUIPMENT TO EDUCATIONAL INSTITUTIONS**
 9 **NOT MAINTAINING UNITS OF THE JUNIOR**
 10 **ROTC.**

11 (a) *CONSOLIDATION OF AUTHORITY.*—Chapter 152 of
 12 title 10, United States Code, is amended by inserting after
 13 section 2552 the following new section:

14 **“§2552a. Arms, tentage, and equipment: educational**
 15 **institutions not maintaining units of Jun-**
 16 **ior Reserve Officers’ Training Corps**

17 “The Secretary of a military department may issue
 18 arms, tentage, and equipment to an educational institution
 19 at which no unit of the Junior Reserve Officers’ Training
 20 Corps is maintained if the educational institution—

21 “(1) offers a course in military instruction pre-
 22 scribed by that Secretary; and

23 “(2) has a student body of at least 50 students
 24 who are in a grade above the eighth grade.”.

1 (b) *CONFORMING REPEALS.*—Sections 4651, 7911, and
2 9651 of such title are repealed.

3 (c) *CLERICAL AMENDMENTS.*—

4 (1) *The table of sections at the beginning of*
5 *chapter 152 of such title is amended by inserting after*
6 *the item relating to section 2552 the following new*
7 *item:*

“2552a. *Arms, tentage, and equipment: educational institutions not maintaining
units of Junior Reserve Officers’ Training Corps*”.

8 (2) *The table of sections at the beginning of*
9 *chapter 441 of such title is amended by striking the*
10 *item relating to section 4651.*

11 (3) *The table of sections at the beginning of*
12 *chapter 667 of such title is amended by striking the*
13 *item relating to section 7911.*

14 (4) *The table of sections at the beginning of*
15 *chapter 941 of such title is amended by striking the*
16 *item relating to section 9651.*

17 **SEC. 559. MODIFICATION OF REQUIREMENT FOR REPORTS**
18 **IN FEDERAL REGISTER ON INSTITUTIONS OF**
19 **HIGHER EDUCATION INELIGIBLE FOR CON-**
20 **TRACTS AND GRANTS FOR DENIAL OF ROTC**
21 **OR MILITARY RECRUITER ACCESS TO CAM-**
22 **PUS.**

23 Section 983 of title 10, United States Code, is amended
24 by striking subsection (f).

1 **SEC. 560. COMPTROLLER GENERAL OF THE UNITED STATES**
2 **REPORT ON THE RESERVE OFFICERS' TRAIN-**
3 **ING CORPS.**

4 (a) *REPORT REQUIRED.*—Not later than 270 days
5 after the date of the enactment of this Act, the Comptroller
6 General of the United States shall submit to the congress-
7 sional defense committees a report setting forth the assess-
8 ment of the Comptroller General regarding the following:

9 (1) *Whether the Reserve Officers' Training Corps*
10 *(ROTC) programs of the Departments of the Army,*
11 *the Navy, and the Air Force are effectively meeting,*
12 *and structured to meet, current and projected require-*
13 *ments for newly commissioned officers in the Armed*
14 *Forces.*

15 (2) *The cost-effectiveness and unit productivity*
16 *of the current Reserve Officers' Training Corps pro-*
17 *grams.*

18 (3) *The adequacy of current oversight and cri-*
19 *teria for unit closure for the Reserve Officers' Train-*
20 *ing Corps programs.*

21 (b) *ELEMENTS.*—The report required by subsection (a)
22 shall include, at a minimum, the following:

23 (1) *A list of the units of the Reserve Officers'*
24 *Training Corps programs by Armed Force, and by*
25 *college or university, and the number of cadets and*

1 *midshipman currently enrolled by class or year*
2 *group.*

3 (2) *The number of officers commissioned in 2012*
4 *from the Reserve Officers' Training Corps programs,*
5 *and the number projected to be commissioned over the*
6 *period of the current future-years defense program*
7 *under section 221 of title 10, United States Code,*
8 *from each unit listed under paragraph (1).*

9 (3) *An assessment of the requirements of each*
10 *Armed Force for newly commissioned officers in 2012*
11 *and the strategic planning regarding such require-*
12 *ments over the period of the current future-years de-*
13 *fense program.*

14 (4) *The number of military and civilian per-*
15 *sonnel of the Department of Defense assigned to lead*
16 *and manage Reserve Officers' Training Corps pro-*
17 *gram units, and the grades of the military personnel*
18 *so assigned.*

19 (5) *An assessment of Department of Defense-wide*
20 *and Armed-Force specific standards regarding the*
21 *productivity of Reserve Officers' Training Corps pro-*
22 *gram units, and an assessment of compliance with*
23 *such standards.*

24 (6) *An assessment of the projected use by the*
25 *Armed Forces of the procedures available to the*

1 *Armed Forces to respond to overages in the number*
2 *of cadets and midshipmen in the Reserve Officers'*
3 *Training Corps programs.*

4 (7) *A description of the plans of the Armed*
5 *Forces to retain or disestablish Reserve Officers'*
6 *Training Corps program units that do not meet pro-*
7 *ductivity standards.*

8 **SEC. 561. REPORT ON DEPARTMENT OF DEFENSE EFFORTS**
9 **TO STANDARDIZE EDUCATIONAL TRAN-**
10 **SCRIPTS ISSUED TO SEPARATING MEMBERS**
11 **OF THE ARMED FORCES.**

12 (a) *REPORT REQUIRED.*—*Not later than 90 days after*
13 *the date of the enactment of this Act, the Secretary of De-*
14 *fense shall submit to the Committees on Armed Services of*
15 *the Senate and the House of Representatives a report on*
16 *the efforts of the Department of Defense to standardize the*
17 *educational transcripts issued to members of the Armed*
18 *Forces on their separation from the Armed Forces.*

19 (b) *ELEMENTS.*—*The report required by subsection (a)*
20 *shall include the following:*

21 (1) *A description of the similarities and dif-*
22 *ferences between the educational transcripts issued to*
23 *members separating from the various Armed Forces.*

24 (2) *A description of any assessments done by the*
25 *Department, or in conjunction with educational insti-*

1 *tutions, to identify shortcomings in the transcripts*
2 *issued to separating members in connection with their*
3 *ability to qualify for civilian educational credits.*

4 *(3) A description of the implementation plan for*
5 *the Joint Services Transcript, including a schedule*
6 *and the elements of existing educational transcripts to*
7 *be incorporated into the Transcript.*

8 **SEC. 562. COMPTROLLER GENERAL OF THE UNITED STATES**
9 **REPORTS ON JOINT PROFESSIONAL MILI-**
10 **TARY EDUCATION MATTERS.**

11 *(a) REPORT ON REVIEW OF MILITARY EDUCATION CO-*
12 *ORDINATION COUNCIL REPORT.—*

13 *(1) REVIEW OF METHODOLOGY.—The Comp-*
14 *troller General of the United States shall review the*
15 *methodology used by the Military Education Coordi-*
16 *nation Council in compiling the report on joint pro-*
17 *fessional military education that is to be submitted to*
18 *the Director of Joint Force Development by March 1,*
19 *2013, pursuant to the Joint Staff Memorandum,*
20 *Joint Staff Review, dated July 16, 2012. The review*
21 *shall include an examination of the analytical ap-*
22 *proach used by the Council for that report, including*
23 *the types of information considered, the cost savings*
24 *identified, the benefits of options considered, the time*
25 *frames for implementation, and transparency.*

1 (2) *REPORT.*—Not later than 90 days after re-
2 ceiving from the Director of Joint Force Development
3 the report described in paragraph (1), the Comptroller
4 General shall submit to the Committees on Armed
5 Services of the Senate and the House of Representa-
6 tives a report on the review under paragraph (1) of
7 the report described in that paragraph. The report of
8 the Comptroller General under this paragraph shall
9 set forth the following:

10 (A) *The results of the review under para-*
11 graph (1).

12 (B) *Such recommendations as the Comp-*
13 troller General considers appropriate in light of
14 the results of the review.

15 (b) *REPORT ON JOINT PROFESSIONAL MILITARY EDU-*
16 *CATION RESEARCH INSTITUTIONS.*—

17 (1) *REPORT REQUIRED.*—Not later than Janu-
18 ary 31, 2014, the Comptroller General of the United
19 States shall submit to the congressional defense com-
20 mittees a report setting forth the assessment by the
21 Comptroller General of the work performed by joint
22 professional military education research institutions
23 in support of professional military education and the
24 broader mission of the Department of Defense, the
25 military departments, and the Defense Agencies.

1 (2) *ELEMENTS.*—*The report required by para-*
2 *graph (1) shall include an assessment of the following:*

3 (A) *The systems, mechanisms, and struc-*
4 *tures within the senior and intermediate joint*
5 *professional military education colleges and uni-*
6 *versities for oversight, governance, and manage-*
7 *ment of the joint professional military education*
8 *research institutions, including systems, mecha-*
9 *nisms, and structures relating to the development*
10 *of policies and budgets for research.*

11 (B) *The factors contributing to and the ex-*
12 *tent of growth in the number and size of joint*
13 *professional military education research institu-*
14 *tions since 2000.*

15 (C) *The causes and extent of cost growth at*
16 *joint professional military education research in-*
17 *stitutions since 2000.*

18 (D) *The focus of research activity conducted*
19 *by the joint professional military education re-*
20 *search institutions, and the extent to which each*
21 *joint professional military education research in-*
22 *stitution performs a unique research function or*
23 *engages in similar or duplicative efforts with*
24 *other components or elements of the Department*
25 *of Defense.*

1 (E) *The measures of effectiveness used by*
2 *the joint professional military education research*
3 *institutions, the senior and intermediate joint*
4 *professional military education colleges and uni-*
5 *versities, and other oversight entities to evaluate*
6 *the performance of the joint professional military*
7 *education research institutions in meeting estab-*
8 *lished goals or objectives.*

9 (3) *DEFINITIONS.—In this subsection:*

10 (A) *The term “joint professional military*
11 *education research institutions” means subordi-*
12 *nate organizations (including centers, institutes,*
13 *and schools) under the senior and intermediate*
14 *joint professional military education colleges and*
15 *universities for which research is the primary*
16 *mission or reason for existence.*

17 (B) *The term “senior and intermediate*
18 *joint professional military education colleges and*
19 *universities” means the following:*

20 (i) *The National Defense University.*

21 (ii) *The Army War College.*

22 (iii) *The Navy War College.*

23 (iv) *The Air University.*

24 (v) *The Air War College.*

25 (vi) *The Marine Corp University.*

1 **SEC. 563. TROOPS-TO-TEACHERS PROGRAM ENHANCE-**
2 **MENTS.**

3 (a) *MEMORANDUM OF AGREEMENT.*—*The Secretary of*
4 *Defense and the Secretary of Education shall enter into a*
5 *memorandum of agreement pursuant to which the Secretary*
6 *of Education will undertake the following:*

7 (1) *Disseminate information about the Troops-*
8 *to-Teachers Program to eligible schools (as defined in*
9 *section 2301(3) of the Elementary and Secondary*
10 *Education Act of 1965 (20 U.S.C. 6671(3)), as added*
11 *by subsection (b)(2)).*

12 (2) *Advise the Department of Defense on how to*
13 *prepare eligible members of the Armed Forces de-*
14 *scribed in section 2303(a) of such Act to become par-*
15 *ticipants in the Program to meet the requirements*
16 *necessary to become a teacher in an eligible school.*

17 (3) *Advise the Department of Defense on how to*
18 *identify teacher preparation programs for partici-*
19 *pants in the Program.*

20 (4) *Inform the Department of Defense of aca-*
21 *demic subject areas with critical teacher shortages.*

22 (5) *Identify geographic areas with critical teach-*
23 *er shortages, especially in high-need schools (as de-*
24 *defined in section 2301(4) of such Act, as added by sub-*
25 *section (b)(2)).*

1 (b) *DEFINITIONS.*—Section 2301 of the Elementary
2 and Secondary Education Act of 1965 (20 U.S.C. 6671)
3 is amended—

4 (1) by redesignating paragraphs (2) through (5)
5 as paragraphs (5) through (8), respectively; and

6 (2) by inserting after paragraph (1) the fol-
7 lowing:

8 “(2) *CHARTER SCHOOL.*—The term ‘charter
9 school’ has the meaning given that term in section
10 5210.

11 “(3) *ELIGIBLE SCHOOL.*—The term ‘eligible
12 school’ means—

13 “(A) a public school, including a charter
14 school, at which—

15 “(i) at least 30 percent of the students
16 enrolled in the school are from families with
17 incomes below 185 percent of poverty level
18 (as defined by the Office of Management
19 and Budget and revised at least annually
20 in accordance with section 9(b)(1) of the
21 Richard B. Russell National School Lunch
22 Act (42 U.S.C. 1758(b)(1)) applicable to a
23 family of the size involved; or

24 “(ii) at least 13 percent of the students
25 enrolled in the school qualify for assistance

1 *under part B of the Individuals with Dis-*
2 *abilities Education Act; or*

3 “(B) a Bureau-funded school as defined in
4 *section 1141 of the Education Amendments of*
5 *1978 (25 U.S.C. 2021).*

6 “(4) *HIGH-NEED SCHOOL.—Except for purposes*
7 *of section 2304(d), the term ‘high-need school’*
8 *means—*

9 “(A) *an elementary school or middle school*
10 *in which at least 50 percent of the enrolled stu-*
11 *dents are children from low-income families,*
12 *based on the number of children eligible for free*
13 *and reduced priced lunches under the Richard B.*
14 *Russell National School Lunch Act (42 U.S.C.*
15 *1751 et seq.), the number of children in families*
16 *receiving assistance under the State program*
17 *funded under part A of title IV of the Social Se-*
18 *curity Act (42 U.S.C. 601 et seq.), the number*
19 *of children eligible to receive medical assistance*
20 *under the Medicaid program, or a composite of*
21 *these indicators;*

22 “(B) *a high school in which at least 40 per-*
23 *cent of enrolled students are children from low-*
24 *income families, which may be calculated using*
25 *comparable data from feeder schools; or*

1 “(C) a school that is in a local educational
2 agency that is eligible under section 6211(b).”.

3 (c) *PROGRAM AUTHORIZATION.*—Section 2302 of the
4 *Elementary and Secondary Education Act of 1965* (20
5 *U.S.C. 6672(b)*) is amended by striking subsections (b)
6 *through (e)* and inserting the following:

7 “(b) *PROGRAM AUTHORIZED.*—The Secretary may
8 *carry out a program (to be known as the ‘Troops-to-Teach-*
9 *ers Program’)* to assist eligible members of the Armed Forces
10 *described in section 2303(a) to obtain certification or li-*
11 *censing as elementary school teachers, secondary school*
12 *teachers, or vocational or technical teachers to meet the re-*
13 *quirements necessary to become a teacher in an eligible*
14 *school.*”.

15 (d) *YEARS OF SERVICE REQUIREMENTS.*—Section
16 *2303(a)(2)(A)(i) of the Elementary and Secondary Edu-*
17 *cation Act of 1965* (20 *U.S.C. 6673(a)(2)(A)(i)*) is amended
18 *by striking “6 or more years” and inserting “4 or more*
19 *years”.*

20 (e) *PARTICIPATION AGREEMENT.*—

21 (1) *AMENDMENT.*—Section 2304 of the *Elemen-*
22 *tary and Secondary Education Act of 1965* (20
23 *U.S.C. 6674)* is amended—

24 (A) *by striking paragraph (1) of subsection*
25 (a) *and inserting the following:*

1 “(1) *IN GENERAL.*—An eligible member of the
2 *Armed Forces selected to participate in the Program*
3 *under section 2303 and to receive financial assistance*
4 *under this section shall be required to enter into an*
5 *agreement with the Secretary in which the member*
6 *agrees—*

7 “(A) *within such time as the Secretary may*
8 *require, to obtain certification or licensing as an*
9 *elementary school teacher, secondary school*
10 *teacher, or vocational or technical teacher to*
11 *meet the requirements necessary to become a*
12 *teacher in an eligible school; and*

13 “(B) *to accept an offer of full-time employ-*
14 *ment as an elementary school teacher, secondary*
15 *school teacher, or vocational or technical teacher*
16 *for not less than 3 school years in an eligible*
17 *school, to begin the school year after obtaining*
18 *that certification or licensing.”; and*

19 (B) *by striking subsection (f) and inserting*
20 *the following:*

21 “(f) *REIMBURSEMENT UNDER CERTAIN CIR-*
22 *CUMSTANCES.*—A participant who is paid a stipend or
23 bonus shall be subject to the repayment provisions of section
24 373 of title 37, United States Code under the following cir-
25 cumstances:

1 “(1) *FAILURE TO OBTAIN QUALIFICATIONS OR*
2 *EMPLOYMENT.—The participant fails to obtain teach-*
3 *er certification or licensing or to meet the require-*
4 *ments necessary to become a teacher in an eligible*
5 *school or to obtain employment as an elementary*
6 *school teacher, secondary school teacher, or vocational*
7 *or technical teacher as required by the participation*
8 *agreement.*

9 “(2) *TERMINATION OF EMPLOYMENT.—The par-*
10 *ticipant voluntarily leaves, or is terminated for cause*
11 *from, employment as an elementary school teacher,*
12 *secondary school teacher, or vocational or technical*
13 *teacher during the 3 years of required service in vio-*
14 *lation of the participation agreement.*

15 “(3) *FAILURE TO COMPLETE SERVICE UNDER*
16 *RESERVE COMMITMENT AGREEMENT.—The partici-*
17 *part executed a written agreement with the Secretary*
18 *concerned under section 2303(e)(2) to serve as a mem-*
19 *ber of a reserve component of the Armed Forces for a*
20 *period of 3 years and fails to complete the required*
21 *term of service.”.*

22 “(f) *EFFECTIVE DATE.—The amendments made by sub-*
23 *sections (b) through (e) shall take effect on the first day*
24 *of the first month beginning more than 90 days after the*
25 *date of the enactment of this Act.*

1 **Subtitle G—Defense Dependents’**
2 **Education and Military Family**
3 **Readiness Matters**

4 **SEC. 571. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
5 **ABILITIES.**

6 *Of the amount authorized to be appropriated for fiscal*
7 *year 2013 pursuant to section 301 and available for oper-*
8 *ation and maintenance for Defense-wide activities as speci-*
9 *fied in the funding table in section 4301, \$5,000,000 shall*
10 *be available for payments under section 363 of the Floyd*
11 *D. Spence National Defense Authorization Act for Fiscal*
12 *Year 2001 (as enacted into law by Public Law 106–398;*
13 *114 Stat. 1654A–77; 20 U.S.C. 7703a).*

14 **SEC. 572. CONTINUATION OF AUTHORITY TO ASSIST LOCAL**
15 **EDUCATIONAL AGENCIES THAT BENEFIT DE-**
16 **PENDENTS OF MEMBERS OF THE ARMED**
17 **FORCES AND DEPARTMENT OF DEFENSE CI-**
18 **VILIAN EMPLOYEES.**

19 *(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*
20 *NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the*
21 *amount authorized to be appropriated for fiscal year 2013*
22 *by section 301 and available for operation and maintenance*
23 *for Defense-wide activities as specified in the funding table*
24 *in section 4301, \$25,000,000 shall be available only for the*
25 *purpose of providing assistance to local educational agen-*

1 *cies under subsection (a) of section 572 of the National De-*
 2 *fense Authorization Act for Fiscal Year 2006 (Public Law*
 3 *109–163; 20 U.S.C. 7703b).*

4 *(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this*
 5 *section, the term “local educational agency” has the mean-*
 6 *ing given that term in section 8013(9) of the Elementary*
 7 *and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).*

8 **SEC. 573. AMENDMENTS TO THE IMPACT AID PROGRAM.**

9 *(a) SHORT TITLE.—This section may be cited as the*
 10 *“Impact Aid Improvement Act of 2012”.*

11 *(b) AMENDMENTS TO THE IMPACT AID PROGRAM.—*
 12 *Title VIII of the Elementary and Secondary Education Act*
 13 *of 1965 (20 U.S.C. 7701 et seq.) is amended—*

14 *(1) in section 8002 (20 U.S.C. 7702)—*

15 *(A) in subsection (b)—*

16 *(i) in paragraph (2), by striking “ag-*
 17 *gregate assessed” and inserting “estimated*
 18 *taxable”; and*

19 *(ii) by striking paragraph (3) and in-*
 20 *serting the following:*

21 *“(3) DETERMINATION OF TAXABLE VALUE FOR*
 22 *ELIGIBLE FEDERAL PROPERTY.—*

23 *“(A) IN GENERAL.—In determining the esti-*
 24 *mated taxable value of such acquired Federal*

1 *property for fiscal year 2010 and each suc-*
2 *ceeding fiscal year, the Secretary shall—*

3 *“(i) first determine the total taxable*
4 *value for the purpose of levying property*
5 *tax for school purposes for current expendi-*
6 *tures of real property located within the*
7 *boundaries of such local educational agency;*

8 *“(ii) then determine the total taxable*
9 *value of the eligible Federal property by di-*
10 *viding the total taxable value as determined*
11 *in clause (i) by the difference between the*
12 *total acres located within the boundaries of*
13 *the local educational agency and the num-*
14 *ber of Federal acres eligible under this sec-*
15 *tion; and*

16 *“(iii) multiply the per acre value as*
17 *calculated under clause (ii) by the number*
18 *of Federal acres eligible under this section.*

19 *“(B) SPECIAL RULE.—In the case of Fed-*
20 *eral property eligible under this section that is*
21 *within the boundaries of 2 or more local edu-*
22 *cational agencies, such a local educational agen-*
23 *cy may ask the Secretary to calculate the per*
24 *acre value of each such local educational agency*
25 *as provided under subparagraph (A) and apply*

1 *the average of these per acre values to the acres*
2 *of the Federal property in such agency.”;*

3 *(B) in subsection (h)—*

4 *(i) in paragraph (1)—*

5 *(I) in the paragraph heading, by*
6 *striking “FOR PRE-1995 RECIPIENTS”;*

7 *(II) in subparagraph (A), by*
8 *striking “is eligible” and all that fol-*
9 *lows through the period at the end and*
10 *inserting “was eligible to receive a*
11 *payment under this section for fiscal*
12 *year 2010.”; and*

13 *(III) in subparagraph (B), by*
14 *striking “38 percent” and all that fol-*
15 *lows through the period at the end and*
16 *inserting “90 percent of the average*
17 *payment the local educational agency*
18 *received in 2006, 2007, 2008, and*
19 *2009.”; and*

20 *(ii) by striking paragraphs (2) through*
21 *(4) and inserting the following:*

22 “(2) *FOUNDATION PAYMENTS FOR LOCAL EDU-*
23 *CATIONAL AGENCIES DETERMINED ELIGIBLE AFTER*
24 *FISCAL YEAR 2010.—*

1 “(A) *FIRST YEAR.*—*From any amounts re-*
2 *maining after making payments under para-*
3 *graph (1) and subsection (i)(1) for the fiscal*
4 *year involved, the Secretary shall make a pay-*
5 *ment, in an amount determined in accordance*
6 *with subparagraph (C), to each local educational*
7 *agency that the Secretary determines eligible for*
8 *a payment under this section for a fiscal year*
9 *after fiscal year 2010, for the fiscal year for*
10 *which such agency was determined eligible for*
11 *such payment.*

12 “(B) *SECOND AND SUCCEEDING YEARS.*—
13 *For any succeeding fiscal year after the first fis-*
14 *cal year that a local educational agency receives*
15 *a foundation payment under subparagraph (A),*
16 *the amount of the local educational agency’s*
17 *foundation payment under this paragraph for*
18 *such succeeding fiscal year shall be equal to the*
19 *local educational agency’s foundation payment*
20 *under this paragraph for the first fiscal year.*

21 “(C) *AMOUNTS.*—*The amount of a payment*
22 *under subparagraph (A) for a local educational*
23 *agency shall be determined as follows:*

1 “(i) Calculate the local educational
2 agency’s maximum payment under sub-
3 section (b).

4 “(ii) Calculate the percentage that the
5 amount appropriated under section 8014(a)
6 for the most recent fiscal year for which the
7 Secretary has completed making payments
8 under this section is of the total maximum
9 payments for such fiscal year for all local
10 educational agencies eligible for a payment
11 under subsection (b) and multiply the agen-
12 cy’s maximum payment by such percentage.

13 “(iii) Multiply the amount determined
14 under clause (ii) by 90 percent.

15 “(3) REMAINING FUNDS.—From any funds re-
16 maining after making payments under paragraphs
17 (1) and (2) for the fiscal year involved, the Secretary
18 shall make a payment to each local educational agen-
19 cy that received a foundation payment under para-
20 graph (1) or (2) or subsection (i)(1), for the fiscal
21 year involved in an amount that bears the same rela-
22 tion to the remainder as a percentage share deter-
23 mined for the local educational agency (by dividing
24 the maximum amount that the agency is eligible to
25 receive under subsection (b) by the total of the max-

1 *imum amounts for all such agencies) bears to the per-*
2 *centage share determined (in the same manner) for*
3 *all local educational agencies eligible to receive a pay-*
4 *ment under this section for the fiscal year involved,*
5 *except that, for the purpose of calculating a local edu-*
6 *cational agency's maximum amount under subsection*
7 *(b), data from the most current fiscal year shall be*
8 *used.”; and*

9 *(C) in subsection (i)(1), by striking “the*
10 *Secretary shall use the remainder described in*
11 *subsection (h)(3) for the fiscal year involved”*
12 *and inserting “the Secretary shall use amounts*
13 *remaining after making payments under sub-*
14 *section (h)(1) for the fiscal year involved”;*

15 *(2) in section 8003(a)(4) (20 U.S.C.*
16 *7703(a)(4))—*

17 *(A) in the paragraph heading, by striking*
18 *“RENOVATION OR REBUILDING” and inserting*
19 *“RENOVATION, REBUILDING, OR AUTHORIZED*
20 *FOR DEMOLITION”;*

21 *(B) in subparagraph (A), by striking “ren-*
22 *ovation or rebuilding” both places the term ap-*
23 *pears and inserting “renovation, rebuilding, or*
24 *authorized for demolition”;*

25 *(C) in subparagraph (B)—*

1 (i) by striking “renovation or rebuild-
2 ing” each place the term appears and in-
3 serting “renovation, rebuilding, or author-
4 ized for demolition”; and

5 (ii) in clause (i)(I), by striking “3 fis-
6 cal years” and inserting “4 fiscal years
7 (which are not required to run consec-
8 tively)”; and

9 (iii) in clause (ii)(I), by striking “3
10 fiscal years” and inserting “4 fiscal years
11 (which are not required to run consec-
12 tively)”; and

13 (D) by adding at the end the following:

14 “(C) *ELIGIBLE HOUSING*.—Renovation, re-
15 building, or authorized for demolition shall be
16 defined as projects considered as recapitalization,
17 modernization, or restoration as defined by the
18 Secretary of Defense or the Secretary of the Inte-
19 rior (as the case may be) and are projects that
20 last more than 30 days, but do not include
21 ‘sustainment projects’ such as painting, car-
22 peting, or minor repairs.”; and

23 (3) in section 8010 (20 U.S.C. 7710)—

24 (A) in subsection (c)—

1 (i) in paragraph (1), by striking
2 “paragraph (3) of this subsection” both
3 places the term appears and inserting
4 “paragraph (2)”; and

5 (ii) in paragraph (2)(E), by striking
6 “under section 8003(b)” and all that follows
7 through the period at the end and inserting
8 “under this title.”; and

9 (B) by adding at the end the following:

10 “(d) *TIMELY PAYMENTS.*—

11 “(1) *IN GENERAL.*—Subject to paragraph (2), the
12 Secretary shall pay a local educational agency the
13 full amount that the agency is eligible to receive
14 under this title for a fiscal year not later than Sep-
15 tember 30 of the second fiscal year following the fiscal
16 year for which such amount has been appropriated if,
17 not later than 1 calendar year following the fiscal
18 year in which such amount has been appropriated,
19 such local educational agency submits to the Sec-
20 retary all the data and information necessary for the
21 Secretary to pay the full amount that the agency is
22 eligible to receive under this title for such fiscal year.

23 “(2) *PAYMENTS WITH RESPECT OF FISCAL YEARS*
24 *IN WHICH INSUFFICIENT FUNDS ARE APPRO-*
25 *PRIATED.*—For a fiscal year in which the amount ap-

1 *appropriated under section 8014 is insufficient to pay*
2 *the full amount a local educational agency is eligible*
3 *to receive under this title, paragraph (1) shall be ap-*
4 *plied by substituting ‘is available to pay the agency’*
5 *for ‘the agency is eligible to receive’ both places the*
6 *term appears.’’.*

7 *(c) EFFECTIVE DATE.—Notwithstanding section*
8 *8005(d) of the Elementary and Secondary Education Act*
9 *of 1965 (20 U.S.C. 7705(d)), subsection (b)(1), and the*
10 *amendments made by subsection (b)(1), shall take effect*
11 *with respect to applications submitted under section 8002*
12 *of the Elementary and Secondary Education Act of 1965*
13 *(20 U.S.C. 7702) for fiscal year 2010.*

14 **SEC. 574. MILITARY SPOUSES.**

15 *(a) IN GENERAL.—Subchapter I of chapter 33 of title*
16 *5, United States Code, is amended by adding at the end*
17 *the following:*

18 **“§ 3330d. Appointment of certain military spouses**

19 *“(a) DEFINITIONS.—In this section—*

20 *“(1) the term ‘active duty’—*

21 *“(A) has the meaning given that term in*
22 *section 101(d)(1) of title 10;*

23 *“(B) includes full-time National Guard*
24 *duty (as defined in section 101(d)(5) of title 10);*

25 *and*

1 “(C) for a member of a reserve component
2 (as described in section 10101 of title 10), does
3 not include training duties or attendance at a
4 service school;

5 “(2) the term ‘agency’—

6 “(A) has the meaning given the term ‘Exec-
7 utive agency’ in section 105; and

8 “(B) does not include the Government Ac-
9 countability Office;

10 “(3) the term ‘geographic area of the permanent
11 duty station’ means the area from which individuals
12 reasonably can be expected to travel daily to and from
13 work at the location of a member’s permanent duty
14 station;

15 “(4) the term ‘permanent change of station’
16 means the assignment, detail, or transfer of a member
17 of the Armed Forces who is on active duty and serv-
18 ing at a permanent duty station under a competent
19 authorization or order that does not—

20 “(A) specify the duty as temporary;

21 “(B) provide for assignment, detail, or
22 transfer, after that different permanent duty sta-
23 tion, to a further different permanent duty sta-
24 tion; or

1 “(C) direct return to the initial permanent
2 duty station;

3 “(5) the term ‘relocating spouse of a member of
4 the Armed Forces’ means an individual who—

5 “(A) is married to a member of the Armed
6 Forces (without regard to whether the individual
7 married the member before a permanent change
8 of station of the member) who is ordered to ac-
9 tive duty for a period of more than 180 consec-
10 tive days;

11 “(B) relocates to the member’s permanent
12 duty station; and

13 “(C) before relocating as described in sub-
14 paragraph (B), resided outside the geographic
15 area of the permanent duty station; and

16 “(6) the term ‘spouse of a disabled or deceased
17 member of the Armed Forces’ means an individual—

18 “(A) who is married to a member of the
19 Armed Forces who—

20 “(i) is retired, released, or discharged
21 from the Armed Forces; and

22 “(ii) on the date on which the member
23 retires, is released, or is discharged, has a
24 disability rating of 100 percent under the
25 standard schedule of rating disabilities in

1 *use by the Department of Veterans Affairs;*

2 *or*

3 “(B) *who—*

4 “(i) *was married to a member of the*

5 *Armed Forces on the date on which the*

6 *member dies while on active duty in the*

7 *Armed Forces; and*

8 “(ii) *has not remarried.*

9 “(b) *AUTHORITY.—The head of an agency may ap-*
10 *point noncompetitively a relocating spouse of a member of*
11 *the Armed Forces or a spouse of a disabled or deceased*
12 *member of the Armed Forces.*

13 “(c) *RELOCATING SPOUSES.—*

14 “(1) *IN GENERAL.—An appointment of a relo-*
15 *cating spouse of a member of the Armed Forces under*
16 *this section may only be to a position the duty sta-*
17 *tion for which is within the geographic area of the*
18 *permanent duty station of the member of the Armed*
19 *Forces, unless there is no agency with a position with*
20 *a duty station within the geographic area of the per-*
21 *manent duty station of the member of the Armed*
22 *Forces.*

23 “(2) *SINGLE APPOINTMENT PER DUTY STA-*
24 *TION.—A relocating spouse of a member of the Armed*
25 *Forces may not receive more than 1 appointment*

1 *under this section for each time the spouse relocates*
 2 *as described in subparagraphs (B) and (C) of sub-*
 3 *section (a)(5).”.*

4 *(b) REGULATIONS.—Not later than 180 after the date*
 5 *of enactment of this Act, the Director of the Office of Per-*
 6 *sonnel Management shall amend section 315.612 of title 5,*
 7 *Code of Federal Regulations (relating to noncompetitive ap-*
 8 *pointment of certain military spouses) in accordance with*
 9 *the amendment made by subsection (a) and promulgate or*
 10 *amend any other regulations necessary to carry out the*
 11 *amendment made by subsection (a).*

12 *(c) TECHNICAL AND CONFORMING AMENDMENT.—The*
 13 *table of sections for chapter 33 of title 5, United States*
 14 *Code, is amended by inserting after the item relating to*
 15 *section 3330c the following:*

 “3330d. Appointment of certain military spouses.”.

16 **SEC. 575. MODIFICATION OF AUTHORITY TO ALLOW DE-**
 17 **PARTMENT OF DEFENSE DOMESTIC DEPEND-**
 18 **ENT ELEMENTARY AND SECONDARY**
 19 **SCHOOLS TO ENROLL CERTAIN STUDENTS.**

20 *Section 2164 of title 10, United States Code, is amend-*
 21 *ed by adding at the end the following new subsections:*

22 *“(k) TUITION-FREE ENROLLMENT IN DOMESTIC DE-*
 23 *PENDENT SCHOOLS FOR CERTAIN OVERSEAS DEPEND-*
 24 *ENTS.—Tuition-free enrollment in the domestic dependent*
 25 *elementary and secondary schools is authorized for depend-*

1 *ents who are currently enrolled in the defense dependents'*
2 *education school system pursuant to the Defense Depend-*
3 *ents' Education Act of 1978 (20 U.S.C. 921 et seq.) if—*

4 *“(1) such dependents departed their overseas lo-*
5 *cation due to an authorized departure or evacuation*
6 *order;*

7 *“(2) the designated safe haven of such dependents*
8 *is located within commuting distance of a school op-*
9 *erated by the domestic dependent elementary and sec-*
10 *ondary schools; and*

11 *“(3) the school concerned already possesses the*
12 *capacity and resources for such dependents to attend*
13 *the school.*

14 *“(l) TUITION-PAYING ENROLLMENT IN VIRTUAL ELE-*
15 *MENTARY AND SECONDARY EDUCATION PROGRAM FOR CER-*
16 *TAIN DEPENDENTS TRANSITIONING FROM OVERSEAS.—*
17 *Under regulations prescribed by the Secretary, tuition-pay-*
18 *ing enrollment in the virtual elementary and secondary*
19 *education program of the Department for dependents of*
20 *members of the armed forces on active duty is authorized*
21 *when such dependents—*

22 *“(1) transition from an overseas defense depend-*
23 *ents' education system school into a school operated*
24 *by a local educational agency or another accredited*
25 *educational program in the United States, and*

1 “(2) are not otherwise eligible to enroll in a do-
2 mestic dependent elementary or secondary school pur-
3 suant to subsection (a).”.

4 **SEC. 576. SENSE OF CONGRESS REGARDING SUPPORT FOR**
5 **YELLOW RIBBON DAY.**

6 (a) *FINDINGS.*—Congress makes the following findings:

7 (1) *The hopes and prayers of the people of the*
8 *United States for the safe return of members of the*
9 *Armed Forces of the United States serving overseas*
10 *are often demonstrated through the proud display of*
11 *yellow ribbons.*

12 (2) *The designation of a “Yellow Ribbon Day”*
13 *would serve as an additional reminder for all people*
14 *of the United States of the continued sacrifice of*
15 *members of the Armed Forces.*

16 (3) *Yellow Ribbon Day would also recognize the*
17 *history and meaning of the yellow ribbon as the sym-*
18 *bol of support for members of the Armed Forces and*
19 *other individuals of the United States who are serving*
20 *in combat or crisis situations overseas.*

21 (b) *SENSE OF CONGRESS.*—Congress supports the
22 *goals and ideals of Yellow Ribbon Day in honor of members*
23 *of the Armed Forces of the United States who are serving*
24 *overseas apart from their families and loved ones.*

1 **SEC. 577. REPORT ON FUTURE OF FAMILY SUPPORT PRO-**
2 **GRAMS OF THE DEPARTMENT OF DEFENSE.**

3 (a) *REPORT REQUIRED.*—Not later than 180 days
4 after the date of the enactment of this Act, the Secretary
5 of Defense shall submit to the congressional defense commit-
6 tees a report on the anticipated future of the family support
7 programs of the Department of Defense during the five-year
8 period beginning on the date of the submittal of the report
9 as end strengths for the Armed Forces are reduced and the
10 Armed Forces are drawn down from combat operations in
11 Afghanistan.

12 (b) *ELEMENTS.*—The report required by subsection (a)
13 shall include the following:

14 (1) *A description of the current family support*
15 *programs of each of the Armed Forces and the De-*
16 *partment of Defense, including the name, scope and*
17 *intended purpose of each program.*

18 (2) *An assessment of the current costs of the fam-*
19 *ily support programs covered by paragraph (1), and*
20 *an estimate of the costs of anticipated family support*
21 *programs of the Department over the period covered*
22 *by the report.*

23 (3) *An assessment of the costs and other con-*
24 *sequences associated with the elimination or reduction*
25 *of any current family support programs of the De-*
26 *partment over the period covered by the report.*

1 (4) *An assessment by the Secretary of the Army*
 2 *of the Family Readiness Support Assistant program,*
 3 *and a description of any planned or anticipated*
 4 *changes to that program over the period covered by*
 5 *the report.*

6 ***Subtitle H—Other Matters***

7 ***SEC. 581. FAMILY BRIEFINGS CONCERNING ACCOUNTINGS***

8 ***FOR MEMBERS OF THE ARMED FORCES AND*** 9 ***DEPARTMENT OF DEFENSE CIVILIAN EM-*** 10 ***PLOYEES LISTED AS MISSING.***

11 *Section 1501(a)(1) of title 10, United States Code, is*
 12 *amended—*

13 (1) *in subparagraph (B), by striking “and” at*
 14 *the end;*

15 (2) *in subparagraph (C), by striking the period*
 16 *at the end and inserting “; and”; and*

17 (3) *by adding at the end the following new sub-*
 18 *paragraph:*

19 “(D) *coordination of periodic briefing of families*
 20 *of missing persons about the efforts of the Department*
 21 *of Defense to account for those persons.”.*

22 ***SEC. 582. ENHANCEMENT OF AUTHORITY TO ACCEPT GIFTS***

23 ***AND SERVICES.***

24 (a) ***ACTIVITIES BENEFITTING EDUCATION AS SERV-***
 25 ***ICES SUBJECT TO ACCEPTANCE.***—*Section 2601(i)(2) of title*

1 10, *United States Code*, is amended by inserting “edu-
 2 cation,” before “morale,”.

3 (b) *ACCEPTANCE OF VOLUNTARY SERVICES IN CON-*
 4 *NECTION WITH ACCOUNTING FOR MISSING PERSONS.*—*Sec-*
 5 *tion 1588(a) of such title is amended by adding at the end*
 6 *the following new paragraph:*

7 “(9) *Voluntary services to facilitate accounting*
 8 *for missing persons.*”.

9 (c) *AUTHORITY FOR COOPERATIVE AGREEMENTS FOR*
 10 *ACCEPTANCE BY MILITARY MUSEUMS AND EDUCATION*
 11 *PROGRAMS OF NONPROFIT SUPPORT.*—

12 (1) *IN GENERAL.*—*Chapter 155 of such title is*
 13 *amended by adding at the end the following new sec-*
 14 *tion:*

15 “**§2615. Military museums and military education**
 16 **programs: cooperative agreements for re-**
 17 **ceipt of support from nonprofit entities**

18 “*The Secretary concerned may enter into a cooperative*
 19 *agreement (as described in section 6305 of title 31) with*
 20 *a nonprofit entity for purposes related to support of a mili-*
 21 *tary educational institution program or military museum*
 22 *program if a cooperative agreement is the appropriate*
 23 *mechanism to obtain such support under the provisions of*
 24 *section 6305 of title 31.*”.

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of chapter 155 of such title is*
 3 *amended by adding at the end the following new item:*

“2615. *Military museums and military education programs: cooperative agree-*
ments for receipt of support from nonprofit entities.”.

4 **SEC. 583. CLARIFICATION OF AUTHORIZED FISHER HOUSE**
 5 **RESIDENTS AT THE FISHER HOUSE FOR THE**
 6 **FAMILIES OF THE FALLEN AND MEDITATION**
 7 **PAVILION AT DOVER AIR FORCE BASE, DELA-**
 8 **WARE.**

9 (a) *TREATMENT OF FISHER HOUSE FOR THE FAMI-*
 10 *LIES OF THE FALLEN AND MEDITATION PAVILION.*—*Sub-*
 11 *section (a) of section 2493 of title 10, United States Code,*
 12 *is amended—*

13 (1) *in paragraph (1)—*

14 (A) *in subparagraph (B), by striking “by*
 15 *patients” and all that follows through “such pa-*
 16 *tients;” and inserting “by authorized Fisher*
 17 *House residents;”; and*

18 (B) *by adding after subparagraph (C) the*
 19 *following new flush sentence:*

20 *“The term includes the Fisher House for the Families*
 21 *of the Fallen and Meditation Pavilion at Dover Air*
 22 *Force Base, Delaware, so long as such facility is*
 23 *available for residential use on a temporary basis by*
 24 *authorized Fisher House residents.”; and*

1 (2) *by adding at the end the following new para-*
2 *graph:*

3 “(3) *The term ‘authorized Fisher House resi-*
4 *dents’ means the following:*

5 “(A) *With respect to a facility described in*
6 *the first sentence of paragraph (1) that is located*
7 *in proximity to a health care facility of the*
8 *Army, the Air Force, or the Navy, the following*
9 *persons:*

10 “(i) *Patients of that health care facil-*
11 *ity.*

12 “(ii) *Members of the families of such*
13 *patients.*

14 “(iii) *Others providing the equivalent*
15 *of familial support for such patients.*

16 “(B) *With respect to the Fisher House for*
17 *Families of the Fallen and Meditation Pavilion*
18 *at Dover Air Force Base, Delaware, the following*
19 *persons:*

20 “(i) *The primary next of kin of a*
21 *member of the armed forces who dies while*
22 *located or serving overseas.*

23 “(ii) *Other family members of the de-*
24 *ceased member who are eligible for trans-*
25 *portation under section 411f(e) of title 37.*

1 “(iii) An escort of a family member de-
2 scribed in clause (i) or (ii).”.

3 (b) *CONFORMING AMENDMENTS.*—Subsections (b), (e),
4 (f), and (g) of such section are amended by striking “health
5 care” each place it appears.

6 (c) *REPEAL OF SUPERSEDED AUTHORITY.*—Section
7 643 of the National Defense Authorization Act for Fiscal
8 Year 2012 (Public Law 112–81; 125 Stat. 1466) is repealed.

9 **SEC. 584. REPORT ON ACCURACY OF DATA IN THE DEFENSE**
10 **ENROLLMENT ELIGIBILITY REPORTING SYS-**
11 **TEM.**

12 Not later than 90 days after the date of the enactment
13 of this Act, the Secretary of Defense shall submit to the
14 Committees on Armed Services of the Senate and the House
15 of Representatives a plan to improve the completeness and
16 accuracy of the data contained in the Defense Enrollment
17 Eligibility Reporting System (DEERS) in order to provide
18 for the standardization of identification credentials re-
19 quired for eligibility, enrollment, transactions, and updates
20 across all Department of Defense installations and to ensure
21 that those issued military identification cards and receiving
22 benefits based on such data are actually eligible for such
23 cards and benefits.

1 **SEC. 585. POSTHUMOUS HONORARY PROMOTION OF SER-**
2 **GEANT PASCHAL CONLEY TO SECOND LIEU-**
3 **TENANT IN THE ARMY.**

4 *Notwithstanding the time limitation specified in sec-*
5 *tion 1521 of title 10, United States Code, or any other time*
6 *limitation with respect to posthumous promotions for per-*
7 *sons who served in the Armed Forces, the President is au-*
8 *thorized to issue an appropriate posthumous honorary com-*
9 *mission promoting to second lieutenant in the Army under*
10 *section 1521 of such title Sergeant (retired) Paschal Conley,*
11 *a distinguished Buffalo Soldier who was recommended for*
12 *promotion to second lieutenant under then-existing proce-*
13 *dures by General John J. Pershing.*

14 **TITLE VI—COMPENSATION AND**
15 **OTHER PERSONNEL BENEFITS**
16 **Subtitle A—Pay and Allowances**

17 **SEC. 601. RATES OF BASIC ALLOWANCE FOR HOUSING FOR**
18 **ARMY NATIONAL GUARD AND AIR NATIONAL**
19 **GUARD MEMBERS ON FULL-TIME NATIONAL**
20 **GUARD DUTY.**

21 *Section 403(g) of title 37, United States Code, is*
22 *amended by adding at the end the following new paragraph:*

23 *“(6)(A) The rate of basic allowance for housing to be*
24 *paid to a member of the Army National Guard of the*
25 *United States or the Air National Guard of the United*

1 *States on full-time National Guard duty shall be based on*
2 *the member's duty location.*

3 “(B)(i) *The rate of basic allowance for housing to be*
4 *paid a member described in subparagraph (A) may not be*
5 *modified upon the transition of the member from active*
6 *duty to full-time National Guard duty, or from full-time*
7 *National Guard duty to active duty, when the transition*
8 *occurs without a break in active service, unless the transi-*
9 *tion results in a permanent change of station and shipment*
10 *of household goods.*

11 “(ii) *For purposes of this subparagraph, a break in*
12 *active service occurs when one or more calendar days be-*
13 *tween active service periods do not qualify as active serv-*
14 *ice.*”.

15 **SEC. 602. PAYMENT OF BENEFIT FOR NONPARTICIPATION**
16 **OF ELIGIBLE MEMBERS IN POST-DEPLOY-**
17 **MENT/MOBILIZATION RESPITE ABSENCE PRO-**
18 **GRAM DUE TO GOVERNMENT ERROR.**

19 (a) *PAYMENT OF BENEFIT.*—

20 (1) *IN GENERAL.*—*Subject to subsection (e), the*
21 *Secretary concerned shall, upon application therefor,*
22 *make a payment to each individual described in*
23 *paragraph (2) of \$200 for each day of nonparticipa-*
24 *tion of such individual in the Post-Deployment/Mobi-*

1 *lization Respite Absence program as described in that*
2 *paragraph.*

3 (2) *COVERED INDIVIDUALS.—An individual de-*
4 *scribed in this paragraph is an individual who—*

5 (A) *was eligible for participation as a mem-*
6 *ber of the Armed Forces in the Post-Deployment/*
7 *Mobilization Respite Absence program; but*

8 (B) *as determined by the Secretary con-*
9 *cerned pursuant to an application for the correc-*
10 *tion of the military records of such individual*
11 *pursuant to section 1552 of title 10, United*
12 *States Code, did not participate in one or more*
13 *days in the program for which the individual*
14 *was so eligible due to Government error.*

15 (b) *DECEASED INDIVIDUALS.—*

16 (1) *APPLICATIONS.—If an individual otherwise*
17 *covered by subsection (a) is deceased, the application*
18 *required by that subsection shall be made by the indi-*
19 *vidual's legal representative.*

20 (2) *PAYMENT.—If an individual to whom pay-*
21 *ment would be made under subsection (a) is deceased*
22 *at time of payment, payment shall be made in the*
23 *manner specified in section 1552(c)(2) of title 10,*
24 *United States Code.*

1 (c) *PAYMENT IN LIEU OF ADMINISTRATIVE AB-*
2 *SENCE.*—*Payment under subsection (a) with respect to a*
3 *day described in that subsection shall be in lieu of any enti-*
4 *tlement of the individual concerned to a day of administra-*
5 *tive absence for such day.*

6 (d) *CONSTRUCTION.*—

7 (1) *CONSTRUCTION WITH OTHER PAY.*—*Any*
8 *payment with respect to an individual under sub-*
9 *section (a) is in addition to any other pay provided*
10 *by law.*

11 (2) *CONSTRUCTION OF AUTHORITY.*—*It is the*
12 *sense of Congress that—*

13 (A) *the sole purpose of the authority in this*
14 *section is to remedy administrative errors; and*

15 (B) *the authority in this section is not in-*
16 *tended to establish any entitlement in connection*
17 *with the Post-Deployment/Mobilization Respite*
18 *Absence program.*

19 (e) *OFFSET.*—*The Secretary of Defense shall transfer*
20 *\$2,000,000 from the unobligated balances of the Pentagon*
21 *Reservation Maintenance Revolving Fund established under*
22 *section 2674(e) of title 10, United States Code, to the Mis-*
23 *cellaneous Receipts Fund of the United States Treasury.*

24 (f) *DEFINITIONS.*—*In this section, the terms “Post-De-*
25 *ployment/Mobilization Respite Absence program” and*

1 “Secretary concerned” have the meaning given such terms
2 in section 604(f) of the National Defense Authorization Act
3 for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2350).

4 **SEC. 603. EXTENSION OF AUTHORITY TO PROVIDE TEM-**
5 **PORARY INCREASE IN RATES OF BASIC AL-**
6 **LOWANCE FOR HOUSING UNDER CERTAIN**
7 **CIRCUMSTANCES.**

8 *Section 403(b)(7)(E) of title 37, United States Code,*
9 *is amended by striking “December 31, 2012” and inserting*
10 *“December 31, 2013”.*

11 ***Subtitle B—Bonuses and Special***
12 ***and Incentive Pays***

13 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND**
14 **SPECIAL PAY AUTHORITIES FOR RESERVE**
15 **FORCES.**

16 *The following sections of title 37, United States Code,*
17 *are amended by striking “December 31, 2012” and insert-*
18 *ing “December 31, 2013”:*

19 (1) *Section 308b(g), relating to Selected Reserve*
20 *reenlistment bonus.*

21 (2) *Section 308c(i), relating to Selected Reserve*
22 *affiliation or enlistment bonus.*

23 (3) *Section 308d(c), relating to special pay for*
24 *enlisted members assigned to certain high-priority*
25 *units.*

1 (4) *Section 308g(f)(2), relating to Ready Reserve*
2 *enlistment bonus for persons without prior service.*

3 (5) *Section 308h(e), relating to Ready Reserve*
4 *enlistment and reenlistment bonus for persons with*
5 *prior service.*

6 (6) *Section 308i(f), relating to Selected Reserve*
7 *enlistment and reenlistment bonus for persons with*
8 *prior service.*

9 (7) *Section 910(g), relating to income replace-*
10 *ment payments for reserve component members expe-*
11 *riencing extended and frequent mobilization for active*
12 *duty service.*

13 **SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND**
14 **SPECIAL PAY AUTHORITIES FOR HEALTH**
15 **CARE PROFESSIONALS.**

16 (a) *TITLE 10 AUTHORITIES.*—*The following sections*
17 *of title 10, United States Code, are amended by striking*
18 *“December 31, 2012” and inserting “December 31, 2013”:*

19 (1) *Section 2130a(a)(1), relating to nurse officer*
20 *candidate accession program.*

21 (2) *Section 16302(d), relating to repayment of*
22 *education loans for certain health professionals who*
23 *serve in the Selected Reserve.*

1 **(b) TITLE 37 AUTHORITIES.**—*The following sections of*
2 *title 37, United States Code, are amended by striking “De-*
3 *cember 31, 2012” and inserting “December 31, 2013”:*

4 (1) *Section 302c–1(f), relating to accession and*
5 *retention bonuses for psychologists.*

6 (2) *Section 302d(a)(1), relating to accession*
7 *bonus for registered nurses.*

8 (3) *Section 302e(a)(1), relating to incentive spe-*
9 *cial pay for nurse anesthetists.*

10 (4) *Section 302g(e), relating to special pay for*
11 *Selected Reserve health professionals in critically*
12 *short wartime specialties.*

13 (5) *Section 302h(a)(1), relating to accession*
14 *bonus for dental officers.*

15 (6) *Section 302j(a), relating to accession bonus*
16 *for pharmacy officers.*

17 (7) *Section 302k(f), relating to accession bonus*
18 *for medical officers in critically short wartime spe-*
19 *cialties.*

20 (8) *Section 302l(g), relating to accession bonus*
21 *for dental specialist officers in critically short war-*
22 *time specialties.*

1 **SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND**
2 **BONUS AUTHORITIES FOR NUCLEAR OFFI-**
3 **CERS.**

4 *The following sections of title 37, United States Code,*
5 *are amended by striking “December 31, 2012” and insert-*
6 *ing “December 31, 2013”:*

7 (1) *Section 312(f), relating to special pay for*
8 *nuclear-qualified officers extending period of active*
9 *service.*

10 (2) *Section 312b(c), relating to nuclear career*
11 *accession bonus.*

12 (3) *Section 312c(d), relating to nuclear career*
13 *annual incentive bonus.*

14 **SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**
15 **ING TO TITLE 37 CONSOLIDATED SPECIAL**
16 **PAY, INCENTIVE PAY, AND BONUS AUTHORI-**
17 **TIES.**

18 *The following sections of title 37, United States Code,*
19 *are amended by striking “December 31, 2012” and insert-*
20 *ing “December 31, 2013”:*

21 (1) *Section 331(h), relating to general bonus au-*
22 *thority for enlisted members.*

23 (2) *Section 332(g), relating to general bonus au-*
24 *thority for officers.*

25 (3) *Section 333(i), relating to special bonus and*
26 *incentive pay authorities for nuclear officers.*

1 (4) *Section 334(i), relating to special aviation*
2 *incentive pay and bonus authorities for officers.*

3 (5) *Section 335(k), relating to special bonus and*
4 *incentive pay authorities for officers in health profes-*
5 *sions.*

6 (6) *Section 351(h), relating to hazardous duty*
7 *pay.*

8 (7) *Section 352(g), relating to assignment pay or*
9 *special duty pay.*

10 (8) *Section 353(i), relating to skill incentive pay*
11 *or proficiency bonus.*

12 (9) *Section 355(h), relating to retention incen-*
13 *tives for members qualified in critical military skills*
14 *or assigned to high priority units.*

15 **SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**
16 **ING TO PAYMENT OF OTHER TITLE 37 BO-**
17 **NUSES AND SPECIAL PAYS.**

18 *The following sections of title 37, United States Code,*
19 *are amended by striking “December 31, 2012” and insert-*
20 *ing “December 31, 2013”:*

21 (1) *Section 301b(a), relating to aviation officer*
22 *retention bonus.*

23 (2) *Section 307a(g), relating to assignment in-*
24 *centive pay.*

1 (3) *Section 308(g), relating to reenlistment*
2 *bonus for active members.*

3 (4) *Section 309(e), relating to enlistment bonus.*

4 (5) *Section 324(g), relating to accession bonus*
5 *for new officers in critical skills.*

6 (6) *Section 326(g), relating to incentive bonus*
7 *for conversion to military occupational specialty to*
8 *ease personnel shortage.*

9 (7) *Section 327(h), relating to incentive bonus*
10 *for transfer between armed forces.*

11 (8) *Section 330(f), relating to accession bonus for*
12 *officer candidates.*

13 **SEC. 616. INCREASE IN AMOUNT OF OFFICER AFFILIATION**
14 **BONUS FOR OFFICERS IN THE SELECTED RE-**
15 **SERVE.**

16 *Section 308j(d) of title 37, United States Code, is*
17 *amended by striking “\$10,000” and inserting “\$20,000”.*

18 **SEC. 617. INCREASE IN MAXIMUM AMOUNT OF INCENTIVE**
19 **BONUS FOR RESERVE COMPONENT MEMBERS**
20 **WHO CONVERT MILITARY OCCUPATIONAL**
21 **SPECIALTY TO EASE PERSONNEL SHORT-**
22 **AGES.**

23 *Section 326(c)(1) of title 37, United States Code, is*
24 *amended by striking “, in the case of” the first place it*

1 appears and all that follows through “reserve component of
2 the armed forces”.

3 ***Subtitle C—Travel and***
4 ***Transportation Allowances***

5 ***SEC. 631. PERMANENT CHANGE OF STATION ALLOWANCES***
6 ***FOR MEMBERS OF SELECTED RESERVE UNITS***
7 ***FILLING A VACANCY IN ANOTHER UNIT***
8 ***AFTER BEING INVOLUNTARILY SEPARATED.***

9 (a) *TRAVEL AND TRANSPORTATION ALLOWANCES GEN-*
10 *ERALLY.*—Section 474 of title 37, United States Code, is
11 amended—

12 (1) in subsection (a)—

13 (A) in paragraph (4), by striking “and” at
14 the end;

15 (B) in paragraph (5), by striking the period
16 at the end and inserting “; and”; and

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

19 “(6) upon filling a vacancy in a Selected Reserve
20 unit at a duty station that is more than 150 miles
21 from the member’s residence if—

22 “(A) during the preceding three years the
23 member was involuntarily separated under other
24 than adverse conditions (as characterized by the
25 Secretary concerned) while assigned to a unit of

1 *the Selected Reserve certified by the Secretary*
2 *concerned as having been adversely affected by*
3 *force structure reductions during the period be-*
4 *ginning on October 1, 2012, and ending on De-*
5 *cember 31, 2018;*

6 “(B) *the involuntary separation occurred*
7 *during the period beginning on October 1, 2012,*
8 *and ending on December 31, 2018; and*

9 “(C) *the member is—*

10 “(i) *qualified in a skill designated as*
11 *critically short by the Secretary concerned;*
12 *or*

13 “(ii) *filling a vacancy in a Selected*
14 *Reserve unit with a critical manpower*
15 *shortage, or in a pay grade with a critical*
16 *manpower shortage in such unit.”;*

17 (2) *in subsection (f), by adding at the end the*
18 *following new paragraph:*

19 “(4)(A) *A member may be provided travel and trans-*
20 *portation allowances under subsection (a)(6) only with re-*
21 *spect to the filling of a vacancy in a Selected Reserve unit*
22 *one time.*

23 “(B) *Regulations under this section shall provide that*
24 *whenever travel and transportation allowances are paid*

1 *under subsection (a)(6), the cost shall be borne by the unit*
2 *filling the vacancy.”; and*

3 *(3) in subsection (j), by striking “In this” and*
4 *inserting “Other than in subsection (a)(6), in this”.*

5 *(b) TRAVEL AND TRANSPORTATION ALLOWANCES FOR*
6 *DEPENDENTS AND HOUSEHOLD EFFECTS.—Section 476 of*
7 *such title is amended—*

8 *(1) by redesignating subsections (l), (m), and (n)*
9 *as subsections (m), (n), and (o); and*

10 *(2) by inserting after subsection (k) the following*
11 *new subsection (l)*

12 *“(l)(1) A member described in paragraph (2) is enti-*
13 *tled to the travel and transportation allowances, including*
14 *allowances with respect to dependents, authorized by this*
15 *section upon filling a vacancy as described in that para-*
16 *graph as if the member were undergoing a permanent*
17 *change of station under orders in filling such vacancy.*

18 *“(2) A member described in this paragraph is a mem-*
19 *ber who is filling a vacancy in a Selected Reserve unit at*
20 *a duty station that is more than 150 miles from the mem-*
21 *ber’s residence if—*

22 *“(A) during the three years preceding filling the*
23 *vacancy, the member was involuntarily separated*
24 *under other than adverse conditions (as characterized*
25 *by the Secretary concerned) while assigned to a unit*

1 of the Selected Reserve certified by the Secretary con-
2 cerned as having been adversely affected by force
3 structure reductions during the period beginning on
4 October 1, 2012, and ending on December 31, 2018;

5 “(B) the involuntary separation occurred during
6 the period beginning on October 1, 2012, and ending
7 on December 31, 2018; and

8 “(C) the member is—

9 “(i) qualified in a skill designated as criti-
10 cally short by the Secretary concerned; or

11 “(ii) filling a vacancy in a Selected Reserve
12 unit with a critical manpower shortage, or in a
13 pay grade with a critical manpower shortage in
14 such unit.

15 “(3) Any allowances authorized by this section that are
16 payable under this subsection may be payable in advance
17 if payable in advance to a member undergoing a permanent
18 change of station under orders under the applicable provi-
19 sion of this section.”.

20 **SEC. 632. AUTHORITY FOR COMPREHENSIVE PROGRAM FOR**
21 **SPACE-AVAILABLE TRAVEL ON DEPARTMENT**
22 **OF DEFENSE AIRCRAFT.**

23 (a) *IN GENERAL.*—Chapter 157 of title 10, United
24 States Code, is amended by inserting after section 2641b
25 the following new section:

1 **“§2641c. Space-available travel on Department of De-**
2 **fense aircraft**

3 “(a) *AUTHORITY TO ESTABLISH PROGRAM.—(1) The*
4 *Secretary of Defense may establish a program to provide*
5 *transportation on Department of Defense aircraft on a*
6 *space-available basis.*

7 “(2) *The program shall be conducted pursuant to regu-*
8 *lations prescribed by the Secretary for purposes of this sec-*
9 *tion. Such regulations shall be prescribed by not later than*
10 *January 1, 2014, and shall take effect on that date or such*
11 *earlier date as the Secretary shall specify in such regula-*
12 *tions.*

13 “(3) *The program shall be conducted in a budget neu-*
14 *tral manner. No additional funds may be used, or flight*
15 *hours performed, for the provision of transportation under*
16 *the program.*

17 “(b) *BENEFIT.—If the Secretary establishes a program*
18 *authorized by subsection (a), the Secretary shall, subject to*
19 *section (c), provide the benefit under the program to the*
20 *following categories of individuals:*

21 “(1) *Members of the armed forces on active duty.*

22 “(2) *Members of the Selected Reserve who hold a*
23 *valid Uniformed Services Identification and Privilege*
24 *Card.*

25 “(3) *Retired members of a regular or reserve*
26 *component of the armed forces, including retired*

1 *members of reserve components, who, but for being*
2 *under the eligibility age applicable under section*
3 *12731 of this title, would be eligible for retired pay*
4 *under chapter 1223 of this title.*

5 *“(4) The unremarried spouses of members of the*
6 *armed forces who were killed on active duty or other-*
7 *wise died in the line of duty, and the unremarried*
8 *spouses of former members of the armed forces who*
9 *died of a combat-related illness or injury, who hold*
10 *a valid Uniformed Services Identification and Privi-*
11 *lege Card.*

12 *“(5) Such categories of dependents of individuals*
13 *described in paragraphs (1) through (3) as the Sec-*
14 *retary shall specify in the regulations under sub-*
15 *section (a), under such conditions and circumstances*
16 *as the Secretary shall specify in such regulations.*

17 *“(6) Such other categories of individuals as the*
18 *Secretary, in the discretion of the Secretary, considers*
19 *appropriate.*

20 *“(c) ADMINISTRATION.—In carrying out a program*
21 *under this section, the Secretary shall—*

22 *“(1) in the sole discretion of the Secretary, estab-*
23 *lish an order of priority for transportation under the*
24 *program for categories of individuals under sub-*
25 *section (b) that is based on considerations of military*

1 *necessity, humanitarian concerns, and enhancement*
2 *of morale;*

3 “(2) *give priority in consideration of transpor-*
4 *tation under the program to the demands of members*
5 *of the armed forces in the regular components and in*
6 *the reserve components on active duty and to the need*
7 *to provide such members, and their dependents, a*
8 *means of respite from such demands; and*

9 “(3) *implement policies aimed at ensuring cost*
10 *control and the safety, security, and efficient proc-*
11 *essing of travelers, including limiting the benefit*
12 *under the program to one or more categories of indi-*
13 *viduals set forth in subsection (b) if considered nec-*
14 *essary by the Secretary.*

15 “(d) *CONSTRUCTION.—The authority to provide trans-*
16 *portation under this section is in addition to any other au-*
17 *thority under law to provide transportation on Department*
18 *of Defense aircraft on a space-available basis.”.*

19 “(b) *CLERICAL AMENDMENT.—The table of sections at*
20 *the beginning of chapter 157 of such title is amended by*
21 *inserting after the item relating to section 2641b the fol-*
22 *lowing new item:*

 “2641c. *Space-available travel on Department of Defense aircraft.”.*

1 ***Subtitle D—Disability, Retired Pay,***
2 ***and Survivor Benefits***

3 ***SEC. 641. REPEAL OF REQUIREMENT FOR PAYMENT OF SUR-***
4 ***VIVOR BENEFIT PLAN PREMIUMS WHEN PAR-***
5 ***TICIPANT WAIVES RETIRED PAY TO PROVIDE***
6 ***A SURVIVOR ANNUITY UNDER FEDERAL EM-***
7 ***PLOYEES RETIREMENT SYSTEM AND TERMI-***
8 ***NATION OF PAYMENT OF SURVIVOR BENEFIT***
9 ***PLAN ANNUITY.***

10 (a) *DEPOSITS NOT REQUIRED.*—Section 1452(e) of
11 title 10, United States Code, is amended—

12 (1) in the subsection heading, by inserting “AND
13 *FERS*” after “*CSRS*”;

14 (2) by inserting “or for the purposes of chapter
15 84 of title 5,” after “chapter 83 of title 5,”;

16 (3) by inserting “or 8416(a)” after “8339(j)”;

17 and

18 (4) by inserting “or 8442(a)” after “8341(b)”.

19 (b) *CONFORMING AMENDMENTS.*—Section 1450(d) of
20 such title is amended—

21 (1) by inserting “or for the purposes of chapter
22 84 of title 5,” after “chapter 83 of title 5,”;

23 (2) by inserting “or 8146(a)” after “8339(j)”;

24 and

25 (3) by inserting “or 8442(a)” after “8341(b).”

1 (c) *APPLICABILITY.*—*The amendments made by this*
2 *section shall apply with respect to any participant electing*
3 *a annuity for survivors under chapter 84 of title 5, United*
4 *States Code, on or after the date of the enactment of this*
5 *Act.*

6 **SEC. 642. REPEAL OF AUTOMATIC ENROLLMENT IN FAMILY**
7 **SERVICEMEMBERS’ GROUP LIFE INSURANCE**
8 **FOR MEMBERS OF THE ARMED FORCES MAR-**
9 **RIED TO OTHER MEMBERS.**

10 Section 1967(a)(1) of title 38, United States Code, is
11 amended—

12 (1) in subparagraph (A)(ii), by inserting after
13 “insurable dependent of the member” the following:
14 “(other than a dependent who is also a member of a
15 uniformed service and, because of such membership,
16 automatically insured under this paragraph)”; and

17 (2) in subparagraph (C)(ii), by inserting after
18 “insurable dependent of the member” the following:
19 “(other than a dependent who is also a member of a
20 uniformed service and, because of such membership,
21 automatically insured under this paragraph)”.

1 **SEC. 643. CLARIFICATION OF COMPUTATION OF COMBAT-**
2 **RELATED SPECIAL COMPENSATION FOR**
3 **CHAPTER 61 DISABILITY RETIREES.**

4 (a) *IN GENERAL.*—Section 1413a(b)(3) of title 10,
5 *United States Code*, is amended by striking “shall be re-
6 duced by the amount (if any) by which the amount of the
7 member’s retired pay under chapter 61 of this title exceeds”
8 both places it appears and inserting “may not, when com-
9 bined with the amount of retired pay payable to the retiree
10 after any such reduction under sections 5304 and 5305 of
11 title 38, cause the total of such combined payment to ex-
12 ceed”.

13 (b) *EFFECTIVE DATE.*—The amendments made by this
14 section shall take effect on October 1, 2013, and shall apply
15 to payments for months beginning on or after that date.

16 **Subtitle E—Military Lending**
17 **Matters**

18 **SEC. 651. ENHANCEMENT OF PROTECTIONS ON CONSUMER**
19 **CREDIT FOR MEMBERS OF THE ARMED**
20 **FORCES AND THEIR DEPENDENTS.**

21 (a) *CONSUMER CREDIT.*—Paragraph (6) of section
22 987(i) of title 10, *United States Code*, is amended to read
23 as follows:

24 “(6) *CONSUMER CREDIT.*—

25 “(A) *IN GENERAL.*—The term ‘consumer
26 credit’ shall be defined by the Secretary of De-

1 *fense in regulations prescribed under this section,*
2 *and shall include, in addition to any other*
3 *meaning provided for in such regulations, the*
4 *following:*

5 *“(i) A vehicle title loan for any dura-*
6 *tion, whether open end or closed end.*

7 *“(ii) A payday loan for any duration,*
8 *whether open end or closed end.*

9 *“(iii) A tax refund anticipation loan.*

10 *“(B) EXCLUSIONS.—The term ‘consumer*
11 *credit’ does not include the following:*

12 *“(i) A residential mortgage.*

13 *“(ii) A loan procured in the course of*
14 *purchasing a car or other personal prop-*
15 *erty, when that loan is offered for the ex-*
16 *press purpose of financing the purchase and*
17 *is secured by the car or personal property*
18 *procured.”.*

19 *(b) POLICY ON PREDATORY EXTENSION OF CREDIT*
20 *THROUGH INSTALLMENT LOANS TARGETING MEMBERS OF*
21 *THE ARMED FORCES AND DEPENDENTS.—*

22 *(1) POLICY REQUIRED.—The Secretary of De-*
23 *fense shall, in consultation with the officials and enti-*
24 *ties specified in section 987(h)(3) of title 10, United*
25 *States Code, prescribe a policy on the predatory ex-*

1 *tension of credit through installment loans targeting*
2 *members of the Armed Forces and their dependents.*

3 (2) *OBJECTIVES.*—*The objectives of the policy re-*
4 *quired by paragraph (1) shall be as follows:*

5 (A) *To enhance protections afforded mem-*
6 *bers of the Armed Forces and their dependents*
7 *under section 987 of title 10, United States Code,*
8 *by curbing continuing predatory lending prac-*
9 *tices targeting members of the Armed Forces and*
10 *their dependents that are not currently regulated*
11 *under that section.*

12 (B) *To improve the financial literacy of*
13 *members of the Armed Forces and their depend-*
14 *ents with respect to installment loans and other*
15 *forms of credit not currently regulated under sec-*
16 *tion 987 of title 10, United States Code.*

17 (C) *To make members of the Armed Forces*
18 *and their dependents aware of other, more bene-*
19 *ficial sources of financial aid and credit services*
20 *(such as those available through military relief*
21 *societies) than installment loans.*

22 (D) *If considered appropriate by the Sec-*
23 *retary of Defense, to provide, by regulation, for*
24 *the coverage under section 987 of title 10, United*
25 *States Code, of installment loans extended to*

1 *members of the Armed Forces and dependents*
2 *protected by that section.*

3 (c) *EFFECTIVE DATE.*—

4 (1) *MODIFICATION OF REGULATIONS.*—*The Sec-*
5 *retary of Defense shall modify the regulations pre-*
6 *scribed under section 987 of title 10, United States*
7 *Code, to take into account the amendment made by*
8 *subsection (a).*

9 (2) *EFFECTIVE DATE OF MODIFICATION AND*
10 *POLICY.*—*The amendment made by subsection (a),*
11 *and the policy required by subsection (b), shall take*
12 *effect on—*

13 (A) *the date that is one year after the date*
14 *of the enactment of this Act; or*

15 (B) *such earlier date as the Secretary shall*
16 *specify.*

17 (3) *PUBLICATION OF EARLIER DATE.*—*If pursu-*
18 *ant to paragraph (2)(B) the Secretary specifies an*
19 *earlier effective date for the amendment made by sub-*
20 *section (a) and the policy required by subsection (b),*
21 *the Secretary shall publish notice of such earlier effec-*
22 *tive date in the Federal Register not later than 90*
23 *days before such earlier effective date.*

1 **SEC. 652. ADDITIONAL ENHANCEMENTS OF PROTECTIONS**
2 **ON CONSUMER CREDIT FOR MEMBERS OF**
3 **THE ARMED FORCES AND THEIR DEPEND-**
4 **ENTS.**

5 (a) *PROTECTIONS AGAINST DIFFERENTIAL TREAT-*
6 *MENT ON CONSUMER CREDIT UNDER STATE LAW.*—Sub-
7 *section (d)(2) of section 987 of title 10, United States Code,*
8 *is amended—*

9 (1) *in subparagraph (A), by inserting “any con-*
10 *sumer credit or” before “loans”; and*

11 (2) *in subparagraph (B), by inserting “covering*
12 *consumer credit” after “State consumer lending pro-*
13 *tections”.*

14 (b) *REGULAR CONSULTATIONS ON PROTECTIONS.*—
15 *Subsection (h)(3) of such section is amended—*

16 (1) *in the matter preceding subparagraph (A)—*

17 (A) *by inserting “and not less often than*
18 *once every two years thereafter,” after “under*
19 *this subsection,”; and*

20 (B) *by inserting “appropriate Federal agen-*
21 *cies, including” before “the following”;*

22 (2) *by striking subparagraph (E); and*

23 (3) *by redesignating subparagraphs (F) and (G)*
24 *as subparagraphs (E) and (F), respectively.*

25 (c) *EFFECTIVE DATE.*—

1 (1) *MODIFICATION OF REGULATIONS.*—*The Sec-*
2 *retary of Defense shall modify the regulations pre-*
3 *scribed under section 987 of title 10, United States*
4 *Code, to take into account the amendments made by*
5 *subsection (a).*

6 (2) *EFFECTIVE DATE.*—*The amendments made*
7 *by subsection (a) shall take effect on—*

8 (A) *the date that is one year after the date*
9 *of the enactment of this Act; or*

10 (B) *such earlier date as the Secretary shall*
11 *specify in the modification of regulations re-*
12 *quired by paragraph (1).*

13 (3) *PUBLICATION OF EARLIER DATE.*—*If the Sec-*
14 *retary specifies an earlier effective date for the*
15 *amendments made by subsection (a) pursuant to*
16 *paragraph (2)(B), the Secretary shall publish notice*
17 *of such earlier effective date in the Federal Register*
18 *not later than 90 days before such earlier effective*
19 *date.*

1 **SEC. 653. RELIEF IN CIVIL ACTIONS FOR VIOLATIONS OF**
2 **PROTECTIONS ON CONSUMER CREDIT EX-**
3 **TENDED TO MEMBERS OF THE ARMED**
4 **FORCES AND THEIR DEPENDENTS.**

5 (a) *IN GENERAL.*—Section 987(f) of title 10, United
6 States Code, is amended by adding at the end the following
7 new paragraph:

8 “(5) *CIVIL LIABILITY.*—

9 “(A) *IN GENERAL.*—A person who violates
10 this section with respect to any person is civilly
11 liable to such person for—

12 “(i) any actual damage sustained as a
13 result, but not less than \$500 for each viola-
14 tion;

15 “(ii) appropriate punitive damages;

16 “(iii) appropriate equitable or declara-
17 tory relief;

18 “(iv) any other relief provided by law;

19 “(v) in any successful action to enforce
20 the foregoing liability, the costs of the ac-
21 tion, together with reasonable attorney fees
22 as determined by the court; and

23 “(vi) in any successful action by a de-
24 fendant under this section, if the court finds
25 the action was brought in bad faith and for
26 the purpose of harassment, attorney fees of

1 *the defendant as determined by the court to*
2 *be reasonable in relation to the work ex-*
3 *pended and costs incurred.*

4 “(B) *DEFENSES.*—A person may not be
5 *held liable for civil liability under this para-*
6 *graph if the person shows by a preponderance of*
7 *evidence that the violation was not intentional*
8 *and resulted from a bona fide error notwith-*
9 *standing the maintenance of procedures reason-*
10 *ably adapted to avoid any such error. Examples*
11 *of a bona fide error include clerical, calculation,*
12 *computer malfunction and programming, and*
13 *printing errors, except that an error of legal*
14 *judgment with respect to a person’s obligations*
15 *under this section is not a bona fide error.*

16 “(C) *JURISDICTION AND VENUE; LIMITA-*
17 *TION.*—An action for civil liability under this
18 *paragraph may be brought in any appropriate*
19 *United States district court, without regard to*
20 *the amount in controversy, or in any other court*
21 *of competent jurisdiction, not later than the ear-*
22 *lier or—*

23 “(i) *two years after the date of dis-*
24 *covery by the plaintiff of the violation that*
25 *is the basis for such liability; or*

1 “(i) five years after the date on which
2 the violation that is the basis for such li-
3 ability occurs.”.

4 (b) *EFFECTIVE DATE.*—The amendment made by this
5 section and shall take effect on the date of the enactment
6 of this Act, and shall apply with respect to consumer credit
7 extended on or after that date.

8 **SEC. 654. MODIFICATION OF DEFINITION OF DEPENDENT**
9 **FOR PURPOSES OF LIMITATIONS ON TERMS**
10 **OF CONSUMER CREDIT EXTENDED TO MEM-**
11 **BERS OF THE ARMED FORCES AND THEIR DE-**
12 **PENDENTS.**

13 Paragraph (2) of section 987(i) of title 10, United
14 States Code, is amended to read as follows:

15 “(2) *DEPENDENT.*—The term ‘dependent’, with
16 respect to a covered member, has the meaning given
17 that term in section 401(a) of title 37.”.

18 **SEC. 655. ENFORCEMENT OF PROTECTIONS ON CONSUMER**
19 **CREDIT FOR MEMBERS OF THE ARMED**
20 **FORCES AND THEIR DEPENDENTS.**

21 Section 987(f) of title 10, United States Code, as
22 amended by section 653 of this Act, is further amended by
23 adding at the end the following new paragraph:

24 “(6) *ENFORCEMENT.*—The provisions of this sec-
25 tion (other than paragraph (1) of this subsection)

1 shall be enforced by the agencies specified in section
2 108 of the Truth in Lending Act (15 U.S.C. 1607) in
3 the manner set forth in that section or as set forth
4 under any other applicable authorities available to
5 such agencies by law.”.

6 **Subtitle F—Other Matters**

7 **SEC. 661. TRANSITIONAL COMPENSATION FOR DEPENDENT** 8 **CHILDREN WHO ARE CARRIED DURING PREG-** 9 **NANCY AT TIME OF DEPENDENT-ABUSE OF-** 10 **FENSE.**

11 (a) *IN GENERAL.*—Section 1059 of title 10, United
12 States Code, is amended—

13 (1) in subsection (f), by adding at the end the
14 following new paragraph:

15 “(4) Payment to a child under this section shall not
16 be paid for any period before the birth of the child.”; and

17 (2) in subsection (l), by striking “at the time of
18 the dependent-abuse offense resulting in the separa-
19 tion of the former member” and inserting “or eligible
20 spouse at the time of the dependent-abuse offense re-
21 sulting in the separation of the former member or who
22 was carried during pregnancy at the time of the de-
23 pendent-abuse offense resulting in the separation of
24 the former member and was subsequently born alive
25 to the eligible spouse or former spouse”.

1 (b) *PROSPECTIVE APPLICABILITY.*—No benefits shall
2 accrue by reason of the amendments made by this section
3 for any month that begins before the date of the enactment
4 of this Act.

5 **SEC. 662. REPORT ON ISSUANCE BY ARMED FORCES MED-**
6 **ICAL EXAMINER OF DEATH CERTIFICATES**
7 **FOR MEMBERS OF THE ARMED FORCES WHO**
8 **DIE ON ACTIVE DUTY ABROAD.**

9 (a) *REPORT REQUIRED.*—Not later than 120 days
10 after the date of the enactment of this Act, the Secretary
11 of Defense shall submit to the congressional defense commit-
12 tees a report on the issuance by the Armed Forces Medical
13 Examiner of death certificates for members of the Armed
14 Forces who die on active duty abroad, including mecha-
15 nisms for reducing or ameliorating delays in the issuance
16 of such death certificates.

17 (b) *ELEMENTS.*—The report required by subsection (a)
18 shall include the following:

19 (1) A description of the process used by the
20 Armed Forces Medical Examiner to issue a death cer-
21 tificate for members of the Armed Forces who die on
22 active duty abroad, including an explanation for any
23 current delays in the issuance of such death certifi-
24 cates.

1 (2) *A description of the average amount of time*
2 *taken by the Armed Forces Medical Examiner to issue*
3 *such death certificates.*

4 (3) *An assessment of the feasibility and advis-*
5 *ability of issuing temporary death certificates for*
6 *members of the Armed Forces who die on active duty*
7 *abroad in order to provide necessary documentation*
8 *for survivors.*

9 (4) *A description of the actions required to en-*
10 *able the Armed Forces Medical Examiner to issue a*
11 *death certificate for a member of the Armed Forces*
12 *who dies on active duty abroad not later than seven*
13 *days after the return of the remains of the member to*
14 *the United States.*

15 (5) *Such other recommendations for legislative or*
16 *administrative action as the Secretary considers ap-*
17 *propriate to provide for the issuance by the Armed*
18 *Forces Medical Examiner of a death certificate for*
19 *members of the Armed Forces who die on active duty*
20 *abroad not later than seven days after the return of*
21 *the remains of such members to the United States.*

1 **TITLE VII—HEALTH CARE**
2 **PROVISIONS**
3 **Subtitle A—TRICARE Program**

4 **SEC. 701. EXTENSION OF TRICARE STANDARD COVERAGE**
5 **AND TRICARE DENTAL PROGRAM FOR MEM-**
6 **BERS OF THE SELECTED RESERVE WHO ARE**
7 **INVOLUNTARILY SEPARATED.**

8 (a) *EXTENSION OF TRICARE STANDARD COV-*
9 *ERAGE.*—Section 1076d(b) of title 10, United States Code,
10 *is amended—*

11 (1) *by striking “Eligibility” and inserting “(1)*
12 *Except as provided in paragraph (2), eligibility”;*
13 *and*

14 (2) *by adding at the end the following new para-*
15 *graph:*

16 “(2) *Eligibility for a member under this section who*
17 *is involuntarily separated from the Selected Reserve under*
18 *other than adverse conditions, as characterized by the Sec-*
19 *retary concerned, shall terminate 180 days after the date*
20 *on which the member is separated.”.*

21 (b) *EXTENSION OF TRICARE DENTAL PROGRAM COV-*
22 *ERAGE.*—Section 1076a(a)(1) of such title is amended by
23 *adding at the end the following new sentence: “Such plan*
24 *shall provide that coverage for a member of the Selected Re-*
25 *serve who is involuntarily separated from the Selected Re-*

1 *serve under other than adverse conditions, as characterized*
2 *by the Secretary concerned, shall terminate not earlier than*
3 *180 days after the date on which the member is separated.”.*

4 **SEC. 702. INCLUSION OF CERTAIN OVER-THE-COUNTER**
5 **DRUGS IN TRICARE UNIFORM FORMULARY.**

6 (a) *INCLUSION.*—*Subsection (a)(2) of section 1074g of*
7 *title 10, United States Code, is amended—*

8 (1) *in subparagraph (D), by striking “No phar-*
9 *maceutical agent may be excluded” and inserting*
10 *“Except as provided in subparagraph (F), no phar-*
11 *maceutical agent may be excluded”;* and

12 (2) *by adding at the end the following new sub-*
13 *paragraph:*

14 *“(F)(i) The Secretary may implement procedures to*
15 *place selected over-the-counter drugs on the uniform for-*
16 *mulary and to make such drugs available to eligible covered*
17 *beneficiaries. An over-the-counter drug may be included on*
18 *the uniform formulary only if the Pharmacy and Thera-*
19 *peutics Committee established under subsection (b) finds*
20 *that the over-the-counter drug is cost-effective and clinically*
21 *effective. If the Pharmacy and Therapeutics Committee rec-*
22 *ommends an over-the-counter drug for inclusion on the uni-*
23 *form formulary, the drug shall be considered to be in the*
24 *same therapeutic class of pharmaceutical agents, as deter-*
25 *mined by the Committee, as similar prescription drugs.*

1 “(ii) Regulations prescribed by the Secretary to carry
2 out clause (i) shall include the following with respect to
3 over-the-counter drugs included on the uniform formulary:

4 “(I) A determination of the means and condi-
5 tions under paragraphs (5) and (6) of this subsection
6 through which over-the-counter drugs will be available
7 to eligible covered beneficiaries and the amount of cost
8 sharing that such beneficiaries will be required to pay
9 for over-the-counter drugs, except that no such cost
10 sharing may be required for a member of a uniformed
11 service on active duty.

12 “(II) Any terms and conditions for the dis-
13 pensing of over-the-counter drugs to eligible covered
14 beneficiaries.”.

15 (b) *DEFINITIONS.*—Subsection (g) of such section is
16 amended by adding at the end the following new para-
17 graphs:

18 “(3) The term ‘over-the-counter drug’ means a
19 drug that is not subject to section 503(b) of the Fed-
20 eral Food, Drug, and Cosmetic Act (21 U.S.C.
21 353(b)).

22 “(4) The term ‘prescription drug’ means a drug
23 that is subject to section 503(b) of the Federal Food,
24 Drug, and Cosmetic Act (21 U.S.C. 353(b)).”.

25 (c) *TECHNICAL AMENDMENTS.*—

1 (1) *CROSS-REFERENCE AMENDMENTS.*—Sub-
 2 sections (a)(6)(A) and (b)(1) of such section are
 3 amended by striking “subsection (g)” and inserting
 4 “subsection (h)”.

5 (2) *REPEAL OF OBSOLETE PROVISIONS.*—

6 (A) Subsection (a)(2)(D) of such section is
 7 amended by striking the last sentence.

8 (B) Subsection (b)(2) of such section is
 9 amended by striking “Not later than” and all
 10 the follows through “such 90-day period, the
 11 committee” and inserting “The committee”.

12 (C) Subsection (d)(2) of such section is
 13 amended—

14 (i) by striking “Effective not later than
 15 April 5, 2000, the Secretary” and inserting
 16 “The Secretary”; and

17 (ii) by striking “the current managed
 18 care support contracts” and inserting “the
 19 managed care support contracts current as
 20 of October 5, 1999,”.

21 **SEC. 703. EXPANSION OF EVALUATION OF THE EFFECTIVE-**
 22 **NESS OF THE TRICARE PROGRAM.**

23 Section 717(a)(1) of the National Defense Authoriza-
 24 tion Act for Fiscal Year 1996 (Public Law 106–104; 110
 25 Stat. 376; 10 U.S.C. 1073 note) is amended by striking

1 “military retirees” and inserting “members of the Armed
2 Forces (whether in the regular or reserve components) and
3 their dependents, military retirees and their dependents, de-
4 pendent children under the age of 21, and dependents of
5 members on active duty with severe disabilities and chronic
6 health care needs”.

7 **SEC. 704. REPORT ON THE FUTURE AVAILABILITY OF**
8 **TRICARE PRIME THROUGHOUT THE UNITED**
9 **STATES.**

10 (a) *REPORT REQUIRED.*—Not later than 120 days
11 after the date of the enactment of this Act, the Secretary
12 of Defense shall submit to the Committees on Armed Serv-
13 ices of the Senate and the House of Representatives a report
14 setting forth the policy of the Department of Defense on the
15 future availability of *TRICARE Prime* under the
16 *TRICARE* program for eligible beneficiaries in all
17 *TRICARE* regions throughout the United States.

18 (b) *ELEMENTS.*—The report required by subsection (a)
19 shall include the following:

20 (1) A description, by region, of the difference in
21 availability of *TRICARE Prime* for eligible bene-
22 ficiaries (other than eligible beneficiaries on active
23 duty in the Armed Forces) under newly-awarded
24 *TRICARE* managed care contracts, including, in
25 particular, an identification of the regions or areas in

1 *which TRICARE Prime will no longer be available*
2 *for such beneficiaries under such contracts.*

3 (2) *A description of the transition and outreach*
4 *plans for eligible beneficiaries described in paragraph*
5 *(1) who will no longer have access to TRICARE*
6 *Prime under the contracts described in that para-*
7 *graph.*

8 (3) *An estimate of the increased costs to be in-*
9 *curring for healthcare under the TRICARE program*
10 *for eligible beneficiaries described in paragraph (2).*

11 (4) *An estimate of the saving to be achieved by*
12 *the Department as a result of the contracts described*
13 *in paragraph (1).*

14 (5) *A description of the plans of the Department*
15 *to continue to assess the impact on access to*
16 *healthcare for eligible beneficiaries described in para-*
17 *graph (2).*

18 **SEC. 705. CERTAIN TREATMENT OF DEVELOPMENTAL DIS-**
19 **ABILITIES, INCLUDING AUTISM, UNDER THE**
20 **TRICARE PROGRAM.**

21 (a) *CERTAIN TREATMENT OF AUTISM.—*

22 (1) *IN GENERAL.—Chapter 55 of title 10, United*
23 *States Code, is amended by inserting after section*
24 *1077 the following new section:*

1 **“§ 1077a. Treatment of autism under the TRICARE**
2 **program**

3 “(a) *IN GENERAL.*—*Except as provided in subsection*
4 *(c), for purposes of providing health care services under this*
5 *chapter, the treatment of developmental disabilities (42*
6 *U.S.C. 15002(8)), including autism spectrum disorders,*
7 *shall include behavioral health treatment, including applied*
8 *behavior analysis, when prescribed by a physician.*

9 “(b) *REQUIREMENTS IN PROVISION OF SERVICES.*—*In*
10 *carrying out subsection (a), the Secretary of Defense shall*
11 *ensure that—*

12 “(1) *except as provided by paragraph (2), a per-*
13 *son who is authorized to provide behavioral health*
14 *treatment is licensed or certified by a State or accred-*
15 *ited national certification board; and*

16 “(2) *if applied behavior analysis or other behav-*
17 *ioral health treatment is provided by an employee or*
18 *contractor of a person described in paragraph (1), the*
19 *employee or contractor shall meet minimum quali-*
20 *fications, training, and supervision requirements as*
21 *set forth by the Secretary who shall ensure that cov-*
22 *ered beneficiaries have appropriate access to care in*
23 *accordance with best practice guidelines.*

24 “(c) *EXCLUSIONS.*—*Subsection (a) shall not apply to*
25 *the following:*

1 “(1) Covered beneficiaries under this chapter
2 who are entitled to hospital insurance benefits under
3 part A of title XVIII of the Social Security Act.

4 “(2) Covered beneficiaries under this chapter
5 who are former members, dependents of former mem-
6 bers, or survivors of any uniformed service not under
7 the jurisdiction of the Department of Defense.

8 “(d) CONSTRUCTION WITH OTHER BENEFITS.—(1)
9 Nothing in this section shall be construed as limiting or
10 otherwise affecting the benefits otherwise provided under
11 this chapter to a covered beneficiary who is a beneficiary
12 by virtue of—

13 “(A) service in the Coast Guard, the Commis-
14 sioned Corp of the National Oceanic and Atmospheric
15 Administration, or the Commissioned Corp of the
16 Public Health Service; or

17 “(B) being a dependent of a member of a service
18 described in subparagraph (A).

19 “(2) Nothing in this section shall be construed as lim-
20 iting or otherwise affecting the benefits provided to a medi-
21 care-eligible beneficiary under—

22 “(A) this chapter;

23 “(B) part A of title XVIII of the Social Security
24 Act (42 U.S.C. 1395c et seq.); or

25 “(C) any other law.”.

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
2 *tions at the beginning of chapter 55 of such title is*
3 *amended by inserting after the item relating to sec-*
4 *tion 1077 the following new item:*

“1077a. Treatment of autism under the TRICARE program.”.

5 (b) *FUNDING.*—

6 (1) *INCREASE.*—*The amount authorized to be*
7 *appropriated for fiscal year 2013 by section 1406 and*
8 *available for the Defense Health Program for Private*
9 *Sector Care as specified in the funding table in sec-*
10 *tion 4501 is hereby increased by \$45,000,000, with*
11 *the amount of the increase to be available for the pro-*
12 *vision of care in accordance with section 1077a of*
13 *title 10, United States Code (as added by subsection*
14 *(a)).*

15 (2) *OFFSET.*—*The amount authorized to be ap-*
16 *propriated for fiscal year 2013 by section 301 for Op-*
17 *eration and Maintenance and available as specified*
18 *in the funding table in section 4301 is hereby reduced*
19 *by \$45,000,000.*

20 **SEC. 706. SENSE OF CONGRESS ON HEALTH CARE FOR RE-**
21 **TIRED MEMBERS OF THE UNIFORMED SERV-**
22 **ICES.**

23 *It is the sense of Congress that—*

24 (1) *members of the uniformed services and their*
25 *families endure unique and extraordinary demands*

1 *and make extraordinary sacrifices over the course of*
2 *20 to 30 years of service in protecting freedom for all*
3 *Americans, as do those who have been medically re-*
4 *tired due to the hardships of military service; and*

5 *(2) access to quality health care services is an*
6 *earned benefit during retirement in acknowledgment*
7 *of their contributions of service and sacrifice.*

8 ***Subtitle B—Other Health Care***
9 ***Benefits***

10 ***SEC. 711. USE OF DEPARTMENT OF DEFENSE FUNDS FOR***
11 ***ABORTIONS IN CASES OF RAPE AND INCEST.***

12 *Section 1093(a) of title 10, United States Code, is*
13 *amended by inserting before the period at the end the fol-*
14 *lowing: “or in a case in which the pregnancy is the result*
15 *of an act of rape or incest”.*

16 ***SEC. 712. AVAILABILITY OF CERTAIN FERTILITY PRESERVA-***
17 ***TION TREATMENTS FOR MEMBERS OF THE***
18 ***ARMED FORCES ON ACTIVE DUTY.***

19 *(a) IN GENERAL.—Subsection (a) of section 1074d of*
20 *title 10, United States Code, is amended by adding at the*
21 *end the following new paragraph:*

22 *“(3)(A) Members of the armed forces entitled to med-*
23 *ical care under section 1074(a) of this title who have been*
24 *diagnosed with a condition for which the recommended*
25 *course of treatment is recognized by a licensed physician*

1 *and surgeon or other appropriate medical practitioner as*
 2 *a cause of iatrogenic infertility shall also be entitled to fer-*
 3 *tility preservation treatment as a part of such medical care.*

4 “(B) *If the fertility preservation treatment to which*
 5 *a member is entitled under this paragraph is not available*
 6 *through a facility of the uniformed services accessible to the*
 7 *member, such treatment shall be provided to the member*
 8 *through another appropriate mechanism under this chapter,*
 9 *including through the TRICARE program.”.*

10 **(b) DEFINITIONS RELATING TO FERTILITY PRESERVA-**
 11 **TION TREATMENT.**—*Such section is further amended—*

12 (1) *in subsection (b), by striking the subsection*
 13 *heading and inserting “DEFINITION RELATING TO*
 14 *PRIMARY AND PREVENTIVE HEALTH CARE SERVICES*
 15 *FOR WOMEN”;* and

16 (2) *by adding at the end the following new sub-*
 17 *section:*

18 “(c) **DEFINITIONS RELATING TO FERTILITY PRESER-**
 19 **VATION TREATMENT.**—*In this section:*

20 “(1) *The term ‘fertility preservation treatment’*
 21 *includes—*

22 “(A) *procedures consistent with established*
 23 *medical practices in the prevention or treatment*
 24 *of iatrogenic infertility by licensed physicians*
 25 *and surgeons or other appropriate medical prac-*

1 *titioners, including diagnosis, diagnostic tests,*
2 *medication, or surgery; and*

3 *“(B) any other procedure identified by the*
4 *Secretary of Defense that is intended to promote*
5 *the future fertility of an individual who has been*
6 *diagnosed with a condition for which the rec-*
7 *ommended course of treatment is recognized by a*
8 *licensed physician and surgeon or other appro-*
9 *priate medical practitioner as a cause of iatro-*
10 *genic infertility.*

11 *“(2) The term ‘iatrogenic infertility’ means the*
12 *current or future diminished ability, or the inability*
13 *of an individual to conceive or contribute to concep-*
14 *tion as a consequence of medical treatment.”.*

15 **SEC. 713. MODIFICATION OF REQUIREMENTS ON MENTAL**
16 **HEALTH ASSESSMENTS FOR MEMBERS OF**
17 **THE ARMED FORCES DEPLOYED IN CONNEC-**
18 **TION WITH A CONTINGENCY OPERATION.**

19 *(a) TIMING OF MENTAL HEALTH ASSESSMENTS.—*
20 *Paragraph (1)(C)(i) of section 1074m(a) of title 10, United*
21 *States Code, is amended by striking “one year” and insert-*
22 *ing “18 months”.*

23 *(b) EXCLUSION OF CERTAIN MEMBERS.—Paragraph*
24 *(2) of such section is amended—*

1 (1) by striking “subparagraph (B) and (C) of”;

2 and

3 (2) by striking “determines that—” and all that

4 follows and inserting “determines—

5 “(A) in the case of an assessment otherwise re-

6 quired under subparagraph (A) of that paragraph,

7 that the member will not be subjected or exposed to

8 operational risk factors during deployment in the

9 contingency operation concerned;

10 “(B) in the case of an assessment otherwise re-

11 quired under subparagraph (B) or (C) of that para-

12 graph, that the member was not subjected or exposed

13 to operational risk factors during deployment in the

14 contingency operation concerned; or

15 “(C) in the case of any assessment otherwise re-

16 quired under that paragraph, that providing such as-

17 sessment to the member during the otherwise applica-

18 ble time period under such paragraph would remove

19 the member from forward deployment or would put

20 members or operational objectives at risk.”.

1 **Subtitle C—Health Care**
2 **Administration**

3 **SEC. 721. CLARIFICATION OF APPLICABILITY OF CERTAIN**
4 **AUTHORITY AND REQUIREMENTS TO SUB-**
5 **CONTRACTORS EMPLOYED TO PROVIDE**
6 **HEALTH CARE SERVICES TO THE DEPART-**
7 **MENT OF DEFENSE.**

8 (a) *APPLICABILITY OF FEDERAL TORT CLAIMS ACT TO*
9 *SUBCONTRACTORS.*—Section 1089(a) of title 10, United
10 *States Code, is amended in the last sentence—*

11 (1) *by striking “if the physician, dentist, nurse,*
12 *pharmacist, or paramedical” and inserting “to such*
13 *a physician, dentist, nurse, pharmacist, or para-*
14 *medical”;*

15 (2) *by striking “involved is”;* and

16 (3) *by inserting before the period at the end the*
17 *following: “or a subcontract at any tier under such*
18 *a contract that is authorized in accordance with the*
19 *requirements of such section 1091”.*

20 (b) *APPLICABILITY OF PERSONAL SERVICES CON-*
21 *TRACTING AUTHORITY TO SUBCONTRACTORS.*—Section
22 *1091(c) of such title is amended by adding at the end the*
23 *following new paragraph:*

24 “(3) *The procedures established under paragraph (1)*
25 *may provide for a contracting officer to authorize a con-*

1 tractor to enter into a subcontract for personal services on
2 behalf of the agency upon a determination that the sub-
3 contract is—

4 “(A) consistent with the requirements of this sec-
5 tion and the procedures established under paragraph
6 (1); and

7 “(B) in the best interests of the agency.”.

8 **SEC. 722. RESEARCH PROGRAM TO ENHANCE DEPARTMENT**
9 **OF DEFENSE EFFORTS ON MENTAL HEALTH**
10 **IN THE NATIONAL GUARD AND RESERVES**
11 **THROUGH COMMUNITY PARTNERSHIPS.**

12 (a) *RESEARCH PROGRAM AUTHORIZED.*—The Sec-
13 retary of Defense may carry out a research program to as-
14 sess the feasibility and advisability of enhancing the efforts
15 of the Department of Defense in research, treatment, edu-
16 cation, and outreach on mental health and substance use
17 disorders and Traumatic Brain Injury (TBI) in members
18 of the National Guard and Reserves, their family members,
19 and their caregivers.

20 (b) *AGREEMENTS WITH COMMUNITY PARTNERS.*—In
21 carrying out the research program authorized by subsection
22 (a), the Secretary may enter into partnership agreements
23 with community partners described in subsection (c) using
24 a competitive and merit-based award process.

1 (c) *COMMUNITY PARTNERS DESCRIBED.*—A commu-
2 nity partner described in this subsection is a private non-
3 profit organization or institution (or multiple organiza-
4 tions and institutions) that—

5 (1) *engages in the research activities described in*
6 *subsection (d); and*

7 (2) *meets such qualifications for treatment as a*
8 *community partner as the Secretary shall establish*
9 *for purposes of the research program.*

10 (d) *ACTIVITIES.*—Partnerships entered into under the
11 research program shall be used to engage in research on the
12 causes, development, and innovative treatment of mental
13 health and substance use disorders and Traumatic Brain
14 Injury in members of the National Guard and Reserves,
15 their family members, and their caregivers.

16 (e) *REPORT.*—Not later than five years after the com-
17 mencement of the research program, the Secretary shall sub-
18 mit to the Committees on Armed Services of the Senate and
19 the House of Representatives a report on the research pro-
20 gram, including a description of the research program, the
21 community partners participating in the research program,
22 the activities carried out, the number of members of the Na-
23 tional Guard and Reserves, family members, and caregivers
24 supported by community partners, and a description and

1 *assessment of the effectiveness and achievements of the re-*
2 *search program.*

3 ***Subtitle D—Reports and Other***
4 ***Matters***

5 ***SEC. 731. REPORTS ON PERFORMANCE DATA ON WARRIORS***
6 ***IN TRANSITION PROGRAMS.***

7 *(a) REPORTS.—Not later than 180 days after the date*
8 *of the enactment of this Act, and every 180 days thereafter,*
9 *each Secretary of a military department shall submit to*
10 *Congress a report on data on the performance of the mili-*
11 *tary department in addressing the care, management and*
12 *transition needs of members of the Armed Forces under the*
13 *jurisdiction of such Secretary who participate in a War-*
14 *riors in Transition program under the jurisdiction of such*
15 *Secretary with respect to the following:*

16 *(1) Physical health.*

17 *(2) Mental and behavioral health.*

18 *(3) Educational and vocational aptitude and ca-*
19 *pabilities.*

20 *(4) Such other matters as such Secretary con-*
21 *siders appropriate.*

22 *(b) COMMON METHODOLOGY.—The Secretaries shall*
23 *report not fewer than five outcome measures for each of the*
24 *areas set forth in subsection (a) using a common method-*

1 *ology developed by the Secretaries and approved by the Sec-*
2 *retary of Defense for purposes of this section.*

3 (c) *LONGITUDINAL DATA.*—*The occasions for collecting*
4 *data on a member participating in a Warriors in Transi-*
5 *tion program for purposes of reports under subsection (a)*
6 *shall be as follows:*

7 (1) *When the member commences participation*
8 *in the program.*

9 (2) *At least once each year the member partici-*
10 *pates in the program.*

11 (3) *When the member ceases participation in the*
12 *program (whether for return to military duty or to*
13 *civilian life).*

14 (4) *With the consent of the member, one year*
15 *after the member ceases participation in the program*
16 *as described in paragraph (3).*

17 (d) *ELEMENTS.*—*Each report under subsection (a)*
18 *shall include an assessment by the Secretary of the military*
19 *department concerned of the following with respect to the*
20 *Warriors in Transition programs covered by such report:*

21 (1) *The progress of members participating in the*
22 *Warriors in Transition programs in the areas speci-*
23 *fied in subsection (a).*

1 (2) *The efficacy of the Warriors in Transition*
2 *programs in facilitating the transition of members to*
3 *military duty or civilian life, as applicable.*

4 (3) *The differences in outcomes in the Warriors*
5 *in Transition programs, by location, type, Armed*
6 *Force, component, and types of wounds, injuries, or*
7 *conditions of program participants.*

8 (4) *The percentage of members participating in*
9 *the Warriors in Transition programs who receive care*
10 *under such programs from assigned providers, includ-*
11 *ing medical care case managers, non-medical service*
12 *providers (including non-medical case managers, legal*
13 *support personnel, and, as applicable, Physical Eval-*
14 *uation Board Liaison Officers), mental health care*
15 *providers, and medical evaluation (MEB) physicians*
16 *whose caseload exceeds the caseload ratio that has*
17 *been designated as adequate by the Secretary of De-*
18 *fense.*

19 (5) *The percentage of members participating in*
20 *the Warriors in Transition programs for whom the*
21 *intervals between various phases in the transition*
22 *process exceeds the average length of such intervals,*
23 *including intervals relating to appointment times for*
24 *specialists and for treatment for Post-Traumatic*
25 *Stress Disorder (PTSD).*

1 (6) *Such other measurements of outcomes or*
2 *progress of members through the Warriors in Transi-*
3 *tion programs as such Secretary considers appro-*
4 *priate.*

5 (e) *PERSONALLY IDENTIFIABLE INFORMATION.—Data*
6 *collected under this section shall be treated in compliance*
7 *with the provisions of section 552a of title 5, United States*
8 *Code (commonly referred to as the “Privacy Act”).*

9 (f) *SUNSET.—No report is required under this section*
10 *after September 30, 2017.*

11 (g) *WARRIORS IN TRANSITION PROGRAM DEFINED.—*
12 *In this section, the term “Warriors in Transition program”*
13 *means any major support program of the Armed Forces for*
14 *members of the Armed Forces with severe wounds, illnesses,*
15 *or injuries that is intended to provide such members with*
16 *non-medical case management service and care coordina-*
17 *tion services, and includes the programs as follows:*

18 (1) *Warrior Transition Units and the Wounded*
19 *Warrior Program of the Army.*

20 (2) *The Safe Harbor program of the Navy.*

21 (3) *The Wounded Warrior Regiment of the Ma-*
22 *rine Corps.*

23 (4) *The Recovery Care Program and the Wound-*
24 *ed Warrior programs of the Air Force.*

1 (5) *The Care Coalition of the United States Spe-*
2 *cial Operations Command.*

3 **SEC. 732. REPORT ON DEPARTMENT OF DEFENSE SUPPORT**
4 **OF MEMBERS OF THE ARMED FORCES WHO**
5 **EXPERIENCE TRAUMATIC INJURY AS A RE-**
6 **SULT OF VACCINATIONS REQUIRED BY THE**
7 **DEPARTMENT.**

8 (a) *REPORT.*—*Not later than 180 days after the date*
9 *of the enactment of this Act, the Secretary of Defense shall,*
10 *in consultation with the Secretaries of the military depart-*
11 *ments, submit to the Committees on Armed Services of the*
12 *Senate and the House of Representatives a report setting*
13 *forth the results of a comprehensive review (conducted for*
14 *purposes of the report) of the adequacy and effectiveness of*
15 *the policies, procedures, and systems of the Department of*
16 *Defense in providing support to members of the Armed*
17 *Forces who experience traumatic injury as a result of a vac-*
18 *cination required by the Department.*

19 (b) *ELEMENTS.*—*The report required by subsection (a)*
20 *shall include the following:*

21 (1) *The number and nature of traumatic injuries*
22 *incurred by members of the Armed Forces as a result*
23 *of a vaccination required by the Department of De-*
24 *fense each year since January 1, 2001, set forth by*

1 aggregate in each year and by military department
2 in each year.

3 (2) Such recommendations as the Secretary of
4 Defense considers appropriate for improvements to the
5 policies, procedures, and systems (including tracking
6 systems) of the Department to identify members of the
7 Armed Forces who experience traumatic injury as a
8 result of a vaccination required by the Department.

9 (3) Such recommendations as the Secretary of
10 Defense considers appropriate for improvements to the
11 policies, procedures, and systems of the Department to
12 support members of the Armed Forces who experience
13 traumatic injury as a result of a vaccination required
14 by the Department.

15 **SEC. 733. PLAN TO ELIMINATE GAPS AND REDUNDANCIES**

16 **IN PROGRAMS OF THE DEPARTMENT OF DE-**
17 **FENSE ON PSYCHOLOGICAL HEALTH AND**
18 **TRAUMATIC BRAIN INJURY AMONG MEMBERS**
19 **OF THE ARMED FORCES.**

20 (a) *PLAN REQUIRED.*—

21 (1) *IN GENERAL.*—Not later than 180 days after
22 the date of the enactment of this Act, the Secretary of
23 Defense shall submit to the Committees on Armed
24 Services of the Senate and the House of Representa-
25 tives a plan to streamline the programs of the Depart-

1 *ment of Defense that address psychological health and*
2 *traumatic brain injury among members of the Armed*
3 *Forces.*

4 (2) *ELEMENTS.—The report required by para-*
5 *graph (1) shall include the following:*

6 (A) *A complete list of the programs de-*
7 *scribed in paragraph (1), including a detailed*
8 *description of the intended function of each such*
9 *program.*

10 (B) *An identification of any gaps in serv-*
11 *ices and treatments in the programs listed under*
12 *subparagraph (A)*

13 (C) *An identification of any redundancies*
14 *in the programs listed under subparagraph (A).*

15 (D) *A plan for mitigating the gaps identi-*
16 *fied under subparagraph (B) and for elimi-*
17 *nating the redundancies identified under sub-*
18 *paragraph (C).*

19 (E) *An identification of the individual in*
20 *the Department who will be responsible for lead-*
21 *ing implementation of the plan required by*
22 *paragraph (1).*

23 (F) *A schedule for the implementation of the*
24 *plan.*

1 **(b) STATUS REPORT.**—Not later than one year after
2 the date of the enactment of this Act, the Secretary shall
3 submit to the Committees on Armed Services of the Senate
4 and the House of Representatives a report on the status of
5 the implementation of the plan required by subsection (a).

6 **SEC. 734. REPORT ON IMPLEMENTATION OF RECOMMENDA-**
7 **TIONS OF THE COMPTROLLER GENERAL OF**
8 **THE UNITED STATES ON PREVENTION OF**
9 **HEARING LOSS AMONG MEMBERS OF THE**
10 **ARMED FORCES.**

11 Not later than 180 days after the date of the enactment
12 of this Act, the Secretary of Defense shall submit to the
13 Committees on Armed Services of the Senate and the House
14 of Representatives a report on the implementation of the
15 recommendations of the Comptroller General of the United
16 States in the January 2011 report of the Comptroller Gen-
17 eral entitled “Hearing Loss Prevention: Improvements to
18 DOD Hearing Conservation Programs Could Lead to Better
19 Outcomes” that address prevention of hearing loss, abate-
20 ment of hearing loss, data collection regarding hearing loss,
21 and the need for a new interagency data sharing system
22 so that sufficient information is available to address and
23 track hearing injuries and loss.

1 **SEC. 735. SENSE OF SENATE ON MENTAL HEALTH COUN-**
2 **SELORS FOR MEMBERS OF THE ARMED**
3 **FORCES, VETERANS, AND THEIR FAMILIES.**

4 *It is the sense of the Senate that—*

5 *(1) the Secretary of Defense and the Secretary of*
6 *Veterans Affairs should develop a plan to ensure a*
7 *sustainable flow of qualified counselors to meet the*
8 *long-term needs of members of the Armed Forces, vet-*
9 *erans, and their families for counselors; and*

10 *(2) the plan should include the participation of*
11 *accredited schools and universities, health care pro-*
12 *viders, professional counselors, family service or sup-*
13 *port centers, chaplains, and other appropriate re-*
14 *sources of the Department of Defense and the Depart-*
15 *ment of Veterans Affairs.*

16 **SEC. 736. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR**
17 **MEMBERS OF THE ARMED FORCES AND**
18 **THEIR DEPENDENTS.**

19 *(a) PROGRAM REQUIRED.—The Secretary of Defense*
20 *and the Attorney General shall jointly carry out a program*
21 *(commonly referred to as a “prescription drug take-back*
22 *program”)* *under which members of the Armed Forces and*
23 *dependents of members of the Armed Forces may deliver*
24 *controlled substances to such facilities as may be jointly de-*
25 *termined by the Secretary of Defense and the Attorney Gen-*

1 eral to be disposed of in accordance with section 302(g) of
2 the Controlled Substances Act (21 U.S.C. 822(g)).

3 (b) *PROGRAM ELEMENTS.*—The program required by
4 subsection (a) shall provide for the following:

5 (1) The delivery of controlled substances under
6 the program to such members of the Armed Forces,
7 medical professionals, and other employees of the De-
8 partment of Defense, and to such other acceptance
9 mechanisms, as the Secretary and the Attorney Gen-
10 eral jointly specify for purposes of the program.

11 (2) Appropriate guidelines and procedures to
12 prevent the diversion, misuse, theft, or loss of con-
13 trolled substances delivered under the program.

14 ***Subtitle E—Mental Health Care*** 15 ***Matters***

16 ***SEC. 751. ENHANCEMENT OF OVERSIGHT AND MANAGE-*** 17 ***MENT OF DEPARTMENT OF DEFENSE SUICIDE*** 18 ***PREVENTION AND RESILIENCE PROGRAMS.***

19 (a) *IN GENERAL.*—The Secretary of Defense shall, act-
20 ing through the Under Secretary of Defense for Personnel
21 and Readiness, establish within the Office of the Secretary
22 of Defense a position with responsibility for oversight and
23 management of all suicide prevention and resilience pro-
24 grams and all preventative behavioral health programs of

1 *the Department of Defense (including those of the military*
2 *departments and the Armed Forces).*

3 **(b) SCOPE OF RESPONSIBILITIES.**—*The individual*
4 *-serving in the position established pursuant to subsection*
5 *(a) shall have the responsibilities as follows:*

6 (1) *To establish a uniform definition of resil-*
7 *-iency for use in the suicide prevention and resilience*
8 *programs and preventative behavioral health pro-*
9 *grams of the Department of Defense (including those*
10 *of the military departments and the Armed Forces).*

11 (2) *In consultation with the National Center for*
12 *Post Traumatic Stress Disorder of the Department of*
13 *Veterans Affairs and other appropriate public and*
14 *private agencies and entities, to require the use of*
15 *clinical best practices in mental health care, suicide*
16 *prevention programs, and resilience programs of the*
17 *Department of Defense, including the diagnosis and*
18 *treatment of behavioral health disorders.*

19 (3) *To oversee and manage the comprehensive*
20 *program on the prevention of suicide among members*
21 *of the Armed Forces required by section 752.*

1 **SEC. 752. COMPREHENSIVE PROGRAM ON PREVENTION OF**
2 **SUICIDE AMONG MEMBERS OF THE ARMED**
3 **FORCES.**

4 (a) *COMPREHENSIVE PROGRAM REQUIRED.*—The Sec-
5 retary of Defense shall, acting through the Under Secretary
6 of Defense for Personnel and Readiness, develop and imple-
7 ment within the Department of Defense a comprehensive
8 program on the prevention of suicide among members of
9 the Armed Forces. In developing the program, the Secretary
10 shall consider recommendations from the operational ele-
11 ments of the Armed Forces regarding the feasibility of the
12 implementation and execution of particular elements of the
13 program.

14 (b) *ELEMENTS.*—The comprehensive program required
15 by subsection (a) shall include elements to achieve the fol-
16 lowing:

17 (1) *To raise awareness among members of the*
18 *Armed Forces about mental health conditions and the*
19 *stigma associated with mental health conditions and*
20 *mental health care.*

21 (2) *To provide members of the Armed Forces*
22 *generally, members of the Armed Forces in super-*
23 *visory positions (including officers in command bil-*
24 *lets and non-commissioned officers), and medical per-*
25 *sonnel of the Armed Forces and the Department of*
26 *Defense with effective means of identifying members*

1 *of the Armed Forces who are at risk for suicide (in-*
2 *cluding enhanced means for early identification and*
3 *treatment of such members).*

4 *(3) To provide members of the Armed Forces who*
5 *are at risk of suicide with continuous access to suicide*
6 *prevention services, including suicide crisis services.*

7 *(4) To evaluate and assess the effectiveness of the*
8 *suicide prevention and resilience programs and pre-*
9 *ventative behavioral health programs of the Depart-*
10 *ment of Defense (including those of the military de-*
11 *partments and the Armed Forces), including the de-*
12 *velopment of metrics for that purpose.*

13 *(5) To evaluate and assess the current diagnostic*
14 *tools and treatment methods in the programs referred*
15 *to in paragraph (4) in order to ensure clinical best*
16 *practices are used in such programs.*

17 *(6) To ensure that the programs referred to in*
18 *paragraph (4) incorporate evidenced-based practices*
19 *when available.*

20 *(7) To provide for the training of mental health*
21 *care providers on evidence-based therapies in connec-*
22 *tion with suicide prevention.*

23 *(8) To establish training standards for behav-*
24 *ioral health care providers in order to ensure that*
25 *such providers receive training on clinical best prac-*

1 *tices and evidence-based treatments as information on*
2 *such practices and treatments becomes available, and*
3 *to ensure such standards are met.*

4 (9) *To provide for the integration of mental*
5 *health screenings and suicide risk and prevention for*
6 *members of the Armed Forces into the delivery of pri-*
7 *mary care for such members.*

8 (10) *To ensure appropriate responses to at-*
9 *tempted or completed suicides among members of the*
10 *Armed Forces, including guidance and training to as-*
11 *sist commanders in addressing incidents of attempted*
12 *or completed suicide within their units.*

13 (11) *To ensure the protection of the privacy of*
14 *members of the Armed Forces seeking or receiving*
15 *treatment relating to suicide.*

16 (12) *Such other matters as the Secretary of De-*
17 *fense considers appropriate in connection with the*
18 *prevention of suicide among members of the Armed*
19 *Forces.*

20 (c) *CONSULTATION.*—*In developing and implementing*
21 *the comprehensive program required by subsection (a), the*
22 *Under Secretary shall consult with appropriate officials*
23 *and elements of the Department of Defense, appropriate*
24 *centers of excellence within the Department of Defense, and*

1 other public and private entities with expertise in mental
2 health and suicide prevention.

3 (d) *IMPLEMENTATION BY THE ARMED FORCES.*—In
4 implementing the comprehensive program required by sub-
5 section (a) with respect to an Armed Force, the Secretary
6 of the military department concerned may, in consultation
7 with the Under Secretary and with the approval of the Sec-
8 retary of Defense, modify particular elements of the pro-
9 gram in order to adapt the program appropriately to the
10 unique culture and elements of that Armed Force.

11 (e) *QUALITY ASSURANCE.*—In developing and imple-
12 menting the comprehensive program required by subsection
13 (a), the Under Secretary shall develop and implement ap-
14 propriate mechanisms to provide for the oversight and man-
15 agement of the program, including quality measures to as-
16 sess the efficacy of the program in preventing suicide among
17 members of the Armed Forces.

18 **SEC. 753. QUALITY REVIEW OF MEDICAL EVALUATION**
19 **BOARDS, PHYSICAL EVALUATION BOARDS,**
20 **AND PHYSICAL EVALUATION BOARD LIAISON**
21 **OFFICERS.**

22 (a) *IN GENERAL.*—The Secretary of Defense shall
23 standardize, assess, and monitor the quality assurance pro-
24 grams of the military departments to evaluate the following

1 *in the performance of their duties (including duties under*
2 *chapter 61 of title 10, United States Code):*

3 (1) *Medical Evaluation Boards (MEBs).*

4 (2) *Physical Evaluation Boards (PEBs).*

5 (3) *Physical Evaluation Board Liaison Officers*
6 *(PEBLOs).*

7 (b) *OBJECTIVES.*—*The objectives of the quality assur-*
8 *ance program shall be as follows:*

9 (1) *To ensure accuracy and consistency in the*
10 *determinations and decisions of Medical Evaluation*
11 *Boards and Physical Evaluation Boards.*

12 (2) *To otherwise monitor and sustain proper*
13 *performance of the duties of Medical Evaluation*
14 *Boards and Physical Evaluation Boards, and of*
15 *Physical Evaluation Board Liaison Officers.*

16 (3) *Such other objectives as the Secretary shall*
17 *specify for purposes of the quality assurance program.*

18 (c) *REPORTS.*—

19 (1) *REPORT ON IMPLEMENTATION.*—*Not later*
20 *than 180 days after the date of the enactment of this*
21 *Act, the Secretary shall submit to the appropriate*
22 *committees of Congress a report setting forth the plan*
23 *of the Secretary for the implementation of the require-*
24 *ments of this section.*

1 (2) *ANNUAL REPORTS.*—Not later than one year
2 after the date of the submittal of the report required
3 by paragraph (1), and annually thereafter for the
4 next four years, the Secretary shall submit to the ap-
5 propriate committees of Congress a report setting
6 forth an assessment of the implementation of the re-
7 quirements of this section during the one-year period
8 ending on the date of the report under this para-
9 graph. Each report shall include, in particular, an
10 assessment of the extent to which the quality assur-
11 ance program under the requirements of this section
12 meets the objectives specified in subsection (b).

13 (3) *APPROPRIATE COMMITTEES OF CONGRESS*
14 *DEFINED.*—In this subsection, the term “appropriate
15 committees of Congress” means—

16 (A) *the Committee on Armed Services and*
17 *the Committee on Veterans’ Affairs of the Senate;*
18 *and*

19 (B) *the Committee on Armed Services and*
20 *the Committee on Veterans’ Affairs of the House*
21 *of Representatives.*

1 **SEC. 754. ASSESSMENT OF ADEQUACY OF MENTAL HEALTH**
2 **CARE BENEFITS UNDER THE TRICARE PRO-**
3 **GRAM.**

4 (a) *INDEPENDENT ASSESSMENT REQUIRED.*—Not
5 later than 180 days after the date of the enactment of this
6 Act, the Secretary of Defense shall, in consultation with the
7 Secretary of Health and Human Services, enter into a con-
8 tract with an appropriate independent entity to assess
9 whether the mental health care benefits available for mem-
10 bers of the Armed Forces and other covered beneficiaries
11 under the TRICARE program are adequate to meet the
12 needs of such members and beneficiaries for mental health
13 care.

14 (b) *REPORT.*—The contract required by subsection (a)
15 shall require the entity conducting the assessment required
16 by the contract to submit to the Secretary of Defense, and
17 to the congressional defense committees, a report setting
18 forth the results of the assessment by not later than 180
19 days after the date of entry into the contract. If the entity
20 determines pursuant to the assessment that the mental
21 health care benefits available for members of the Armed
22 Forces and other covered beneficiaries under the TRICARE
23 program are not adequate to meet the needs of such members
24 and beneficiaries for mental health care, the report shall
25 include such recommendations for legislative or administra-

1 *tive action as the entity considers appropriate to remediate*
2 *any identified inadequacy.*

3 (c) *DEFINITIONS.—In this section:*

4 (1) *The term “covered beneficiaries” has the*
5 *meaning given that term in section 1072(5) of title*
6 *10, United States Code.*

7 (2) *The term “TRICARE program” has the*
8 *meaning given that term in section 1072(7) of title*
9 *10, United States Code.*

10 **SEC. 755. SHARING BETWEEN DEPARTMENT OF DEFENSE**
11 **AND DEPARTMENT OF VETERANS AFFAIRS OF**
12 **RECORDS AND INFORMATION RETAINED**
13 **UNDER THE MEDICAL TRACKING SYSTEM FOR**
14 **MEMBERS OF THE ARMED FORCES DEPLOYED**
15 **OVERSEAS.**

16 (a) *IN GENERAL.—The Secretary of Defense and the*
17 *Secretary of Veterans Affairs shall jointly enter into a*
18 *memorandum of understanding providing for the sharing*
19 *by the Department of Defense with the Department of Vet-*
20 *erans Affairs of the results of examinations and other*
21 *records on members of the Armed Forces that are retained*
22 *and maintained with respect to the medical tracking system*
23 *for members deployed overseas under section 1074f(c) of title*
24 *10, United States Code.*

1 (b) *CESSATION UPON IMPLEMENTATION OF ELEC-*
2 *TRONIC HEALTH RECORD.*—*The sharing required pursuant*
3 *to subsection (a) shall cease on the date on which the Sec-*
4 *retary of Defense and the Secretary of Veterans Affairs*
5 *jointly certify to Congress that the Secretaries have fully*
6 *implemented an integrated electronic health record for*
7 *members of the Armed Forces that is fully interoperable be-*
8 *tween the Department of Defense and the Department of*
9 *Veterans Affairs.*

10 **SEC. 756. PARTICIPATION OF MEMBERS OF THE ARMED**
11 **FORCES IN PEER SUPPORT COUNSELING**
12 **PROGRAMS OF THE DEPARTMENT OF VET-**
13 **ERANS AFFAIRS.**

14 (a) *PARTICIPATION.*—

15 (1) *IN GENERAL.*—*The Secretary of Defense and*
16 *the Secretary of Veterans Affairs shall jointly enter*
17 *into a memorandum of understanding providing for*
18 *members of the Armed Forces described in subsection*
19 *(b) to volunteer or be considered for employment as*
20 *peer counselors under the following:*

21 (A) *The peer support counseling program*
22 *carried out by the Secretary of Veterans Affairs*
23 *under subsection (j) of section 1720F of title 38,*
24 *United States Code, as part of the comprehensive*

1 *program for suicide prevention among veterans*
2 *under subsection (a) of such section.*

3 *(B) The peer support counseling program*
4 *carried out by the Secretary of Veterans Affairs*
5 *under section 304(a)(1) of the Caregivers and*
6 *Veterans Omnibus Health Services Act of 2010*
7 *(Public Law 111–163; 124 Stat. 1150; 38 U.S.C.*
8 *1712A note).*

9 *(2) TRAINING.—Any member participating in a*
10 *peer support counseling program under paragraph*
11 *(1) shall receive the training for peer counselors under*
12 *section 1720F(j)(2) of title 38, United States Code, or*
13 *section 304(c) of the Caregivers and Veterans Omni-*
14 *bus Health Services Act of 2010, as applicable, before*
15 *performing peer support counseling duties under such*
16 *program.*

17 *(b) COVERED MEMBERS.—Members of the Armed*
18 *Forces described in this subsection are the following:*

19 *(1) Members of the reserve components of the*
20 *Armed Forces who are demobilizing after deployment*
21 *in a theater of combat operations, including, in par-*
22 *ticular, members who participated in combat against*
23 *the enemy while so deployed.*

24 *(2) Members of the regular components of the*
25 *Armed Forces separating from active duty who have*

1 *been deployed in a theater of combat operations in*
2 *which such members participated in combat against*
3 *the enemy.*

4 **SEC. 757. RESEARCH AND MEDICAL PRACTICE ON MENTAL**
5 **HEALTH CONDITIONS.**

6 *(a) DEPARTMENT OF DEFENSE ORGANIZATION ON RE-*
7 *SEARCH AND PRACTICE.—The Secretary of Defense shall es-*
8 *tablish within the Department of Defense an organization*
9 *to carry out the responsibilities specified in subsection (b).*

10 *(b) RESPONSIBILITIES.—The organization established*
11 *under subsection (a) shall—*

12 *(1) carry out programs and activities designed*
13 *to provide for the translation of research on the diag-*
14 *nosis and treatment of mental health conditions into*
15 *policy on medical practices;*

16 *(2) make recommendations to the Assistant Sec-*
17 *retary of Defense for Health Affairs on the translation*
18 *of such research into the policies of the Department*
19 *of Defense on medical practices with respect to mem-*
20 *bers of the Armed Forces; and*

21 *(3) discharge such other responsibilities relating*
22 *to research and medical practices on mental health*
23 *conditions, and the policies of the Department on*
24 *such practices with respect to members of the Armed*

1 *Forces, as the Secretary or the Assistant Secretary*
2 *shall specify for purposes of this section.*

3 (c) *REPORTS.*—

4 (1) *INITIAL REPORT.*—*Not later than 120 days*
5 *after the date of the enactment of this Act, the Sec-*
6 *retary shall submit to Congress a report on the orga-*
7 *nization required by subsection (a). The report shall*
8 *include a description of the organization and a plan*
9 *for implementing the requirements of this section.*

10 (2) *ANNUAL REPORTS.*—*The Secretary shall sub-*
11 *mit to Congress each year a report on the activities*
12 *of the organization established under subsection (a)*
13 *during the preceding year. Each report shall include*
14 *the following:*

15 (A) *A summary description of the activities*
16 *of the organization during the preceding year.*

17 (B) *A description of the recommendations*
18 *made by the organization to the Assistant Sec-*
19 *retary under subsection (b)(2) during the year,*
20 *and a description of the actions undertaken (or*
21 *to be undertaken) by the Assistant Secretary in*
22 *response to such recommendations.*

23 (C) *Such other matters relating to the ac-*
24 *tivities of the organization, including rec-*
25 *ommendations for additional legislative or ad-*

1 *ministrative action, as the Secretary, in con-*
2 *sultation with the Assistant Secretary, considers*
3 *appropriate.*

4 **SEC. 758. DISPOSAL OF CONTROLLED SUBSTANCES.**

5 *(a) MEMBERS OF THE ARMED FORCES.—The Admin-*
6 *istrator of the Drug Enforcement Administration shall*
7 *enter into a memorandum of understanding with the Sec-*
8 *retary of Defense establishing procedures under which a*
9 *member of the Armed Forces may deliver a controlled sub-*
10 *stance to a member of the Armed Forces or an employee*
11 *of the Department of Defense to be disposed of in accordance*
12 *with section 302(g) of the Controlled Substances Act (21*
13 *U.S.C. 822(g)).*

14 *(b) VETERANS.—*

15 *(1) IN GENERAL.—The Administrator shall enter*
16 *into a memorandum of understanding with the Sec-*
17 *retary of Veterans Affairs establishing procedures*
18 *under which a veteran may deliver a controlled sub-*
19 *stance to an employee of the Department of Veterans*
20 *Affairs to be disposed of in accordance with section*
21 *302(g) of the Controlled Substances Act.*

22 *(2) VETERAN DEFINED.—In this subsection, the*
23 *term “veteran” has the meaning given that term in*
24 *section 101 of title 38, United States Code.*

1 **SEC. 759. TRANSPARENCY OF MENTAL HEALTH CARE SERV-**
2 **ICES.**

3 (a) *MEASUREMENT OF MENTAL HEALTH CARE SERV-*
4 *ICES.—*

5 (1) *IN GENERAL.—Not later than December 31,*
6 *2013, the Secretary of Veterans Affairs shall develop*
7 *and implement a comprehensive set of measures to as-*
8 *sess mental health care services furnished by the De-*
9 *partment of Veterans Affairs.*

10 (2) *ELEMENTS.—The measures developed and*
11 *implemented under paragraph (1) shall provide an*
12 *accurate and comprehensive assessment of the fol-*
13 *lowing:*

14 (A) *The timeliness of the furnishing of men-*
15 *tal health care by the Department.*

16 (B) *The satisfaction of patients who receive*
17 *mental health care services furnished by the De-*
18 *partment.*

19 (C) *The capacity of the Department to fur-*
20 *nish mental health care.*

21 (D) *The availability and furnishing of evi-*
22 *dence-based therapies by the Department.*

23 (b) *GUIDELINES FOR STAFFING MENTAL HEALTH*
24 *CARE SERVICES.—Not later than December 31, 2013, the*
25 *Secretary shall develop and implement guidelines for the*
26 *staffing of general and specialty mental health care services,*

1 *including at community-based outpatient clinics. Such*
2 *guidelines shall include productivity standards for pro-*
3 *viders of mental health care.*

4 *(c) STUDY COMMITTEE.—*

5 *(1) IN GENERAL.—The Secretary shall seek to*
6 *enter into a contract with the National Academy of*
7 *Sciences to create a study committee—*

8 *(A) to consult with the Secretary on the*
9 *Secretary’s development and implementation of*
10 *the measures and guidelines required by sub-*
11 *sections (a) and (b); and*

12 *(B) to conduct an assessment and provide*
13 *an analysis and recommendations on the state of*
14 *Department mental health services.*

15 *(2) FUNCTIONS.—In entering into the contract*
16 *described in paragraph (1), the Secretary shall, with*
17 *respect to paragraph (1)(B), include in such contract*
18 *a provision for the study committee—*

19 *(A) to conduct a comprehensive assessment*
20 *of barriers to access to mental health care by vet-*
21 *erans who served in the Armed Forces in Oper-*
22 *ation Enduring Freedom, Operation Iraqi Free-*
23 *dom, or Operation New Dawn;*

24 *(B) to assess the quality of the mental*
25 *health care being provided to such veterans (in-*

1 *cluding the extent to which veterans are afforded*
2 *choices with respect to modes of treatment)*
3 *through site visits to facilities of the Veterans*
4 *Health Administration (including at least one*
5 *site visit in each Veterans Integrated Service*
6 *Network), evaluating studies of patient outcomes,*
7 *and other appropriate means;*

8 *(C) to assess whether, and the extent to*
9 *which, veterans who served in the Armed Forces*
10 *in Operation Enduring Freedom, Operation*
11 *Iraqi Freedom, or Operation New Dawn are*
12 *being offered a full range of necessary mental*
13 *health services at Department health care facili-*
14 *ties, including early intervention services for*
15 *hazardous drinking, relationship problems, and*
16 *other behaviors that create a risk for the develop-*
17 *ment of a chronic mental health condition;*

18 *(D) to conduct surveys or have access to De-*
19 *partment-administered surveys of—*

20 *(i) providers of Department mental*
21 *health services;*

22 *(ii) veterans who served in the Armed*
23 *Forces in Operation Enduring Freedom,*
24 *Operation Iraqi Freedom, or Operation*

1 *New Dawn who are receiving mental health*
2 *care furnished by the Department; and*

3 *(iii) eligible veterans who served in the*
4 *Armed Forces in Operation Enduring Free-*
5 *dom, Operation Iraqi Freedom, or Oper-*
6 *ation New Dawn who are not using Depart-*
7 *ment health care services to assess those bar-*
8 *riers described in subparagraph (A); and*

9 *(E) to provide to the Secretary, on the basis*
10 *of its assessments as delineated in subparagraphs*
11 *(A) through (C), specific, detailed recommenda-*
12 *tions—*

13 *(i) for overcoming barriers, and im-*
14 *proving access, to timely, effective mental*
15 *health care at Department health care fa-*
16 *ilities (or, where Department facilities can-*
17 *not provide such care, through contract ar-*
18 *rangements under existing law); and*

19 *(ii) to improve the effectiveness and ef-*
20 *iciency of mental health services furnished*
21 *by the Secretary.*

22 *(3) PARTICIPATION BY FORMER OFFICIALS AND*
23 *EMPLOYEES OF VETERANS HEALTH ADMINISTRA-*
24 *TION.—The Secretary shall ensure that any contract*
25 *entered into under paragraph (1) provides for inclu-*

1 *sion on any subcommittee which participates in con-*
2 *ducting the assessments and formulating the rec-*
3 *ommendations provided for in paragraph (2) at least*
4 *one former official of the Veterans Health Administra-*
5 *tion and at least two former employees of the Veterans*
6 *Health Administration who were providers of mental*
7 *health care.*

8 (4) *PERIODIC REPORTS TO SECRETARY.*—*In en-*
9 *tering into the contract described in paragraph (1),*
10 *the Secretary shall, with respect to paragraph (1)(A),*
11 *include in such contract a provision for the submittal*
12 *to the Secretary of periodic reports and provision of*
13 *other consultation to the Secretary by the study com-*
14 *mittee to assist the Secretary in carrying out sub-*
15 *sections (a) and (b).*

16 (5) *REPORTS TO CONGRESS.*—*Not later than 30*
17 *days after receiving a report under paragraph (4), the*
18 *Secretary shall submit to the Committee on Veterans'*
19 *Affairs of the Senate and the Committee on Veterans'*
20 *Affairs of the House of Representatives a report on*
21 *the plans of the Secretary to implement such rec-*
22 *ommendations submitted to the Secretary by the*
23 *study committee as the Secretary considers appro-*
24 *priate. Such report shall include a description of each*
25 *recommendation submitted to the Secretary that the*

1 *Secretary does not plan to carry out and an expla-*
2 *nation of why the Secretary does not plan to carry*
3 *out such recommendation.*

4 *(d) PUBLICATION.—*

5 *(1) IN GENERAL.—The Secretary shall make*
6 *available to the public on an Internet website of the*
7 *Department the following:*

8 *(A) The measures and guidelines developed*
9 *and implemented under this section.*

10 *(B) An assessment of the performance of the*
11 *Department using such measures and guidelines.*

12 *(2) QUARTERLY UPDATES.—The Secretary shall*
13 *update the measures, guidelines, and assessment made*
14 *available to the public under paragraph (1) not less*
15 *frequently than quarterly.*

16 *(e) SEMIANNUAL REPORTS.—*

17 *(1) IN GENERAL.—Not later than June 30, 2013,*
18 *and not less frequently than twice each year there-*
19 *after, the Secretary shall submit to the Committee on*
20 *Veterans' Affairs of the Senate and the Committee on*
21 *Veterans' Affairs of the House of Representatives a re-*
22 *port on the Secretary's progress in developing and*
23 *implementing the measures and guidelines required*
24 *by this section.*

1 (2) *ELEMENTS.*—*Each report submitted under*
2 *paragraph (1) shall include the following:*

3 (A) *A description of the development and*
4 *implementation of the measures required by sub-*
5 *section (a) and the guidelines required by sub-*
6 *section (b).*

7 (B) *A description of the progress made by*
8 *the Secretary in developing and implementing*
9 *such measures and guidelines.*

10 (C) *An assessment of the mental health care*
11 *services furnished by the Department of Veterans*
12 *Affairs, using the measures developed and imple-*
13 *mented under subsection (a).*

14 (D) *An assessment of the effectiveness of the*
15 *guidelines developed and implemented under sub-*
16 *section (b).*

17 (E) *Such recommendations for legislative or*
18 *administrative action as the Secretary may have*
19 *to improve the effectiveness and efficiency of the*
20 *mental health care services furnished under laws*
21 *administered by the Secretary.*

22 (f) *IMPLEMENTATION REPORT.*—

23 (1) *IN GENERAL.*—*Not later than 30 days before*
24 *the date on which the Secretary begins implementing*
25 *the measures and guidelines required by this section,*

1 *the Secretary shall submit to the committees described*
2 *in subsection (e)(1) a report on the Secretary's*
3 *planned implementation of such measures and guide-*
4 *lines.*

5 (2) *ELEMENTS.—The report required by para-*
6 *graph (1) shall include the following:*

7 (A) *A detailed description of the measures*
8 *and guidelines that the Secretary plans to imple-*
9 *ment under this section.*

10 (B) *A description of the rationale for each*
11 *measure and guideline the Secretary plans to*
12 *implement under this section.*

13 (C) *A discussion of each measure and guide-*
14 *line that the Secretary considered under this sec-*
15 *tion but chose not to implement.*

16 (D) *The number of current vacancies in*
17 *mental health care provider positions in the De-*
18 *partment.*

19 (E) *An assessment of how many additional*
20 *positions are needed to meet current or expected*
21 *demand for mental health services furnished by*
22 *the Department.*

1 **SEC. 760. EXPANSION OF VET CENTER PROGRAM TO IN-**
2 **CLUDE FURNISHING COUNSELING TO CER-**
3 **TAIN MEMBERS OF THE ARMED FORCES AND**
4 **THEIR FAMILY MEMBERS.**

5 *Section 1712A of title 38, United States Code, is*
6 *amended—*

7 *(1) in subsection (a)—*

8 *(A) in paragraph (1)—*

9 *(i) in subparagraph (A), by striking*
10 *“Upon the request” and all that follows*
11 *through the period at the end and inserting*
12 *the following: “Upon the request of any in-*
13 *dividual referred to in subparagraph (C),*
14 *the Secretary shall furnish counseling, in-*
15 *cluding by furnishing counseling through a*
16 *Vet Center, to the individual—*

17 *“(i) in the case of an individual referred to in*
18 *clauses (i) through (iv) of subparagraph (C), to assist*
19 *the individual in readjusting to civilian life; and*

20 *“(ii) in the case of an individual referred to in*
21 *clause (v) of such subparagraph who is a family*
22 *member of a veteran or member described in such*
23 *clause—*

24 *“(I) in the case of a member who is de-*
25 *ployed in a theater of combat operations or an*
26 *area at a time during which hostilities are oc-*

1 *curing in that area, during such deployment to*
2 *assist such individual in coping with such de-*
3 *ployment; and*

4 *“(II) in the case of a veteran or member*
5 *who is readjusting to civilian life, to the degree*
6 *that counseling furnished to such individual is*
7 *found to aid in the readjustment of such veteran*
8 *or member to civilian life.”; and*

9 *(ii) by striking subparagraph (B) and*
10 *inserting the following new subparagraphs:*

11 *“(B) Counseling furnished to an individual under sub-*
12 *paragraph (A) may include a comprehensive individual as-*
13 *essment of the individual’s psychological, social, and other*
14 *characteristics to ascertain whether—*

15 *“(i) in the case of an individual referred to in*
16 *clauses (i) through (iv) of subparagraph (C), such in-*
17 *dividual has difficulties associated with readjusting to*
18 *civilian life; and*

19 *“(ii) in the case of an individual referred to in*
20 *clause (v) of such subparagraph, such individual has*
21 *difficulties associated with—*

22 *“(I) coping with the deployment of a mem-*
23 *ber described in subclause (I) of such clause; or*

1 “(II) readjustment to civilian life of a vet-
2 eran or member described in subclause (II) of
3 such clause.

4 “(C) Subparagraph (A) applies to the following indi-
5 viduals:

6 “(i) Any individual who is a veteran or member
7 of the Armed Forces, including a member of a reserve
8 component of the Armed Forces, who served on active
9 duty in a theater of combat operations or an area at
10 a time during which hostilities occurred in that area.

11 “(ii) Any individual who is a veteran or member
12 of the Armed Forces, including a member of a reserve
13 component of the Armed Forces, who provided direct
14 emergency medical or mental health care, or mor-
15 tuary services to the casualties of combat operations
16 or hostilities, but who at the time was located outside
17 the theater of combat operations or area of hostilities.

18 “(iii) Any individual who is a veteran or mem-
19 ber of the Armed Forces, including a member of a re-
20 serve component of the Armed Forces, who engaged in
21 combat with an enemy of the United States or
22 against an opposing military force in a theater of
23 combat operations or an area at a time during which
24 hostilities occurred in that area by remotely control-
25 ling an unmanned aerial vehicle, notwithstanding

1 *whether the physical location of such veteran or mem-*
2 *ber during such combat was within such theater of*
3 *combat operations or area.*

4 *“(iv) Any individual who received counseling*
5 *under this section before the date of the enactment of*
6 *the National Defense Authorization Act for Fiscal*
7 *Year 2013.*

8 *“(v) Any individual who is a family member of*
9 *any—*

10 *“(I) member of the Armed Forces, including*
11 *a member of a reserve component of the Armed*
12 *Forces, who is serving on active duty in a the-*
13 *ater of combat operations or in an area at a*
14 *time during which hostilities are occurring in*
15 *that area; or*

16 *“(II) veteran or member of the Armed*
17 *Forces described in this subparagraph.”;*

18 *(B) by striking paragraph (2);*

19 *(C) by redesignating paragraph (3) as*
20 *paragraph (2); and*

21 *(D) in paragraph (2), as redesignated by*
22 *subparagraph (C)—*

23 *(i) by striking “a veteran described in*
24 *paragraph (1)(B)(iii)” and inserting “an*

1 *individual described in paragraph (1)(C)*”;

2 *and*

3 *(ii) by striking “the veteran a prelimi-*
4 *nary general mental health assessment” and*
5 *inserting “the individual a comprehensive*
6 *individual assessment as described in para-*
7 *graph (1)(B)*”;

8 *(2) in subsection (b)(1), by striking “physician*
9 *or psychologist” each place it appears and inserting*
10 *“licensed or certified mental health care provider”;*

11 *(3) in subsection (g)—*

12 *(A) by amending paragraph (1) to read as*
13 *follows:*

14 *“(1) The term ‘Vet Center’ means a facility*
15 *which is operated by the Department for the provision*
16 *of services under this section and which is situated*
17 *apart from Department general health care facili-*
18 *ties.”; and*

19 *(B) by adding at the end the following new*
20 *paragraph:*

21 *“(3) The term ‘family member’, with respect to*
22 *a veteran or member of the Armed Forces, means an*
23 *individual who—*

24 *“(A) is a member of the family of the vet-*
25 *eran or member, including—*

1 “(i) a parent;
2 “(ii) a spouse;
3 “(iii) a child;
4 “(iv) a step-family member; and
5 “(v) an extended family member; or
6 “(B) lives with the veteran or member but
7 is not a member of the family of the veteran or
8 member.”; and
9 (4) by redesignating subsection (g), as amended
10 by paragraph (3), as subsection (h) and inserting
11 after subsection (f) the following new subsection (g):
12 “(g) In carrying out this section and in furtherance
13 of the Secretary’s responsibility to carry out outreach ac-
14 tivities under chapter 63 of this title, the Secretary may
15 provide for and facilitate the participation of personnel em-
16 ployed by the Secretary to provide services under this sec-
17 tion in recreational programs that are—
18 “(1) designed to encourage the readjustment of
19 veterans described in subsection (a)(1)(C); and
20 “(2) operated by any organization named in or
21 approved under section 5902 of this title.”.

1 **SEC. 761. AUTHORITY FOR SECRETARY OF VETERANS AF-**
2 **FAIRS TO FURNISH MENTAL HEALTH CARE**
3 **THROUGH FACILITIES OTHER THAN VET CEN-**
4 **TERS TO IMMEDIATE FAMILY MEMBERS OF**
5 **MEMBERS OF THE ARMED FORCES DEPLOYED**
6 **IN CONNECTION WITH A CONTINGENCY OP-**
7 **ERATION.**

8 (a) *IN GENERAL.*—Subject to the availability of appro-
9 priations and subsection (b), the Secretary of Veterans Af-
10 fairs, in addition to furnishing mental health care to family
11 members of members of the Armed Forces through Vet Cen-
12 ters under section 1712A of title 38, United States Code,
13 may furnish mental health care to immediate family mem-
14 bers of members of the Armed Forces while such members
15 are deployed in connection with a contingency operation
16 (as defined in section 101 of title 10, United States Code)
17 through Department of Veterans Affairs medical facilities,
18 telemental health modalities, and such community, non-
19 profit, private, and other third parties as the Secretary con-
20 siders appropriate.

21 (b) *LIMITATION.*—The Secretary may furnish mental
22 health care under subsection (a) only to the extent that re-
23 sources and facilities are available and only to the extent
24 that the furnishing of such care does not interfere with the
25 provision of care to veterans.

1 (c) *NO ELIGIBILITY FOR TRAVEL REIMBURSEMENT.*—
2 *A family member to whom the Secretary furnishes mental*
3 *health care under subsection (a) shall not be eligible for*
4 *payments or allowances under section 111 of title 38,*
5 *United States Code, for such mental health care.*

6 (d) *SUNSET.*—*The authority to furnish medical health*
7 *care under subsection (a) shall expire on the date that is*
8 *three years after the date of the enactment of this Act.*

9 (e) *VET CENTER DEFINED.*—*In this section, the term*
10 *“Vet Center” has the meaning given the term in section*
11 *1712A(g) of title 38, United States Code, as amended by*
12 *section 760(3) of this Act.*

13 **SEC. 762. ORGANIZATION OF THE READJUSTMENT COUN-**
14 **SELING SERVICE IN DEPARTMENT OF VET-**
15 **ERANS AFFAIRS.**

16 (a) *IN GENERAL.*—*Subchapter I of chapter 73 of title*
17 *38, United States Code, is amended by adding at the end*
18 *the following new section:*

19 **“§ 7309. Readjustment Counseling Service**

20 “(a) *IN GENERAL.*—*There is in the Veterans Health*
21 *Administration a Readjustment Counseling Service. The*
22 *Readjustment Counseling Service shall provide readjust-*
23 *ment counseling and associated services to individuals in*
24 *accordance with section 1712A of this title.*

1 “(b) *CHIEF OFFICER.*—(1) *The head of the Readjust-*
2 *ment Counseling Service shall be the Chief Officer of the*
3 *Readjustment Counseling Service (in this section the ‘Chief*
4 *Officer’), who shall report directly to the Under Secretary*
5 *for Health.*

6 “(2) *The Chief Officer shall be appointed by the Under*
7 *Secretary for Health from among individuals who—*

8 “(A)(i) *are psychologists who hold a diploma as*
9 *a doctorate in clinical or counseling psychology from*
10 *an authority approved by the American Psychological*
11 *Association and who have successfully undergone an*
12 *internship approved by that association;*

13 “(ii) *are holders of a master in social work de-*
14 *gree; or*

15 “(iii) *hold such other advanced degrees related to*
16 *mental health as the Secretary considers appropriate;*

17 “(B) *have at least three years of experience pro-*
18 *viding direct counseling services or outreach services*
19 *in the Readjustment Counseling Service;*

20 “(C) *have at least three years of experience ad-*
21 *ministrating direct counseling services or outreach*
22 *services in the Readjustment Counseling Service;*

23 “(D) *meet the quality standards and require-*
24 *ments of the Department; and*

1 “(E) are veterans who served in combat as mem-
2 bers of the Armed Forces.

3 “(c) *STRUCTURE.*—(1) *The Readjustment Counseling*
4 *Service is a distinct organizational element within Veterans*
5 *Health Administration.*

6 “(2) *The Readjustment Counseling Service shall pro-*
7 *vide counseling and services as described in subsection (a).*

8 “(3) *The Chief Officer shall have direct authority over*
9 *all Readjustment Counseling Service staff and assets, in-*
10 *cluding Vet Centers.*

11 “(d) *SOURCE OF FUNDS.*—(1) *Amounts for the activi-*
12 *ties of the Readjustment Counseling Service, including the*
13 *operations of its Vet Centers, shall be derived from amounts*
14 *appropriated for the Veterans Health Administration for*
15 *medical care.*

16 “(2) *Amounts for activities of the Readjustment Coun-*
17 *seling Service, including the operations of its Vet Centers,*
18 *shall not be allocated through the Veterans Equitable Re-*
19 *source Allocation system.*

20 “(3) *In each budget request submitted for the Depart-*
21 *ment of Veterans Affairs by the President to Congress under*
22 *section 1105 of title 31, the budget request for the Readjust-*
23 *ment Counseling Service shall be listed separately.*

24 “(e) *ANNUAL REPORT.*—(1) *Not later than March 15*
25 *of each year, the Secretary shall submit to the Committee*

1 *on Veterans' Affairs of the Senate and the Committee on*
2 *Veterans' Affairs of the House of Representatives a report*
3 *on the activities of the Readjustment Counseling Service*
4 *during the preceding calendar year.*

5 “(2) *Each report submitted under paragraph (1) shall*
6 *include, with respect to the period covered by the report,*
7 *the following:*

8 “(A) *A summary of the activities of the Read-*
9 *justment Counseling Service, including Vet Centers.*

10 “(B) *A description of the workload and addi-*
11 *tional treatment capacity of the Vet Centers, includ-*
12 *ing, for each Vet Center, the ratio of the number of*
13 *full-time equivalent employees at such Vet Center and*
14 *the number of individuals who received services or as-*
15 *sistance at such Vet Center.*

16 “(C) *A detailed analysis of demand for and*
17 *unmet need for readjustment counseling services and*
18 *the Secretary's plan for meeting such unmet need.*

19 “(f) *VET CENTER DEFINED.—In this section, the term*
20 *‘Vet Center’ has the meaning given the term in section*
21 *1712A(g) of this title.”.*

22 “(b) *CLERICAL AMENDMENT.—The table of sections at*
23 *the beginning of chapter 73 of such title is amended by in-*
24 *serting after the item relating to section 7308 the following*
25 *new item:*

“7309. *Readjustment Counseling Service.*”.

1 (c) *CONFORMING AMENDMENTS.*—Section 7305 of such
2 title is amended—

3 (1) by redesignating paragraph (7) as para-
4 graph (8); and

5 (2) by inserting after paragraph (6) the fol-
6 lowing new paragraph (7):

7 “(7) *A Readjustment Counseling Service.*”.

8 **SEC. 763. RECRUITING MENTAL HEALTH PROVIDERS FOR**
9 **FURNISHING OF MENTAL HEALTH SERVICES**
10 **ON BEHALF OF THE DEPARTMENT OF VET-**
11 **ERANS AFFAIRS WITHOUT COMPENSATION**
12 **FROM THE DEPARTMENT.**

13 (a) *IN GENERAL.*—The Secretary of Veterans Affairs
14 shall carry out a national program of outreach to societies,
15 community organizations, nonprofit organizations, or gov-
16 ernment entities in order to recruit mental health providers,
17 who meet the quality standards and requirements of the De-
18 partment of Veterans Affairs, to provide mental health serv-
19 ices for the Department on a part-time, without-compensa-
20 tion basis, under section 7405 of title 38, United States
21 Code.

22 (b) *PARTNERING WITH AND DEVELOPING COMMUNITY*
23 *ENTITIES AND NONPROFIT ORGANIZATIONS.*—In carrying
24 out the program required by subsection (a), the Secretary
25 may partner with a community entity or nonprofit organi-

1 zation or assist in the development of a community entity
2 or nonprofit organization, including by entering into an
3 agreement under section 8153 of title 38, United States
4 Code, that provides strategic coordination of the societies,
5 organizations, and government entities described in sub-
6 section (a) in order to maximize the availability and effi-
7 cient delivery of mental health services to veterans by such
8 societies, organizations, and government entities.

9 (c) **MILITARY CULTURE TRAINING.**—In carrying out
10 the program required by subsection (a), the Secretary shall
11 provide training to mental health providers to ensure that
12 clinicians who provide mental health services as described
13 in such subsection have sufficient understanding of
14 military- and service-specific culture, combat experience,
15 and other factors that are unique to the experience of vet-
16 erans who served in Operation Enduring Freedom, Oper-
17 ating Iraqi Freedom, or Operation New Dawn.

18 **SEC. 764. PEER SUPPORT.**

19 (a) **PEER SUPPORT COUNSELING PROGRAM.**—

20 (1) **PROGRAM REQUIRED.**—Paragraph (1) of sec-
21 tion 1720F(j) of title 38, United States Code, is
22 amended in the matter before subparagraph (A) by
23 striking “may” and inserting “shall”.

24 (2) **TRAINING.**—Paragraph (2) of such section is
25 amended by inserting after “peer counselors” the fol-

1 *lowing: “, including training carried out under the*
2 *national program of training required by section*
3 *304(c) of the Caregivers and Veterans Omnibus*
4 *Health Services Act of 2010 (38 U.S.C. 1712A note;*
5 *Public Law 111–163)”.*

6 *(3) AVAILABILITY OF PROGRAM AT DEPARTMENT*
7 *MEDICAL CENTERS.—Such section is amended by*
8 *adding at the end the following new paragraph:*

9 *“(3) In addition to other locations the Secretary con-*
10 *siders appropriate, the Secretary shall carry out the peer*
11 *support program under this subsection at each Department*
12 *medical center.”.*

13 *(4) DEADLINE FOR COMMENCEMENT OF PRO-*
14 *GRAM.—The Secretary of Veterans Affairs shall ensure*
15 *that the peer support counseling program required by*
16 *section 1720F(j) of title 38, United States Code, as*
17 *amended by this subsection, commences at each De-*
18 *partment of Veterans Affairs medical center not later*
19 *than 270 days after the date of the enactment of this*
20 *Act.*

21 *(b) PEER OUTREACH AND PEER SUPPORT SERVICES*
22 *AT DEPARTMENT MEDICAL CENTERS UNDER PROGRAM ON*
23 *READJUSTMENT AND MENTAL HEALTH CARE SERVICES*
24 *FOR VETERANS WHO SERVED IN OPERATION ENDURING*
25 *FREEDOM AND OPERATION IRAQI FREEDOM.—*

1 (1) *IN GENERAL.*—Section 304 of the Caregivers
2 and Veterans Omnibus Health Services Act of 2010
3 (38 U.S.C. 1712A note; Public Law 111–163) is
4 amended—

5 (A) by redesignating subsection (e) as sub-
6 section (f); and

7 (B) by inserting after subsection (d) the fol-
8 lowing new subsection (e):

9 “(e) *PROVISION OF PEER OUTREACH AND PEER SUP-*
10 *PORT SERVICES AT DEPARTMENT MEDICAL CENTERS.*—
11 *The Secretary shall carry out the services required by sub-*
12 *paragraphs (A) and (B) of subsection (a)(1) at each De-*
13 *partment medical center.”*

14 (2) *DEADLINE.*—*The Secretary of Veterans Af-*
15 *fairs shall commence carrying out the services re-*
16 *quired by subparagraphs (A) and (B) of subsection*
17 *(a)(1) of such section at each Department of Veterans*
18 *Affairs medical center, as required by subsection (e)*
19 *of such section (as added by paragraph (1)), not later*
20 *than 270 days after the date of the enactment of this*
21 *Act.*

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Provisions Relating to**
6 **Major Defense Acquisition Pro-**
7 **grams**

8 **SEC. 801. LIMITATION ON USE OF COST-TYPE CONTRACTS.**

9 (a) *PROHIBITION WITH RESPECT TO PRODUCTION OF*
10 *MAJOR DEFENSE ACQUISITION PROGRAMS.—Not later than*
11 *120 days after the date of the enactment of this Act, the*
12 *Secretary of Defense shall modify the acquisition regula-*
13 *tions of the Department of Defense to prohibit the Depart-*
14 *ment from entering into cost-type contracts for the produc-*
15 *tion of major defense acquisition programs (MDAPs).*

16 (b) *EXCEPTION.—*

17 (1) *IN GENERAL.—The prohibition under sub-*
18 *section (a) shall not apply in the case of a particular*
19 *cost-type contract if the Under Secretary of Defense*
20 *for Acquisition, Technology, and Logistics, after con-*
21 *sultation with the Director of Cost Assessment and*
22 *Program Evaluation—*

23 (A) *certifies, in writing, with reasons, that*
24 *a cost-type contract is needed to provide a re-*

1 *quired capability in a timely and cost-effective*
2 *manner; and*

3 *(B) provides the certification to the congres-*
4 *sional defense committees not later than 30 busi-*
5 *ness days before issuing a solicitation for the*
6 *contract.*

7 *(2) SCOPE OF EXCEPTION.—In any case when*
8 *the Under Secretary grants an exception under para-*
9 *graph (1), the Under Secretary shall take affirmative*
10 *steps to make sure that the use of cost-type pricing is*
11 *limited to only those line items or portions of the con-*
12 *tract where such pricing is needed to achieve the pur-*
13 *poses of the exception. A written certification under*
14 *paragraph (1) shall be accompanied by an expla-*
15 *nation of the steps taken under this paragraph.*

16 *(c) DEFINITIONS.—In this section:*

17 *(1) MAJOR DEFENSE ACQUISITION PROGRAM.—*
18 *The term “major defense acquisition program” has*
19 *the meaning given the term in section 2430(a) of title*
20 *10, United States Code.*

21 *(2) PRODUCTION OF A MAJOR DEFENSE ACQUI-*
22 *SITION PROGRAM.—The term “production of a major*
23 *defense acquisition program” means the production,*
24 *either on a low-rate initial production or full-rate*
25 *production basis, and deployment of a major system*

1 *that is intended to achieve an operational capability*
2 *that satisfies mission needs, or any activity otherwise*
3 *defined as Milestone C under Department of Defense*
4 *Instruction 5000.02 or related authorities.*

5 (3) *CONTRACT FOR THE PRODUCTION OF A*
6 *MAJOR DEFENSE ACQUISITION PROGRAM.—The term*
7 *“contract for the production of a major defense acqui-*
8 *sition program”—*

9 (A) *means a prime contract for the produc-*
10 *tion of a major defense acquisition program; and*

11 (B) *does not include individual line items*
12 *for segregable efforts or contracts for the incre-*
13 *mental improvement of systems that are already*
14 *in production (other than contracts for major*
15 *upgrades that are themselves major defense ac-*
16 *quisition programs).*

17 (d) *APPLICABILITY.—The requirements of this section*
18 *shall apply to contracts for the production of major defense*
19 *acquisition programs entered into on or after October 1,*
20 *2014.*

1 **SEC. 802. ACQUISITION STRATEGIES FOR MAJOR SUB-**
2 **SYSTEMS AND SUBASSEMBLIES ON MAJOR**
3 **DEFENSE ACQUISITION PROGRAMS.**

4 (a) *IN GENERAL.*—*The Secretary of Defense shall en-*
5 *sure that the acquisition strategy for each major defense ac-*
6 *quisition program—*

7 (1) *provides, where appropriate, for breaking out*
8 *a major subsystem or subassembly, conducting a sepa-*
9 *rate competition or negotiating a separate price for*
10 *the subsystem or subassembly, and providing the sub-*
11 *system or subassembly to the prime contractor as gov-*
12 *ernment-furnished equipment; and*

13 (2) *in any case where it is not practical or ap-*
14 *propriate to break out a major subsystem or sub-*
15 *assembly and provide it to the prime contractor as*
16 *government-furnished equipment, includes measures*
17 *to prevent excessive pass-through charges by the prime*
18 *contractor.*

19 (b) *DEFINITIONS.*—*In this section:*

20 (1) *The term “excessive pass-through charges”*
21 *means pass-through charges that are not reasonable in*
22 *relation to the cost of direct labor provided by em-*
23 *ployees of the contractor, any other costs directly at-*
24 *tributable to the management of the subcontract by*
25 *employees of the contractor, and the level of risk and*

1 responsibility, if any, assumed by the prime con-
2 tractor for the performance of the subcontract.

3 (2) The term “major defense acquisition pro-
4 gram” has the meaning given the term in section
5 2430(a) of title 10, United States Code.

6 (3) The term “pass-through charges” means
7 prime contractor charges for overhead (including gen-
8 eral and administrative costs) or profit on a sub-
9 system or subassembly that is produced by an entity
10 or entities other than the prime contractor.

11 (c) *CONFORMING AMENDMENTS.*—Section 202(c) of the
12 *Weapon Systems Acquisition Reform Act of 2009 (Public*
13 *Law 111–23; 123 Stat. 1720; 10 U.S.C. 2430 note)* is
14 *amended—*

15 (1) *in the matter preceding paragraph (1), by*
16 *striking “fair and objective ‘make-buy’ decisions by*
17 *prime contractors” and inserting “competition or the*
18 *option of competition at the subcontract level”;*

19 (2) *by redesignating paragraphs (1), (2), and (3)*
20 *as paragraphs (2), (3), and (4), respectively; and*

21 (3) *by inserting before paragraph (2), as redesign-*
22 *ated by paragraph (2) of this subsection, the fol-*
23 *lowing new paragraph (1):*

24 “(1) *where appropriate, breaking out a major*
25 *subsystem, conducting a separate competition for the*

1 *subsystem, and providing the subsystem to the prime*
2 *contractor as government-furnished equipment;”.*

3 **SEC. 803. MANAGEMENT STRUCTURE FOR DEVELOPMENTAL**
4 **TEST AND EVALUATION.**

5 *(a) DUTIES OF DASD FOR DEVELOPMENTAL TEST*
6 *AND EVALUATION.—Subsection (a)(5) of section 139b of*
7 *title 10, United States Code is amended—*

8 *(1) in subparagraph (A)(i), by striking “in the*
9 *Department of Defense” and inserting “of the mili-*
10 *tary departments and other elements of the Depart-*
11 *ment of Defense”; and*

12 *(2) in subparagraph (C), by striking “programs”*
13 *and inserting “programs (including the activities of*
14 *chief developmental testers and lead developmental*
15 *test evaluation organizations designated in accord-*
16 *ance with subsection (c))”.*

17 *(b) DUTIES OF CHIEF DEVELOPMENTAL TESTER AND*
18 *LEAD DEVELOPMENTAL TEST AND EVALUATION ORGANIZA-*
19 *TION.—Subsection (c) of such section is amended—*

20 *(1) in paragraph (2), by striking “shall be re-*
21 *sponsible for” and inserting “, consistent with policies*
22 *and guidance issued pursuant to subsection (a)(5)(A),*
23 *shall be responsible for”;*

24 *(2) in paragraph (3), by striking “shall be re-*
25 *sponsible for” and inserting “, consistent with policies*

1 *and guidance issued pursuant to subsection (a)(5)(A),*
2 *shall be responsible for”;* and

3 *(3) by adding at the end the following new para-*
4 *graph:*

5 “(4) *TRANSMITTAL OF RECORDS AND DATA.—*
6 *The chief developmental tester and the lead develop-*
7 *mental test and evaluation organization for a major*
8 *defense acquisition program shall promptly transmit*
9 *to the Deputy Assistant Secretary for Developmental*
10 *Test and Evaluation any records or data relating to*
11 *the program that are requested by the Deputy Assist-*
12 *ant Secretary, as provided in subsection (a)(6).”.*

13 **SEC. 804. ASSESSMENTS OF POTENTIAL TERMINATION LI-**
14 **ABILITY OF CONTRACTS FOR THE DEVELOP-**
15 **MENT OR PRODUCTION OF MAJOR DEFENSE**
16 **ACQUISITION PROGRAMS.**

17 *(a) REPORT ON ASSESSMENT REQUIRED.—Not later*
18 *than 30 days before entering into a covered contract, the*
19 *Under Secretary of Defense for Acquisition, Technology,*
20 *and Logistics shall submit to the congressional defense com-*
21 *mittees a report on the potential termination liability of*
22 *the Department of Defense under the contract, including—*

23 *(1) an estimate of the maximum potential termi-*
24 *nation liability certification for the contract; and*

1 (2) *an assessment how such termination liability*
2 *is likely to increase or decrease over the period of per-*
3 *formance of the contract.*

4 (b) *COVERED CONTRACTS.*—*For purposes of this sec-*
5 *tion, a covered contract is a contract for the development*
6 *or production of a major defense acquisition program for*
7 *which the Under Secretary of Defense for Acquisition, Tech-*
8 *nology, and Logistics is the Milestone Decision Authority*
9 *if the contract has a potential termination liability of the*
10 *Department of Defense that could reasonably be expected*
11 *to exceed \$100,000,000.*

12 (c) *MAJOR DEFENSE ACQUISITION PROGRAM DE-*
13 *FINED.*—*In this section, the term “major defense acquisi-*
14 *tion program” has the meaning given that term in section*
15 *2430 of title 10, United States Code.*

16 **SEC. 805. TECHNICAL CHANGE REGARDING PROGRAMS EX-**
17 **PERIENCING CRITICAL COST GROWTH DUE**
18 **TO CHANGE IN QUANTITY PURCHASED.**

19 *Section 2433a(c)(3)(A) of title 10, United States Code,*
20 *is amended by striking “subparagraphs (B) and (C)” and*
21 *inserting “subparagraphs (B), (C), and (E)”.*

1 **SEC. 806. REPEAL OF REQUIREMENT TO REVIEW ONGOING**
2 **PROGRAMS INITIATED BEFORE ENACTMENT**
3 **OF MILESTONE B CERTIFICATION AND AP-**
4 **PROVAL PROCESS.**

5 *Subsection (b) of section 205 of the Weapon Systems*
6 *Acquisition Reform Act of 2009 (Public Law 111–23; 123*
7 *Stat. 1725; 10 U.S.C. 2366b note) is repealed.*

8 **Subtitle B—Acquisition Policy and**
9 **Management**

10 **SEC. 821. ONE-YEAR EXTENSION OF TEMPORARY LIMITA-**
11 **TION ON AGGREGATE ANNUAL AMOUNT**
12 **AVAILABLE FOR CONTRACT SERVICES.**

13 *Section 808 of the National Defense Authorization Act*
14 *for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489)*
15 *is amended—*

16 *(1) by striking “fiscal year 2012 or 2103” each*
17 *place it appears and inserting “fiscal year 2012,*
18 *2013, or 2014”; and*

19 *(2) by striking “fiscal years 2012 and 2013”*
20 *each place it appears and inserting “fiscal years*
21 *2012, 2103, and 2014”.*

1 **SEC. 822. PROHIBITION OF EXCESSIVE PASS-THROUGH**
2 **CONTRACTS AND CHARGES IN THE ACQUISI-**
3 **TION OF SERVICES.**

4 (a) *IN GENERAL.*—Not later than 90 days after the
5 date of the enactment of this Act, the Federal Acquisition
6 Regulation shall be revised to—

7 (1) *prohibit the award of a covered contract or*
8 *task order unless the contractor agrees that at least 50*
9 *percent of the direct labor cost of services to be per-*
10 *formed under the contract or task order will be ex-*
11 *pended for employees of the contractor or of a subcon-*
12 *tractor that is specifically identified and authorized*
13 *to perform such work in the contract or task order;*

14 (2) *provide that the contracting officer for a cov-*
15 *ered contract or task order may authorize reliance*
16 *upon a subcontractor or subcontractors to meet the re-*
17 *quirement in paragraph (1) only upon a written de-*
18 *termination that such reliance is in the best interest*
19 *of the executive agency concerned, after taking into*
20 *account the added cost for overhead (including general*
21 *and administrative costs) and profit that may be in-*
22 *curring as a result of the pass-through;*

23 (3) *require the contracting officer for a covered*
24 *contract or task order for which more than 70 percent*
25 *of the direct labor cost of services to be performed will*
26 *be expended for persons other than employees of the*

1 contractor to ensure that amounts paid to the con-
2 tractor for overhead (including general and adminis-
3 trative costs) and profit are reasonable in relation to
4 the cost of direct labor provided by employees of the
5 contractor and any other costs directly attributable to
6 the management of the subcontract by employees of
7 the contractor;

8 (4) include such exceptions to the requirements
9 in paragraphs (2) and (3) as the Federal Acquisition
10 Regulatory Council considers appropriate in the in-
11 terests of the United States, which exceptions shall be
12 permissible only in exceptional circumstances and for
13 instances demonstrated by the Council to be cost-effec-
14 tive; and

15 (5) include such exceptions to the requirements
16 in paragraphs (2) and (3) as the Secretary of Defense
17 considers appropriate in the interests of the national
18 defense.

19 (b) *COVERED CONTRACT OR TASK ORDER DEFINED.*—
20 In this section, the term “covered contract or task order”
21 means a contract or task order for the performance of serv-
22 ices (other than construction) with a value in excess of the
23 simplified acquisition threshold that is entered into for or
24 on behalf of an executive agency, except that such term does

1 *not include any contract or task order that provides a firm,*
2 *fixed price for each task to be performed and is—*

3 (1) *awarded on the basis of adequate price com-*
4 *petition; or*

5 (2) *for the acquisition of commercial services as*
6 *defined in paragraphs (5) and (6) of section 103 of*
7 *title 41, United States Code.*

8 (c) *EFFECTIVE DATE.*—*The requirements of this sec-*
9 *tion shall apply to—*

10 (1) *covered contracts that are awarded on or*
11 *after the date that is 90 days after the date of the en-*
12 *actment of this Act; and*

13 (2) *covered task orders that are awarded on or*
14 *after the date that is 90 days after the date of the en-*
15 *actment of this Act under contracts that are awarded*
16 *before, on, or after such date.*

17 (d) *OTHER DEFINITIONS.*—*In this section:*

18 (1) *The term “executive agency” has the mean-*
19 *ing given that term in section 133 of title 41, United*
20 *States Code.*

21 (2) *The term “Federal Acquisition Regulatory*
22 *Council” means the Federal Acquisition Regulatory*
23 *Council under section 1302(a) of title 41, United*
24 *States Code.*

1 (e) *CONFORMING REPEAL.*—Section 852 of the John
2 Warner National Defense Authorization Act for Fiscal Year
3 2007 (120 Stat. 2340) is repealed.

4 **SEC. 823. AVAILABILITY OF AMOUNTS IN DEFENSE ACQUI-**
5 **TION WORKFORCE DEVELOPMENT FUND FOR**
6 **TEMPORARY MEMBERS OF WORKFORCE.**

7 (a) *IN GENERAL.*—Section 1705 of title 10, United
8 States Code, is amended—

9 (1) in subsection (e)—

10 (A) in paragraph (1), by adding at the end
11 the following new sentence: “In the case of tem-
12 porary members of the acquisition workforce des-
13 ignated pursuant to subsection (h)(2), such funds
14 shall be available only for the limited purpose of
15 providing training in the performance of acqui-
16 sition-related functions and duties.”; and

17 (B) in paragraph (5), by inserting before
18 the period at the end the following: “, and who
19 has continued in the employment of the Depart-
20 ment since such time without a break in such
21 employment of more than a year”;

22 (2) by striking subsection (g);

23 (3) by redesignating subsection (h) as subsection
24 (g); and

1 (4) *by adding at the end the following new sub-*
2 *section (h):*

3 “(h) *ACQUISITION WORKFORCE DEFINED.—In this*
4 *section, the term ‘acquisition workforce’ means the fol-*
5 *lowing:*

6 “(1) *Personnel in positions designated under sec-*
7 *tion 1721 of this title as acquisition positions for pur-*
8 *poses of this chapter.*

9 “(2) *Other military personnel or civilian em-*
10 *ployees of the Department of Defense who—*

11 “(A) *contribute significantly to the acquisi-*
12 *tion process by virtue of their assigned duties;*
13 *and*

14 “(B) *are designated as temporary members*
15 *of the acquisition workforce by the Under Sec-*
16 *retary of Defense for Acquisition, Technology,*
17 *and Logistics, or by the senior acquisition execu-*
18 *tive of a military department, for the limited*
19 *purpose of receiving training for the performance*
20 *of acquisition-related functions and duties.”.*

21 (b) *EXTENSION OF EXPEDITED HIRING AUTHORITY.—*
22 *Subsection (g) of such section, as redesignated by subsection*
23 *(a)(3) of this section, is further amended in paragraph (2)*
24 *by striking “September 30, 2015” and inserting “September*
25 *30, 2017”.*

1 (c) *PLAN REQUIRED.*—Not later than 180 days after
2 the date of the enactment of this Act, the Under Secretary
3 of Defense for Acquisition, Technology, and Logistics shall
4 develop a plan for the implementation of the authority pro-
5 vided by the amendments made by subsection (a) with re-
6 gard to temporary members of the defense acquisition work-
7 force. The plan shall include policy, criteria, and processes
8 for designating temporary members and appropriate safe-
9 guards to prevent the abuse of such authority.

10 **SEC. 824. DEPARTMENT OF DEFENSE POLICY ON CON-**
11 **TRACTOR PROFITS.**

12 (a) *REVIEW OF GUIDELINES ON PROFITS.*—The Sec-
13 retary of Defense shall review the profit guidelines in the
14 Department of Defense Supplement to the Federal Acquisi-
15 tion Regulation in order to identify any modifications to
16 such guidelines that are necessary to ensure an appropriate
17 link between contractor profit and contractor performance.

18 (b) *MATTERS TO BE CONSIDERED.*—In conducting the
19 review required by subsection (a), the Secretary shall con-
20 sider, at a minimum, the following:

21 (1) *Appropriate levels of profit needed to sustain*
22 *competition in the defense industry, taking into ac-*
23 *count contractor investment and cash flow.*

24 (2) *Appropriate adjustments to address contract*
25 *and performance risk assumed by the contractor, tak-*

1 *ing into account the extent to which such risk is*
2 *passed on to subcontractors.*

3 (3) *Appropriate incentives for superior perform-*
4 *ance in delivering quality products and services in a*
5 *timely and cost-effective manner, taking into account*
6 *such factors as prime contractor cost reduction, con-*
7 *trol of overhead costs, subcontractor cost reduction,*
8 *subcontractor management, and effective competition*
9 *(including the utilization of small business) at the*
10 *subcontract level.*

11 (c) *MODIFICATION OF GUIDELINES.*—*Not later than*
12 *180 days after the date of the enactment of this Act, the*
13 *Secretary shall modify the profit guidelines described in*
14 *subsection (a) so as to achieve the link described that sub-*
15 *section.*

16 (d) *REPORT.*—*Upon the completion of the modifica-*
17 *tion of the profit guidelines required by subsection (c), the*
18 *Secretary shall submit to the congressional defense commit-*
19 *tees a report on the actions of the Secretary under this sec-*
20 *tion. The report shall set forth the following:*

21 (1) *The results of the review conducted under*
22 *subsection (a).*

23 (2) *A description of the modification carried out*
24 *under subsection (c).*

1 **SEC. 825. MODIFICATION OF AUTHORITIES ON INTERNAL**
2 **CONTROLS FOR PROCUREMENTS ON BEHALF**
3 **OF THE DEPARTMENT OF DEFENSE BY CER-**
4 **TAIN NON-DEFENSE AGENCIES.**

5 (a) *DISCRETIONARY AUTHORITY.*—Subsection (a) of
6 section 801 of the National Defense Authorization Act for
7 Fiscal Year 2008 (10 U.S.C. 2304 note) is amended—

8 (1) in paragraph (1), by striking “shall, not
9 later than the date specified in paragraph (2),” and
10 inserting “may”;

11 (2) by striking paragraph (2);

12 (3) by redesignating paragraphs (3) through (6)
13 as paragraphs (2) through (5), respectively;

14 (4) in paragraph (3), as redesignated by para-
15 graph (3) of this section—

16 (A) by striking “required under this sub-
17 section” and inserting “to be performed under
18 this subsection”; and

19 (B) by striking “shall” and inserting
20 “may”; and

21 (5) in paragraph (4), as so redesignated, by
22 striking “shall” and inserting “may”.

23 (b) *CONFORMING AMENDMENTS.*—Subsection (b)(1)(B)
24 of such section is amended—

1 (1) *in clause (i), by striking “required by sub-*
 2 *section (a)(4)” and inserting “to be entered into*
 3 *under subsection (a)(3)”;* and

4 (2) *in clause (ii)—*

5 (A) *by striking “required by subsection (a)”*
 6 *and inserting “provided for under subsection*
 7 *(a)”;* and

8 (B) *by striking “subsection (a)(5)” and in-*
 9 *serting “subsection (a)(4)”.*

10 **SEC. 826. EXTENSION OF PILOT PROGRAM ON MANAGE-**
 11 **MENT OF SUPPLY-CHAIN RISK.**

12 Section 806(g) of the *Ike Skelton National Defense Au-*
 13 *thorization Act for Fiscal Year 2011 (Public Law 111–383;*
 14 *124 Stat. 4262; 10 U.S.C. 2304 note) is amended by strik-*
 15 *ing “the date that is three years after the date of the enact-*
 16 *ment of this Act” and inserting “January 1, 2016”.*

17 **SEC. 827. SENSE OF SENATE ON THE CONTINUING**
 18 **PROGRESS OF THE DEPARTMENT OF DE-**
 19 **FENSE IN IMPLEMENTING ITS ITEM UNIQUE**
 20 **IDENTIFICATION INITIATIVE.**

21 (a) *FINDINGS.—The Senate makes the following find-*
 22 *ings:*

23 (1) *In 2003, the Department of Defense initiated*
 24 *the Item Unique Identification (IUID) Initiative,*
 25 *which requires the marking and tracking of assets de-*

1 *ployed throughout the Armed Forces or in the posses-*
2 *sion of Department contractors.*

3 *(2) The Initiative has the potential for realizing*
4 *significant cost savings and improving the manage-*
5 *ment of defense equipment and supplies throughout*
6 *their lifecycle.*

7 *(3) The Initiative can help the Department com-*
8 *bat the growing problem of counterfeits in the mili-*
9 *tary supply chain.*

10 *(b) SENSE OF SENATE.—It is the sense of the Senate—*

11 *(1) to support efforts by the Department of De-*
12 *fense to implement the Item Unique Identification*
13 *Initiative;*

14 *(2) to support measures to verify contractor com-*
15 *pliance with section 252.211–7003 (entitled “Item*
16 *Identification and Valuation”) of the Defense Supple-*
17 *ment to the Federal Acquisition Regulation, on*
18 *Unique Identification, which states that a unique*
19 *identification equivalent recognized by the Depart-*
20 *ment is required for certain acquisitions;*

21 *(3) to encourage the Armed Forces to adopt and*
22 *implement Item Unique Identification actions and*
23 *milestones; and*

24 *(4) to support investment of sufficient resources*
25 *and continued training and leadership to enable the*

1 *Department to capture meaningful data and optimize*
 2 *the benefits of the Item Unique Identification Initia-*
 3 *tive.*

4 ***Subtitle C—Amendments Relating***
 5 ***to General Contracting Authori-***
 6 ***ties, Procedures, and Limita-***
 7 ***tions***

8 ***SEC. 841. APPLICABILITY OF TRUTH IN NEGOTIATIONS ACT***
 9 ***TO MAJOR SYSTEMS AND RELATED SUB-***
 10 ***SYSTEMS, COMPONENTS, AND SUPPORT***
 11 ***SERVICES.***

12 *(a) AUTHORITY TO REQUIRE SUBMISSION OF COST OR*
 13 *PRICING DATA.—Subsection (c) of section 2306a of title 10,*
 14 *United States Code, is amended—*

15 *(1) in the subsection caption, by striking*
 16 *“BELOW-THRESHOLD” and inserting “CERTAIN”; and*

17 *(2) in paragraph (2), by inserting before the pe-*
 18 *riod at the end the following: “, except in the case of*
 19 *either of the following:*

20 *“(A) A major system or a subsystem or*
 21 *component thereof that is not a commercially*
 22 *available off-the-shelf item (as defined in section*
 23 *104 of title 41) and was not developed exclu-*
 24 *sively at private expense as demonstrated in ac-*

1 cordance with the requirements of section
2 2321(f)(2) of this title.

3 “(B) Services that are procured for support
4 of a system, subsystem, or component described
5 in subparagraph (A).”.

6 (b) *AUTHORITY TO REQUIRE SUBMISSION OF OTHER*
7 *INFORMATION.*—Subsection (d)(1) of such section is amend-
8 ed by striking “at a minimum” and all that follows and
9 inserting “at a minimum—

10 “(A) appropriate information on the prices
11 at which the same item or similar items have
12 previously been sold that is adequate for evalu-
13 ating the reasonableness of the price for the pro-
14 curement; and

15 “(B) in the case of a system, subsystem,
16 component, or services described in subpara-
17 graph (A) or (B) of subsection (c)(2) for which
18 price information described in subparagraph (A)
19 of this paragraph is not adequate to evaluate
20 price reasonableness, uncertified cost data that is
21 adequate for evaluating the reasonableness of the
22 price for the procurement.”.

23 (c) *TECHNICAL AMENDMENT.*—Subsection (c)(3) of
24 such section is amended by striking “paragraph” and in-
25 serting “subsection”.

1 **SEC. 842. MAXIMUM AMOUNT OF ALLOWABLE COSTS OF**
2 **COMPENSATION OF CONTRACTOR EMPLOY-**
3 **EES.**

4 (a) *MODIFICATION OF MAXIMUM AMOUNT.*—Section
5 2324(e)(1)(P) of title 10, United States Code, is amended
6 by striking “the benchmark” and all that follows through
7 “section 1127 of title 41” and inserting “the annual
8 amount payable under the aggregate limitation on pay as
9 established by the Office of Management and Budget (cur-
10 rently \$230,700)”.

11 (b) *EFFECTIVE DATE.*—The amendment made by sub-
12 section (a) shall take effect on January 1, 2013, and shall
13 apply with respect to costs of compensation incurred on or
14 after that date under contracts entered into before, on, or
15 after that date.

16 (c) *REPORT ON ALLOWABLE COSTS OF EMPLOYEE*
17 *COMPENSATION.*—Not later than 120 days after the date of
18 the enactment of this Act, the Inspector General of the De-
19 partment of Defense shall submit to Congress a report on
20 the effect of the modification of allowable costs of contractor
21 compensation of employees made by subsection (a). The re-
22 port shall include the following:

23 (1) *The total number of contractor employees*
24 *whose allowable costs of compensation in fiscal year*
25 *2012 exceeded the amount of allowable costs under the*
26 *modification made by subsection (a).*

1 (2) *The total number of contractor employees*
2 *whose allowable costs of compensation in each of fiscal*
3 *years 2010, 2011, and 2012 would have exceeded the*
4 *amount of allowable costs under section 2324(e)(1)(P)*
5 *of title 10, United States Code, as amended by section*
6 *803(a) of the National Defense Authorization Act for*
7 *Fiscal Year 2012 (Public Law 112–81; 125 Stat.*
8 *1485).*

9 (3) *The total number of contractor employees*
10 *whose allowable costs of compensation in each of fiscal*
11 *years 2010, 2011, and 2012 exceeded the amount pay-*
12 *able to the President under section 102 of title 3,*
13 *United States Code.*

14 (4) *The total number of contractor employees in*
15 *fiscal year 2012 that could have been characterized as*
16 *falling within a narrowly targeted exception estab-*
17 *lished by the Secretary of Defense under section*
18 *2324(e)(1)(P) of title 10, United States Code, as a re-*
19 *sult of the amendment made by section 803(a)(2) of*
20 *the National Defense Authorization Act for Fiscal*
21 *Year 2012.*

22 (5) *An assessment whether the compensation*
23 *amounts provided in fiscal year 2012 to employees*
24 *who were characterized by their employers as falling*
25 *within a narrowly targeted exception described in*

1 *paragraph (4) were provided compensation amounts*
2 *in that fiscal year in manner consistent with private*
3 *sector practice.*

4 *(6) The duties and services performed in fiscal*
5 *year 2012 by employees who were characterized by*
6 *their employers as falling within a narrowly targeted*
7 *exception described in paragraph (4).*

8 *(7) An assessment whether there are Federal ci-*
9 *vilian employees who perform duties and services*
10 *comparable to the duties and services described pursu-*
11 *ant to paragraph (6).*

12 **SEC. 843. DEPARTMENT OF DEFENSE ACCESS TO AND USE**
13 **OF CONTRACTOR INTERNAL AUDIT REPORTS.**

14 *(a) CLARIFICATION OF AUDIT ACCESS AUTHORITY.—*
15 *Section 2313(a)(2) of title 10, United States Code, is*
16 *amended—*

17 *(1) in subparagraph (C), by striking “or” at the*
18 *end;*

19 *(2) in subparagraph (D), by striking the period*
20 *at the end and inserting “; or”; and*

21 *(3) by adding at the end the following new sub-*
22 *paragraph:*

23 *“(E) the efficacy of contractor or subcontractor*
24 *internal controls and the reliability of contractor or*
25 *subcontractor business systems.”.*

1 **(b) GUIDANCE ON ACCESS.**—

2 **(1) GUIDANCE REQUIRED.**—*Not later than 90*
3 *days after the date of the enactment of this Act, the*
4 *Director of the Defense Contract Audit Agency shall*
5 *issue revised guidance on Defense Contract Audit*
6 *Agency auditor access to defense contractor internal*
7 *audit reports and supporting materials.*

8 **(2) PURPOSE.**—*The purpose of the guidance*
9 *issued pursuant to paragraph (1) shall be to ensure*
10 *that the Defense Contract Audit Agency has sufficient*
11 *access to contractor internal audit reports and sup-*
12 *porting materials in order to—*

13 **(A)** *evaluate and test the efficacy of con-*
14 *tractor internal controls and the reliability of as-*
15 *sociated contractor business systems; and*

16 **(B)** *assess the amount of risk and level of*
17 *testing required in connection with specific au-*
18 *ditions to be conducted by the Agency.*

19 **(3) MATTERS TO BE ADDRESSED.**—*The guidance*
20 *issued pursuant to paragraph (1) shall address, at a*
21 *minimum, the following:*

22 **(A)** *The extent to which Defense Contract*
23 *Audit Agency auditors should request access to*
24 *defense contractor internal audit reports and*
25 *supporting materials.*

1 (B) *The circumstances in which follow-up*
2 *actions, including subpoenas, may be required to*
3 *ensure Agency access to audit reports and sup-*
4 *porting materials.*

5 (C) *The designation of Agency audit offi-*
6 *cial responsible for coordinating issues per-*
7 *taining to Agency requests for audit reports and*
8 *supporting materials.*

9 (D) *The purposes for which Agency auditors*
10 *may use audit reports and supporting materials.*

11 (E) *Any protections that may be required to*
12 *ensure that audit reports and supporting mate-*
13 *rials are not misused.*

14 (F) *Requirements for tracking Agency re-*
15 *quests for audit reports and supporting mate-*
16 *rials.*

17 (c) *FAILURE TO PROVIDE ACCESS.—Not later than*
18 *180 days after the date of the enactment of this Act, the*
19 *Secretary of Defense shall revise the program required by*
20 *section 893 of the Ike Skelton National Defense Authoriza-*
21 *tion Act for Fiscal Year 2011 (Public Law 111–383; 124*
22 *Stat. 4311; 10 U.S.C. 2302 note) in order to—*

23 (1) *ensure that any assessment of the adequacy*
24 *of contractor business systems takes into account the*
25 *efficacy of contractor internal controls, including con-*

1 *tractor internal audit reports and supporting mate-*
2 *rials, that are relevant to such assessment; and*

3 *(2) provide that the refusal of a contractor to*
4 *permit access to contractor internal audit reports and*
5 *supporting materials that are relevant to such an as-*
6 *essment is a basis for disapproving the contractor*
7 *business system or systems to which such materials*
8 *are relevant and taking the remedial actions author-*
9 *ized under section 893.*

10 **SEC. 844. ENHANCEMENT OF WHISTLEBLOWER PROTEC-**
11 **TIONS FOR CONTRACTOR EMPLOYEES.**

12 *(a) IN GENERAL.—Subsection (a) of section 2409 of*
13 *title 10, United States Code, is amended—*

14 *(1) by inserting “(1)” before “An employee”;*

15 *(2) in paragraph (1), as so designated—*

16 *(A) by inserting “or subcontractor” after*
17 *“employee of a contractor”;*

18 *(B) by striking “a Member of Congress”*
19 *and all that follows through “the Department of*
20 *Justice” and inserting “a person or body de-*
21 *scribed in paragraph (2)”;*

22 *(C) by inserting “an abuse of authority re-*
23 *lating to a Department of Defense contract or*
24 *grant,” after “Department of Defense funds,”;*
25 *and*

1 (D) by inserting “, rule, or regulation”
2 after “a violation of law”; and

3 (3) by adding at the end the following new para-
4 graphs:

5 “(2) The persons and bodies described in this para-
6 graph are the persons and bodies as follows:

7 “(A) A Member of Congress or a representative
8 of a committee of Congress.

9 “(B) An Inspector General.

10 “(C) The Government Accountability Office.

11 “(D) A Department of Defense employee respon-
12 sible for contract oversight or management.

13 “(E) An authorized official of the Department of
14 Justice or other law enforcement agency.

15 “(F) A court or grand jury.

16 “(G) A management official or other employee of
17 the contractor or subcontractor who has the responsi-
18 bility to investigate, discover, or address misconduct.

19 “(3) For the purposes of paragraph (1)—

20 “(A) an employee who initiates or provides evi-
21 dence of contractor or subcontractor misconduct in
22 any judicial or administrative proceeding relating to
23 waste, fraud, or abuse on a Department of Defense
24 contract shall be deemed to have made a disclosure
25 covered by such paragraph; and

1 “(B) a reprisal described in paragraph (1) is
2 prohibited even if it is undertaken at the request of
3 a Department of Defense official, unless the request
4 takes the form of a non-discretionary directive and is
5 within the authority of the Department of Defense of-
6 ficial making the request.”.

7 (b) INVESTIGATION OF COMPLAINTS.—Subsection (b)
8 of such section is amended—

9 (1) in paragraph (1), by inserting “fails to al-
10 lege a violation of the prohibition in subsection (a),
11 or has previously been addressed in another Federal
12 or State judicial or administrative proceeding initi-
13 ated by the complainant,” after “is frivolous,”;

14 (2) in paragraph (2)—

15 (A) in subparagraph (A), by inserting “,
16 fails to allege a violation of the prohibition in
17 subsection (a), or has previously been addressed
18 in another Federal or State judicial or adminis-
19 trative proceeding initiated by the complainant”
20 after “is frivolous”; and

21 (B) in subparagraph (B), by inserting “, up
22 to 180 days,” after “such additional period of
23 time”; and

24 (3) by adding at the end the following new para-
25 graphs:

1 “(3) *The Inspector General may not respond to any*
2 *inquiry or disclose any information from or about any per-*
3 *son alleging the reprisal, except to the extent that such re-*
4 *sponse or disclosure is—*

5 “(A) *made with the consent of the person alleg-*
6 *ing the reprisal;*

7 “(B) *made in accordance with the provisions of*
8 *section 552a of title 5 or as required by any other ap-*
9 *plicable Federal law; or*

10 “(C) *necessary to conduct an investigation of the*
11 *alleged reprisal.*

12 “(4) *A complaint may not be brought under this sub-*
13 *section more than three years after the date on which the*
14 *alleged reprisal took place.*”.

15 (c) *REMEDY AND ENFORCEMENT AUTHORITY.—Sub-*
16 *section (c) of such section is amended—*

17 (1) *in paragraph (1)(B), by striking “the com-*
18 *pen-sation (including back pay)” and inserting “com-*
19 *pen-satory damages (including back pay)”;*

20 (2) *in paragraph (2), by adding at the end fol-*
21 *lowing new sentence: “An action under this para-*
22 *graph may not be brought more than two years after*
23 *the date on which remedies are deemed to have been*
24 *exhausted.”;*

1 (3) in paragraph (4), by striking “and compen-
2 satory and exemplary damages.” and inserting “,
3 compensatory and exemplary damages, and attorney
4 fees and costs. The person upon whose behalf an order
5 was issued may also file such an action or join in an
6 action filed by the head of the agency.”;

7 (4) in paragraph (5), by adding at the end the
8 following new sentence: “Filing such an appeal shall
9 not act to stay the enforcement of the order of the
10 head of an agency, unless a stay is specifically en-
11 tered by the court.”; and

12 (5) by adding at the end the following new para-
13 graphs:

14 “(6) The legal burdens of proof specified in section
15 1221(e) of title 5 shall be controlling for the purposes of
16 any investigation conducted by an Inspector General, deci-
17 sion by the head of an agency, or judicial or administrative
18 proceeding to determine whether discrimination prohibited
19 under this section has occurred.

20 “(7) The rights and remedies provided for in this sec-
21 tion may not be waived by any agreement, policy, form,
22 or condition of employment, including by any predispute
23 arbitration agreement, other than an arbitration provision
24 in a collective bargaining agreement.”.

1 (d) *NOTIFICATION OF EMPLOYEES.*—*Such section is*
2 *further amended—*

3 (1) *by redesignating subsections (d) and (e) as*
4 *subsections (e) and (f), respectively; and*

5 (2) *by inserting after subsection (c) the following*
6 *new subsection (d):*

7 “(d) *NOTIFICATION OF EMPLOYEES.*—*The Secretary of*
8 *Defense shall ensure that contractors and subcontractors of*
9 *the Department of Defense inform their employees in writ-*
10 *ing of the rights and remedies provided under this section,*
11 *in the predominant native language of the workforce.”.*

12 (e) *ABUSE OF AUTHORITY DEFINED.*—*Subsection (f)*
13 *of such section, as redesignated by subsection (d)(1) of this*
14 *section, is further amended by adding at the end the fol-*
15 *lowing new paragraph:*

16 “(6) *The term ‘abuse of authority’ means an ar-*
17 *bitrary and capricious exercise of authority that is*
18 *inconsistent with the mission of the Department of*
19 *Defense or the successful performance of a Department*
20 *of Defense contract or grant.”.*

21 (f) *ALLOWABILITY OF LEGAL FEES.*—*Section 2324(k)*
22 *of such title is amended—*

23 (1) *in paragraph (1), by striking “commenced by*
24 *the United States or a State” and inserting “com-*
25 *menced by the United States, by a State, or by a con-*

1 *tractor employee submitting a complaint under sec-*
2 *tion 2409 of this title”; and*

3 *(2) in paragraph (2)(C), by striking “the impo-*
4 *sition of a monetary penalty” and inserting “the im-*
5 *position of a monetary penalty or an order to take*
6 *corrective action under section 2409 of this title”.*

7 *(g) EFFECTIVE DATE.—*

8 *(1) IN GENERAL.—The amendments made by*
9 *this section shall take effect on the date that is 180*
10 *days after the date of the enactment of this Act, and*
11 *shall apply to—*

12 *(A) all contracts awarded on or after such*
13 *date;*

14 *(B) all task orders entered on or after such*
15 *date pursuant to contracts awarded before, on, or*
16 *after such date; and*

17 *(C) all contracts awarded before such date*
18 *that are modified to include a contract clause*
19 *providing for the applicability of such amend-*
20 *ments.*

21 *(2) REVISION OF DOD SUPPLEMENT TO THE*
22 *FAR.—Not later than 180 days after the date of the*
23 *enactment of this Act, the Department of Defense*
24 *Supplement to the Federal Acquisition Regulation*

1 *shall be revised to implement the requirements arising*
 2 *under the amendments made by this section.*

3 (3) *INCLUSION OF CONTRACT CLAUSE IN CON-*
 4 *TRACTS AWARDED BEFORE EFFECTIVE DATE.—At the*
 5 *time of any major modification to a contract that*
 6 *was awarded before the date that is 180 days after the*
 7 *date of the enactment of this Act, the head of the con-*
 8 *tracting agency shall make best efforts to include in*
 9 *the contract a contract clause providing for the appli-*
 10 *cability of the amendments made by this section to*
 11 *the contract.*

12 **SEC. 844A. WHISTLEBLOWER PROTECTIONS FOR NON-DE-**
 13 **FENSE CONTRACTORS.**

14 (a) *WHISTLEBLOWER PROTECTIONS.—*

15 (1) *IN GENERAL.—Chapter 47 of title 41, United*
 16 *States Code, is amended by adding at the end the fol-*
 17 *lowing new section:*

18 **“SEC. 4712. CONTRACTOR AND GRANTEE EMPLOYEES: PRO-**
 19 **TECTION FROM REPRISAL FOR DISCLOSURE**
 20 **OF CERTAIN INFORMATION.**

21 *“(a) PROHIBITION OF REPRISALS.—*

22 *“(1) IN GENERAL.—An employee of a contractor,*
 23 *subcontractor, or grantee may not be discharged, de-*
 24 *moted, or otherwise discriminated against as a re-*
 25 *prisal for disclosing to a person or body described in*

1 *paragraph (2) information that the employee reason-*
2 *ably believes is evidence of gross mismanagement of a*
3 *Federal contract or grant, a gross waste of Federal*
4 *funds, an abuse of authority relating to a Federal*
5 *contract or grant, a substantial and specific danger*
6 *to public health or safety, or a violation of law, rule,*
7 *or regulation related to a Federal contract (including*
8 *the competition for or negotiation of a contract) or*
9 *grant.*

10 “(2) *PERSONS AND BODIES COVERED.*—*The per-*
11 *sons and bodies described in this paragraph are the*
12 *persons and bodies as follows:*

13 “(A) *A Member of Congress or a representa-*
14 *tive of a committee of Congress.*

15 “(B) *An Inspector General.*

16 “(C) *The Government Accountability Office.*

17 “(D) *A Federal employee responsible for*
18 *contract or grant oversight or management at*
19 *the relevant agency.*

20 “(E) *An authorized official of the Depart-*
21 *ment of Justice or other law enforcement agency.*

22 “(F) *A court or grand jury.*

23 “(G) *A management official or other em-*
24 *ployee of the contractor, subcontractor, or grantee*

1 *who has the responsibility to investigate, dis-*
2 *cover, or address misconduct.*

3 “(3) *RULES OF CONSTRUCTION.*—*For the pur-*
4 *poses of paragraph (1)—*

5 “(A) *an employee who initiates or provides*
6 *evidence of contractor, subcontractor, or grantee*
7 *misconduct in any judicial or administrative*
8 *proceeding relating to waste, fraud, or abuse on*
9 *a Federal contract or grant shall be deemed to*
10 *have made a disclosure covered by such para-*
11 *graph; and*

12 “(B) *a reprisal described in paragraph (1)*
13 *is prohibited even if it is undertaken at the re-*
14 *quest of an executive branch official, unless the*
15 *request takes the form of a non-discretionary di-*
16 *rective and is within the authority of the execu-*
17 *tive branch official making the request.*

18 “(b) *INVESTIGATION OF COMPLAINTS.*—

19 “(1) *SUBMISSION OF COMPLAINT.*—*A person who*
20 *believes that the person has been subjected to a re-*
21 *prisal prohibited by subsection (a) may submit a*
22 *complaint to the Inspector General of the executive*
23 *agency involved. Unless the Inspector General deter-*
24 *mines that the complaint is frivolous, fails to allege*
25 *a violation of the prohibition in subsection (a), or has*

1 *previously been addressed in another Federal or State*
2 *judicial or administrative proceeding initiated by the*
3 *complainant, the Inspector General shall investigate*
4 *the complaint and, upon completion of such investiga-*
5 *tion, submit a report of the findings of the investiga-*
6 *tion to the person, the contractor or grantee con-*
7 *cerned, and the head of the agency.*

8 “(2) *INSPECTOR GENERAL ACTION.*—

9 “(A) *DETERMINATION OR SUBMISSION OF*
10 *REPORT ON FINDINGS.*—*Except as provided*
11 *under subparagraph (B), the Inspector General*
12 *shall make a determination that a complaint is*
13 *frivolous, fails to allege a violation of the prohi-*
14 *bition in subsection (a), or has previously been*
15 *addressed in another Federal or State judicial or*
16 *administrative proceeding initiated by the com-*
17 *plainant or submit a report under paragraph*
18 *(1) within 180 days after receiving the com-*
19 *plaint.*

20 “(B) *EXTENSION OF TIME.*—*If the Inspector*
21 *General is unable to complete an investigation in*
22 *time to submit a report within the 180-day pe-*
23 *riod specified in subparagraph (A) and the per-*
24 *son submitting the complaint agrees to an exten-*
25 *sion of time, the Inspector General shall submit*

1 a report under paragraph (1) within such addi-
2 tional period of time, up to 180 days, as shall
3 be agreed upon between the Inspector General
4 and the person submitting the complaint.

5 “(3) *PROHIBITION ON DISCLOSURE.*—The In-
6 spector General may not respond to any inquiry or
7 disclose any information from or about any person
8 alleging the reprisal, except to the extent that such re-
9 sponse or disclosure is—

10 “(A) made with the consent of the person al-
11 leging the reprisal;

12 “(B) made in accordance with the provi-
13 sions of section 552a of title 5 or as required by
14 any other applicable Federal law; or

15 “(C) necessary to conduct an investigation
16 of the alleged reprisal.

17 “(4) *TIME LIMITATION.*—A complaint may not
18 be brought under this subsection more than three
19 years after the date on which the alleged reprisal took
20 place.

21 “(c) *REMEDY AND ENFORCEMENT AUTHORITY.*—

22 “(1) *IN GENERAL.*—Not later than 30 days after
23 receiving an Inspector General report pursuant to
24 subsection (b), the head of the executive agency con-
25 cerned shall determine whether there is sufficient basis

1 to conclude that the contractor or grantee concerned
2 has subjected the complainant to a reprisal prohibited
3 by subsection (a) and shall either issue an order de-
4 nying relief or shall take one or more of the following
5 actions:

6 “(A) Order the contractor or grantee to take
7 affirmative action to abate the reprisal.

8 “(B) Order the contractor or grantee to re-
9 instate the person to the position that the person
10 held before the reprisal, together with compen-
11 satory damages (including back pay), employ-
12 ment benefits, and other terms and conditions of
13 employment that would apply to the person in
14 that position if the reprisal had not been taken.

15 “(C) Order the contractor or grantee to pay
16 the complainant an amount equal to the aggre-
17 gate amount of all costs and expenses (including
18 attorneys’ fees and expert witnesses’ fees) that
19 were reasonably incurred by the complainant for,
20 or in connection with, bringing the complaint re-
21 garding the reprisal, as determined by the head
22 of the executive agency.

23 “(2) *EXHAUSTION OF REMEDIES.*—If the head of
24 an executive agency issues an order denying relief
25 under paragraph (1) or has not issued an order with-

1 *in 210 days after the submission of a complaint*
2 *under subsection (b), or in the case of an extension*
3 *of time under paragraph (b)(2)(B), not later than 30*
4 *days after the expiration of the extension of time, and*
5 *there is no showing that such delay is due to the bad*
6 *faith of the complainant, the complainant shall be*
7 *deemed to have exhausted all administrative remedies*
8 *with respect to the complaint, and the complainant*
9 *may bring a de novo action at law or equity against*
10 *the contractor or grantee to seek compensatory dam-*
11 *ages and other relief available under this section in*
12 *the appropriate district court of the United States,*
13 *which shall have jurisdiction over such an action*
14 *without regard to the amount in controversy. Such an*
15 *action shall, at the request of either party to the ac-*
16 *tion, be tried by the court with a jury. An action*
17 *under this paragraph may not be brought more than*
18 *two years after the date on which remedies are*
19 *deemed to have been exhausted.*

20 “(3) *ADMISSIBILITY OF EVIDENCE.—An Inspec-*
21 *tor General determination and an agency head order*
22 *denying relief under paragraph (2) shall be admis-*
23 *sible in evidence in any de novo action at law or eq-*
24 *uity brought pursuant to this subsection.*

1 “(4) *ENFORCEMENT OF ORDERS.*—Whenever a
2 person fails to comply with an order issued under
3 paragraph (1), the head of the executive agency con-
4 cerned shall file an action for enforcement of such
5 order in the United States district court for a district
6 in which the reprisal was found to have occurred. In
7 any action brought under this paragraph, the court
8 may grant appropriate relief, including injunctive re-
9 lief, compensatory and exemplary damages, and at-
10 torney fees and costs. The person upon whose behalf
11 an order was issued may also file such an action or
12 join in an action filed by the head of the executive
13 agency.

14 “(5) *JUDICIAL REVIEW.*—Any person adversely
15 affected or aggrieved by an order issued under para-
16 graph (1) may obtain review of the order’s conform-
17 ance with this subsection, and any regulations issued
18 to carry out this section, in the United States court
19 of appeals for a circuit in which the reprisal is al-
20 leged in the order to have occurred. No petition seek-
21 ing such review may be filed more than 60 days after
22 issuance of the order by the head of the executive
23 agency. Review shall conform to chapter 7 of title 5.
24 Filing such an appeal shall not act to stay the en-
25 forcement of the order of the head of an executive

1 agency, unless a stay is specifically entered by the
2 court.

3 “(6) *BURDENS OF PROOF.*—The legal burdens of
4 proof specified in section 1221(e) of title 5 shall be
5 controlling for the purposes of any investigation con-
6 ducted by an Inspector General, decision by the head
7 of an executive agency, or judicial or administrative
8 proceeding to determine whether discrimination pro-
9 hibited under this section has occurred.

10 “(7) *RIGHTS AND REMEDIES NOT WAIVABLE.*—
11 The rights and remedies provided for in this section
12 may not be waived by any agreement, policy, form,
13 or condition of employment, including by any
14 pre-dispute arbitration agreement, other than an arbi-
15 tration provision in a collective bargaining agree-
16 ment.

17 “(d) *NOTIFICATION OF EMPLOYEES.*—The head of each
18 executive agency shall ensure that contractors, subcontrac-
19 tors, and grantees of the agency inform their employees in
20 writing of the rights and remedies provided under this sec-
21 tion, in the predominant native language of the workforce.

22 “(e) *CONSTRUCTION.*—Nothing in this section may be
23 construed to authorize the discharge of, demotion of, or dis-
24 crimination against an employee for a disclosure other than
25 a disclosure protected by subsection (a) or to modify or der-

1 ogate from a right or remedy otherwise available to the em-
 2 ployee.

3 “(f) *DEFINITIONS.*—*In this section:*

4 “(1) *The term ‘abuse of authority’ means an ar-*
 5 *bitrary and capricious exercise of authority that is*
 6 *inconsistent with the mission of the executive agency*
 7 *concerned or the successful performance of a contract*
 8 *or grant of such agency.*

9 “(2) *The term ‘Inspector General’ means an In-*
 10 *pector General appointed under the Inspector Gen-*
 11 *eral Act of 1978 and any Inspector General that re-*
 12 *ceives funding from, or has oversight over contracts or*
 13 *grants awarded for or on behalf of, the executive agen-*
 14 *cy concerned.’.*”

15 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 16 *tions at the beginning of such chapter is amended by*
 17 *adding at the end the following new item:*

“4712. *Contractor and grantee employees: protection from reprisal for disclosure*
of certain information.’.”

18 (b) *ALLOWABILITY OF LEGAL FEES.*—*Section 4310 of*
 19 *title 41, United States Code, is amended—*

20 (1) *in subsection (b), by striking “commenced by*
 21 *the Federal Government or a State” and inserting*
 22 *“commenced by the Federal Government, by a State,*
 23 *or by a contractor or grantee employee submitting a*
 24 *complaint under section 4712 of this title”; and*

1 (2) *in subsection (c)(3), by striking “the imposi-*
2 *tion of a monetary penalty” and inserting “the impo-*
3 *sition of a monetary penalty or an order to take cor-*
4 *rective action under section 4712 of this title”.*

5 *(c) EFFECTIVE DATE.—*

6 (1) *IN GENERAL.—The amendments made by*
7 *this section shall take effect on the date that is 180*
8 *days after the date of the enactment of this Act, and*
9 *shall apply to—*

10 (A) *all contracts and grants awarded on or*
11 *after such date;*

12 (B) *all task orders entered on or after such*
13 *date pursuant to contracts awarded before, on, or*
14 *after such date; and*

15 (C) *all contracts awarded before such date*
16 *that are modified to include a contract clause*
17 *providing for the applicability of such amend-*
18 *ments.*

19 (2) *REVISION OF FEDERAL ACQUISITION REGU-*
20 *LATION.—Not later than 180 days after the date of*
21 *the enactment of this Act, the Federal Acquisition*
22 *Regulation shall be revised to implement the require-*
23 *ments arising under the amendments made by this*
24 *section.*

1 *mental functions (as that term is defined in section*
2 *2383(b)(3) of title 10, United States Code).*

3 *(2) Personal services contracts (as that term is*
4 *defined in section 2330a(g)(5) of title 10, United*
5 *States Code).*

6 *(3) Contracts for staff augmentation services (as*
7 *that term is defined in section 808(d)(3) of the Na-*
8 *tional Defense Authorization Act for Fiscal Year 2012*
9 *(Public Law 112–81; 125 Stat. 1490)).*

10 *(b) EXTENSION OF LIMITATIONS.—If the Secretary de-*
11 *termines pursuant to the review under subsection (a) that*
12 *the guidance on personal conflicts of interest should be ex-*
13 *tended, the Secretary shall revise the Defense Supplement*
14 *to the Federal Acquisition Regulation to the extent nec-*
15 *essary to achieve such extension.*

16 *(c) REPORT.—Not later than 180 days after the date*
17 *of the enactment of this Act, the Secretary shall submit to*
18 *the Committee on Armed Services of the Senate and the*
19 *Committee on Armed Services of the House of Representa-*
20 *tives a report setting forth the following:*

21 *(1) A summary of the review conducted under*
22 *subsection (a).*

23 *(2) A summary description of any revisions of*
24 *regulations carried out under subsection (b).*

1 **SEC. 846. REPEAL OF SUNSET FOR CERTAIN PROTESTS OF**
2 **TASK AND DELIVERY ORDER CONTRACTS.**

3 *Section 2304c(e) of title 10, United States Code, is*
4 *amended by striking paragraph (3).*

5 **SEC. 847. REPORTS ON USE OF INDEMNIFICATION AGREE-**
6 **MENTS.**

7 *(a) IN GENERAL.—Not later than 90 days after the*
8 *end of each of fiscal years 2013 through 2016, the Secretary*
9 *of Defense shall submit to the appropriate committees of*
10 *Congress a report on any actions described in subsection*
11 *(b) which occurred during the preceding fiscal years.*

12 *(b) ACTIONS DESCRIBED.—*

13 *(1) IN GENERAL.—An action described in this*
14 *subsection is the Secretary of Defense—*

15 *(A) entering into a contract that includes*
16 *an indemnification provision relating to bodily*
17 *injury caused by negligence or relating to wrong-*
18 *ful death; or*

19 *(B) modifying an existing contract to in-*
20 *clude a provision described in subparagraph (A)*
21 *in a contract.*

22 *(2) EXCLUDED CONTRACTS.—Paragraph (1)*
23 *shall not apply to any contract awarded in accord-*
24 *ance with—*

25 *(A) section 2354 of title 10, United States*
26 *Code; or*

1 (B) *the Comprehensive Environmental Re-*
2 *ponse, Compensation, and Liability Act of 1980*
3 *(42 U.S.C. 9601 et seq.).*

4 (c) *MATTERS INCLUDED.*—*For each action covered in*
5 *a report under subsection (a), the report shall include—*

6 (1) *the name of the contractor;*

7 (2) *a description of the indemnification provi-*
8 *sion included in the contract; and*

9 (3) *a justification for the contract including the*
10 *indemnification provision.*

11 (d) *FORM.*—*Each report under subsection (a) shall be*
12 *submitted in unclassified form, but may include a classified*
13 *annex.*

14 (e) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
15 *FINED.*—*In this section, the term “appropriate committees*
16 *of Congress” means—*

17 (1) *the Committee on Armed Services, the Com-*
18 *mittee on the Budget, and the Committee on Appro-*
19 *priations of the Senate; and*

20 (2) *the Committee on Armed Services, the Com-*
21 *mittee on the Budget, and the Committee on Appro-*
22 *priations of the House of Representatives.*

1 **SEC. 848. CONTRACTING WITH SMALL BUSINESS CONCERNS**
2 **OWNED AND CONTROLLED BY WOMEN.**

3 (a) *PROCUREMENT PROGRAM FOR WOMEN-OWNED*
4 *SMALL BUSINESS CONCERNS.*—Section 8(m)(2) of the
5 *Small Business Act (15 U.S.C. 637(m)(2))* is amended—

6 (1) in subparagraph (A), by striking “who are
7 economically disadvantaged”;

8 (2) in subparagraph (C), by striking “paragraph
9 (3)” and inserting “paragraph (4)”;

10 (3) by striking subparagraph (D); and

11 (4) by redesignating subparagraphs (E) and (F)
12 as subparagraphs (D) and (E), respectively.

13 (b) *STUDY AND REPORT ON REPRESENTATION OF*
14 *WOMEN.*—Section 29 of the *Small Business Act (15 U.S.C.*
15 *656)* is amended by adding at the end the following:

16 “(o) *STUDY AND REPORT ON REPRESENTATION OF*
17 *WOMEN.*—

18 “(1) *STUDY.*—The Administrator shall periodi-
19 cally conduct a study to identify industries, as de-
20 fined under the North American Industry Classifica-
21 tion System, underrepresented by small business con-
22 cerns owned and controlled by women.

23 “(2) *REPORT.*—Not later than 5 years after the
24 date of enactment of this subsection, and every 5
25 years thereafter, the Administrator shall submit to the
26 Committee on Small Business and Entrepreneurship

1 of the Senate and the Committee on Small Business
2 of the House of Representatives a report on the results
3 of each study under paragraph (1) conducted during
4 the 5-year period ending on the date of the report.”.

5 ***Subtitle D—Provisions Relating to***
6 ***Wartime Contracting***

7 ***SEC. 860. SHORT TITLE.***

8 *This subtitle may be cited as the “Wartime Con-*
9 *tracting Reform Act of 2012”.*

10 ***SEC. 861. RESPONSIBILITY WITHIN DEPARTMENT OF DE-***
11 ***FENSE FOR CONTRACT SUPPORT FOR OVER-***
12 ***SEAS CONTINGENCY OPERATIONS.***

13 *(a) RESPONSIBILITY.—*

14 *(1) IN GENERAL.—Not later than one year after*
15 *the date of the enactment of this Act, the Secretary of*
16 *Defense shall prescribe in regulations the chain of au-*
17 *thority and responsibility within the Department of*
18 *Defense for policy, planning, and execution of con-*
19 *tract support for overseas contingency operations.*

20 *(2) ELEMENTS.—The regulations under para-*
21 *graph (1) shall, at a minimum—*

22 *(A) specify the officials, offices, and compo-*
23 *nents of the Department within the chain of au-*
24 *thority and responsibility described in para-*
25 *graph (1);*

1 (B) identify for each official, office, and
2 component specified under subparagraph (A)—

3 (i) requirements for policy, planning,
4 and execution of contract support for over-
5 seas contingency operations, including, at a
6 minimum, requirements in connection
7 with—

8 (I) coordination of functions, au-
9 thorities, and responsibilities related to
10 operational contract support for over-
11 seas contingency operations;

12 (II) assessments of total force data
13 in support of Department force plan-
14 ning scenarios, including the appro-
15 priateness of and necessity for the use
16 of contractors for identified functions;

17 (III) determinations of capability
18 requirements for non-acquisition com-
19 munity operational contract support,
20 and identification of resources required
21 for planning, training, and execution
22 to meet such requirements;

23 (IV) determinations of policy re-
24 garding the use of contractors by func-
25 tion, and identification of the training

1 *exercises that will be required for con-*
2 *tract support (including an assessment*
3 *whether or not such exercises will in-*
4 *clude contractors); and*

5 *(V) establishment of an inventory,*
6 *and identification of areas of high risk*
7 *and trade offs, for use of contract sup-*
8 *port in overseas contingency operations*
9 *and for areas in which members of the*
10 *Armed Forces will be used in such op-*
11 *erations instead of contract support;*
12 *and*

13 *(ii) roles, authorities, responsibilities,*
14 *and lines of supervision for the achievement*
15 *of the requirements identified under clause*
16 *(i), including the position within the chain*
17 *of authority and responsibility described in*
18 *paragraph (1) with responsibility for re-*
19 *porting directly to the Secretary regarding*
20 *policy, planning, and execution of contract*
21 *support for overseas contingency operations;*
22 *and*

23 *(C) ensure that the chain of authority and*
24 *responsibility described in paragraph (1) is ap-*
25 *propriately aligned with, and appropriately in-*

1 *tegrated into, the structure of the Department for*
2 *the conduct of overseas contingency operations,*
3 *including the military departments, the Joint*
4 *Staff, and the commanders of the unified com-*
5 *batant commands.*

6 **(b) SECRETARY OF DEFENSE REPORT.**—*Not later*
7 *than one year after the date of the enactment of this Act,*
8 *the Secretary shall submit to the congressional defense com-*
9 *mittees a report on the regulations prescribed under sub-*
10 *section (a). The report shall set forth the following:*

11 (1) *The regulations.*

12 (2) *A comprehensive description of the require-*
13 *ments identified under clause (i) of subsection*
14 *(a)(2)(B), and a comprehensive description of the*
15 *manner in which the roles, authorities, responsibil-*
16 *ities, and lines of supervision under clause (ii) of that*
17 *subsection will further the achievement of such re-*
18 *quirements.*

19 (3) *A comprehensive description of the manner*
20 *in which the regulations will meet the requirements*
21 *in subsection (a)(2)(C).*

22 **(c) COMPTROLLER GENERAL REPORT.**—

23 (1) **IN GENERAL.**—*Not later than 18 months*
24 *after the date of the enactment of this Act, the Comp-*
25 *troller General of the United States shall submit to*

1 *the appropriate committees of Congress a report on*
2 *the progress of the Department of Defense in imple-*
3 *menting the regulations prescribed under subsection*
4 *(a). The report may include such additional com-*
5 *ments and information on the regulations and the*
6 *implementation of the regulations as the Comptroller*
7 *General considers appropriate.*

8 (2) *APPROPRIATE COMMITTEES OF CONGRESS*
9 *DEFINED.—In this subsection, the term “appropriate*
10 *committees of Congress” means—*

11 (A) *the Committee on Armed Services, the*
12 *Committee on Homeland Security and Govern-*
13 *mental Affairs, and the Committee on Appro-*
14 *priations of the Senate; and*

15 (B) *the Committee on Armed Services, the*
16 *Committee on Oversight and Government Re-*
17 *form, and the Committee on Appropriations of*
18 *the House of Representatives.*

19 **SEC. 862. ANNUAL REPORTS ON CONTRACT SUPPORT FOR**
20 **OVERSEAS CONTINGENCY OPERATIONS IN-**
21 **VOLVING COMBAT OPERATIONS.**

22 (a) *REPORTS REQUIRED.—*

23 (1) *DEPARTMENT OF DEFENSE.—Not later than*
24 *one year after the commencement or designation of a*
25 *contingency operation outside the United States that*

1 *includes combat operations, and annually thereafter*
2 *until the termination of the operation, the Secretary*
3 *of Defense shall, except as provided in subsection (b),*
4 *submit to the appropriate committees of Congress a*
5 *report on contract support for the Department of De-*
6 *fense for the operation.*

7 (2) *DEPARTMENT OF STATE AND USAID.—Not*
8 *later than one year after the commencement or des-*
9 *ignation of a contingency operation outside the*
10 *United States that includes combat operations, and*
11 *annually thereafter until the termination of the oper-*
12 *ation, the Secretary of State and the Administrator*
13 *of the United States Agency for International Devel-*
14 *opment shall, except as provided in subsection (b),*
15 *each submit to the appropriate committees of Con-*
16 *gress a report on contract support for the operation*
17 *for the Department of State or the United States*
18 *Agency for International Development, as the case*
19 *may be.*

20 (b) *EXCEPTION.—If the total annual amount of obliga-*
21 *tions for contracts for support of a contingency operation*
22 *otherwise described by subsection (a) do not exceed*
23 *\$250,000,000 in an annual reporting period otherwise cov-*
24 *ered by that subsection, no report shall be required on the*

1 *operation under that subsection for that annual reporting*
2 *period.*

3 (c) *ELEMENTS.*—

4 (1) *IN GENERAL.*—*Each report of an agency*
5 *under subsection (a) regarding an operation shall set*
6 *forth the following:*

7 (A) *A description and assessment of the pol-*
8 *icy, planning, management, and oversight of the*
9 *agency with respect to contract support for the*
10 *operation.*

11 (B) *With respect to contracts entered into in*
12 *connection with the operation:*

13 (i) *The total number of contracts en-*
14 *tered into as of the date of such report.*

15 (ii) *The total number of such contracts*
16 *that are active as of such date.*

17 (iii) *The total value of contracts en-*
18 *tered into as of such date.*

19 (iv) *The total value of such contracts*
20 *that are active as of such date.*

21 (v) *An identification of the extent to*
22 *which the contracts entered into as of such*
23 *date were entered into using competitive*
24 *procedures.*

1 (vi) *The total number of contractor*
2 *personnel working under contracts entered*
3 *into as of the end of each calendar quarter*
4 *during the one-year period ending on such*
5 *date.*

6 (vii) *The total number of contractor*
7 *personnel performing security functions*
8 *under contracts entered into as of the end of*
9 *each calendar quarter during the one-year*
10 *period ending on such date.*

11 (viii) *The total number of contractor*
12 *personnel killed or wounded under any con-*
13 *tracts entered into.*

14 (C) *The sources of information and data*
15 *used to prepare the portion of such report re-*
16 *quired by subparagraph (B).*

17 (D) *A description of any known limitations*
18 *of the information or data reported under sub-*
19 *paragraph (B), including known limitations in*
20 *methodology or data sources.*

21 (E) *Any plans for strengthening collection,*
22 *coordination, and sharing of information on con-*
23 *tracts entered into in connection with the oper-*
24 *ation.*

1 (2) *ESTIMATES.*—*In determining the total num-*
2 *ber of contractor personnel working under contracts*
3 *for purposes of paragraph (1)(B)(vi), the Secretary or*
4 *the Administrator may use estimates for any category*
5 *of contractor personnel for which such Secretary or*
6 *the Administrator, as the case may be, determines it*
7 *is not feasible to provide an actual count. Each report*
8 *under subsection (a) shall fully disclose the extent to*
9 *which such an estimate is used in lieu of an actual*
10 *count.*

11 (d) *PROHIBITION ON PREPARATION BY CONTRACTOR*
12 *PERSONNEL.*—*A report under subsection (a) may not be*
13 *prepared by contractor personnel.*

14 (e) *USE OF EXISTING REPORTS FOR CERTAIN CONTIN-*
15 *GENCY OPERATIONS.*—*The requirement to submit reports*
16 *under subsection (a) on a contingency operation in Iraq*
17 *or Afghanistan may be met by the submittal of the reports*
18 *required by section 863 of the National Defense Authoriza-*
19 *tion Act for Fiscal Year 2008 (10 U.S.C. 2302 note).*

20 (f) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
21 *FINED.*—*In this section, the term “appropriate committees*
22 *of Congress” means—*

23 (1) *the Committee on Armed Services, the Com-*
24 *mittee on Foreign Relations, the Committee on Home-*

1 *land Security and Governmental Affairs, and the*
2 *Committee on Appropriations of the Senate; and*

3 *(2) the Committee on Armed Services, the Com-*
4 *mittee on Foreign Affairs, the Committee on Over-*
5 *sight and Government Reform, and the Committee on*
6 *Appropriations of the House of Representatives.*

7 **SEC. 863. INCLUSION OF CONTRACT SUPPORT IN CERTAIN**
8 **REQUIREMENTS FOR DEPARTMENT OF DE-**
9 **FENSE PLANNING, JOINT PROFESSIONAL**
10 **MILITARY EDUCATION, AND MANAGEMENT**
11 **STRUCTURE.**

12 *(a) READINESS REPORTING SYSTEM.—Section 117(c)*
13 *of title 10, United States Code, is amended by adding at*
14 *the end the following new paragraph:*

15 *“(8) Measure, on an annual basis, the capability*
16 *of operational contract support to support current*
17 *and anticipated wartime missions of the armed*
18 *forces.”.*

19 *(b) CONTINGENCY PLANNING AND PREPAREDNESS*
20 *FUNCTIONS OF CJCS.—Section 153(a)(3) of such title is*
21 *amended by adding at the end the following new subpara-*
22 *graph:*

23 *“(E) In coordination with the Under Secretary*
24 *of Defense for Acquisition, Technology, and Logistics,*
25 *the Secretaries of the military departments, the heads*

1 *of the Defense Agencies, and the commanders of the*
2 *combatant commands, determining the operational*
3 *contract support requirements of the armed forces and*
4 *recommending the resources required to improve and*
5 *enhance operational contract support for the armed*
6 *forces and planning for such operational contract*
7 *support.”.*

8 *(c) JOINT PROFESSIONAL MILITARY EDUCATION.—*

9 *(1) CONTINGENCY OPERATIONS AS MATTER*
10 *WITHIN COURSE OF JPME.—Section 2151(a) of such*
11 *title is amended by adding at the end the following*
12 *new paragraph:*

13 *“(6) Contingency operations.”.*

14 *(2) CURRICULUM FOR THREE-PHASE AP-*
15 *PROACH.—Section 2154 of such title is amended by*
16 *adding at the end the following new subsection:*

17 *“(c) CURRICULUM RELATING TO CONTINGENCY OPER-*
18 *ATIONS.—(1) The curriculum for each phase of joint profes-*
19 *sional military education implemented under this section*
20 *shall include content appropriate for such phase on the fol-*
21 *lowing:*

22 *“(A) Requirements definition.*

23 *“(B) Contingency program management.*

24 *“(C) Contingency contracting.*

1 “(D) *The strategic impact of contracting on*
2 *military missions.*”

3 “(2) *In this subsection, the terms ‘requirements defini-*
4 *tion’, ‘contingency program management’, and ‘contingency*
5 *contracting’ have the meaning given those terms in section*
6 *2333(f) of this title.’.*”

7 (d) *MANAGEMENT STRUCTURE.—Section 2330(c)(2) of*
8 *such title is amended by striking “other than services” and*
9 *all that follows and inserting “including services in support*
10 *of contingency operations. The term does not include serv-*
11 *ices relating to research and development or military con-*
12 *struction.’.*”

13 **SEC. 864. RISK ASSESSMENT AND MITIGATION FOR CON-**
14 **TRACTOR PERFORMANCE OF CRITICAL FUNC-**
15 **TIONS IN SUPPORT OF OVERSEAS CONTIN-**
16 **GENCY OPERATIONS.**

17 (a) *COMPREHENSIVE RISK ASSESSMENT AND MITIGA-*
18 *TION PLAN REQUIRED.—*

19 (1) *IN GENERAL.—Subject to paragraphs (2) and*
20 *(3), not later than six months after the commence-*
21 *ment or designation of an overseas contingency oper-*
22 *ation that includes or is expected to include combat*
23 *operations, the head of each covered agency shall per-*
24 *form a comprehensive risk assessment and develop a*
25 *risk mitigation plan for operational and political*

1 *risks associated with contractor performance of crit-*
2 *ical functions in support of the operation for such*
3 *covered agency.*

4 (2) *EXCEPTIONS.—Except as provided in para-*
5 *graph (3), a risk assessment and risk mitigation plan*
6 *shall not be required under paragraph (1) for an*
7 *overseas contingency operation if both—*

8 (A) *the operation is not expected to con-*
9 *tinue for more than one year; and*

10 (B) *the total annual amount of obligations*
11 *by the United States Government for contracts*
12 *for support of or in connection with the oper-*
13 *ation is not expected to exceed, \$250,000,000 in*
14 *any fiscal year.*

15 (3) *TERMINATION OF EXCEPTIONS.—Notwith-*
16 *standing paragraph (2), the head of a covered agency*
17 *shall perform a risk assessment and develop a risk*
18 *mitigation plan under paragraph (1) for an overseas*
19 *contingency operation with regard to which a risk as-*
20 *essment and risk mitigation plan has not previously*
21 *been performed under paragraph (1) not later than*
22 *60 days after the first date on which either of the fol-*
23 *lowing occurs:*

24 (A) *The operation has continued for more*
25 *than one year.*

1 (B) *The total amount of obligations by the*
2 *United States Government for contracts for sup-*
3 *port of or in connection with the operation has*
4 *exceeded \$250,000,000 in a fiscal year.*

5 (b) *COMPREHENSIVE RISK ASSESSMENTS.—A com-*
6 *prehensive risk assessment for an overseas contingency oper-*
7 *ation under subsection (a) shall consider, at a minimum,*
8 *risks relating to the following:*

9 (1) *The goals and objectives of the operation*
10 *(such as risks from behavior that injures innocent*
11 *members of the local population or outrages their sen-*
12 *sibilities).*

13 (2) *The continuity of the operation (such as risks*
14 *from contractors walking off the job or being unable*
15 *to perform when there is no timely back-up avail-*
16 *able).*

17 (3) *The safety of military and civilian personnel*
18 *of the United States if the presence or performance of*
19 *contractor personnel creates unsafe conditions or in-*
20 *vites attack.*

21 (4) *The managerial control of the Government*
22 *over the operation (such as risks from over-reliance on*
23 *contractors to monitor other contractors with inad-*
24 *equiate means for Government personnel to monitor*
25 *their work).*

1 (5) *The critical organic or core capabilities of*
2 *the Government, including critical knowledge or insti-*
3 *tutional memory of key operations areas and subject-*
4 *matter expertise.*

5 (6) *The ability of the Government to control*
6 *costs, avoid organizational or personal conflicts of in-*
7 *terest, and minimize waste, fraud, and abuse.*

8 (c) *RISK MITIGATION PLANS.—A risk mitigation plan*
9 *for an overseas contingency operation under subsection (a)*
10 *shall include, at a minimum, the following:*

11 (1) *For each high risk area identified in the*
12 *comprehensive risk assessment for the operation per-*
13 *formed under subsection (a)—*

14 (A) *specific actions to mitigate or reduce*
15 *such risk, including, but not limited to, the de-*
16 *velopment of alternative capabilities to reduce*
17 *reliance on contractor performance of critical*
18 *functions;*

19 (B) *measurable milestones for the imple-*
20 *mentation of planned risk mitigation or risk re-*
21 *duction measures; and*

22 (C) *a process for monitoring, measuring,*
23 *and documenting progress in mitigating or re-*
24 *ducing risk.*

1 (2) *A continuing process for identifying and ad-*
2 *ressing new and changed risks arising in the course*
3 *of the operation, including the periodic reassessment*
4 *of risks and the development of appropriate risk miti-*
5 *gation or reduction plans for any new or changed*
6 *high risk area identified.*

7 (d) *REPORTS TO CONGRESS.—*

8 (1) *IN GENERAL.—Not later than 30 days after*
9 *the completion of a comprehensive risk assessment*
10 *and risk mitigation plan under subsection (a), the*
11 *head of the covered agency concerned shall submit to*
12 *the appropriate committees of Congress a report set-*
13 *ting forth a summary description of the assessment*
14 *and plan, including a description of the risks identi-*
15 *fied through the assessment and the actions to be*
16 *taken to address such risks.*

17 (2) *FORM.—Each report shall be submitted in*
18 *unclassified form, but may include a classified annex.*

19 (e) *CRITICAL FUNCTIONS.—For purposes of this sec-*
20 *tion, critical functions include, at a minimum, the fol-*
21 *lowing:*

22 (1) *Private security functions, as that term is*
23 *defined in section 864(a)(5) of the National Defense*
24 *Authorization Act for Fiscal Year 2008 (10 U.S.C.*
25 *2302 note).*

1 (2) *Training and advising government per-*
2 *sonnel, including military and security personnel, of*
3 *a host nation.*

4 (3) *Conducting intelligence or information oper-*
5 *ations.*

6 (4) *Any other functions that are closely associ-*
7 *ated with inherently governmental functions, includ-*
8 *ing the functions set forth in section 7.503(d) of the*
9 *Federal Acquisition Regulation.*

10 (f) *DEFINITIONS.—In this section:*

11 (1) *The term “appropriate committees of Con-*
12 *gress” means—*

13 (A) *the Committee on Armed Services, the*
14 *Committee on Foreign Relations, the Committee*
15 *on Homeland Security and Governmental Af-*
16 *airs, and the Committee on Appropriations of*
17 *the Senate; and*

18 (B) *the Committee on Armed Services, the*
19 *Committee on Foreign Affairs, the Committee on*
20 *Oversight and Government Reform, and the*
21 *Committee on Appropriations of the House of*
22 *Representatives.*

23 (2) *The term “covered agency” means the fol-*
24 *lowing:*

25 (A) *The Department of Defense.*

1 (B) *The Department of State.*

2 (C) *The United States Agency for Inter-*
3 *national Development.*

4 (3) *The term “overseas contingency operation”*
5 *means a military operation outside the United States*
6 *and its territories and possessions that is a contin-*
7 *gency operation (as that term is defined in section*
8 *101(a)(13) of title 10, United States Code).*

9 **SEC. 865. EXTENSION AND MODIFICATION OF REPORTS ON**
10 **CONTRACTING IN IRAQ AND AFGHANISTAN.**

11 (a) *TWO-YEAR EXTENSION OF REQUIREMENT FOR*
12 *JOINT REPORT.*—*Subsection (a)(5) of section 863 of the Na-*
13 *tional Defense Authorization Act for Fiscal Year 2008 (10*
14 *U.S.C. 2302 note) is amended by striking “February 1,*
15 *2013” and inserting “February 1, 2015”.*

16 (b) *REPEAL OF COMPTROLLER GENERAL REVIEW.*—
17 *Such section is further amended by striking subsection (b).*

18 (c) *CONFORMING AMENDMENTS.*—

19 (1) *IN GENERAL.*—*Such section is further*
20 *amended—*

21 (A) *by striking “JOINT REPORT RE-*
22 *QUIRED.—” and all that follows through “para-*
23 *graph (6)” and inserting “IN GENERAL.—Except*
24 *as provided in subsection (f)”;*

1 (B) by striking “this subsection” each place
2 it appears and inserting “this section”;

3 (C) by redesignating paragraphs (2)
4 through (7) as subsections (b) through (g), re-
5 spectively, and indenting the left margins of such
6 subsections, as so redesignated, two ems from the
7 left margin;

8 (D) in subsection (b), as redesignated by
9 subparagraph (C) of this paragraph, by redesign-
10 ating subparagraphs (A) through (H) as para-
11 graphs (1) through (8), respectively, and indent-
12 ing the left margin of such paragraphs, as so re-
13 designated, four ems from the left margin;

14 (E) in subsection (c), as redesignated by
15 subparagraph (C) of this paragraph—

16 (i) by redesignating subparagraphs (A)
17 through (C) as paragraphs (1) through (3),
18 respectively, and indenting the left margin
19 of such paragraphs, as so redesignated, four
20 ems from the left margin; and

21 (ii) by striking “paragraph (2)” each
22 place it appears and inserting “subsection
23 (b)”;

24 (F) in subsection (f), as redesignated by
25 subparagraph (C) of this paragraph, by striking

1 “*this paragraph*” and inserting “*this sub-*
2 *section*”; and

3 (G) in subsection (g), as so redesignated, by
4 striking “*paragraph (2)(F)*” and inserting “*sub-*
5 *section (b)(6)*”.

6 (2) *HEADING AMENDMENT*.—*The heading of such*
7 *section is amended by striking “AND COMP-*
8 *TROLLER GENERAL REVIEW”.*

9 **SEC. 866. EXTENSION OF TEMPORARY AUTHORITY TO AC-**
10 **QUIRE PRODUCTS AND SERVICES IN COUN-**
11 **TRIES ALONG A MAJOR ROUTE OF SUPPLY TO**
12 **AFGHANISTAN.**

13 (a) *EXTENSION*.—*Subsection (f) of section 801 of the*
14 *National Defense Authorization Act for Fiscal Year 2010*
15 *(Public Law 111–84; 123 Stat. 2399) is amended by strik-*
16 *ing “on or after the date occurring three years after the*
17 *date of the enactment of this Act” and inserting “after De-*
18 *cember 31, 2014”.*

19 (b) *REPEAL OF EXPIRED REPORTING REQUIRE-*
20 *MENT*.—*Subsection (g) of such section is repealed.*

21 (c) *CLERICAL AMENDMENT*.—*The heading of such sec-*
22 *tion is amended by striking “; REPORT”.*

1 **SEC. 867. COMPLIANCE WITH BERRY AMENDMENT RE-**
2 **QUIRED FOR UNIFORM COMPONENTS SUP-**
3 **PLIED TO AFGHANISTAN MILITARY OR AF-**
4 **GHANISTAN NATIONAL POLICE.**

5 (a) *REQUIREMENT.*—*In the case of any textile compo-*
6 *nents supplied by the Department of Defense to the Afghani-*
7 *stan National Army or the Afghanistan National Police for*
8 *purposes of production of uniforms, section 2533a of title*
9 *10, United States Code, shall apply, and no exceptions or*
10 *exemptions under that section shall apply.*

11 (b) *EFFECTIVE DATE.*—*This section shall apply to so-*
12 *licitations issued and contracts awarded for the procure-*
13 *ment of textile components described in subsection (a) after*
14 *the date of the enactment of this Act.*

15 **SEC. 868. SENSE OF SENATE ON THE CONTRIBUTIONS OF**
16 **LATVIA AND OTHER NORTH ATLANTIC TREA-**
17 **TY ORGANIZATION MEMBER NATIONS TO THE**
18 **SUCCESS OF THE NORTHERN DISTRIBUTION**
19 **NETWORK.**

20 (a) *FINDINGS.*—*The Senate makes the following find-*
21 *ings:*

22 (1) *The remote and austere environments in*
23 *which United States troops are required to operate as*
24 *part of the International Security Assistance Force*
25 *(ISAF) mission in Afghanistan have increased the*
26 *need for reliable lines of supply in southwest Asia.*

1 (2) *The country of Afghanistan presents unique*
2 *logistics challenges, which have precipitated the devel-*
3 *opment of several redundant lines of supply.*

4 (3) *United States Transportation Command and*
5 *the Defense Logistics Agency (DLA), in consultation*
6 *with United States Embassy officials and other par-*
7 *ties, have successfully established memoranda of un-*
8 *derstanding and other agreements with nations in*
9 *and around southwest Asia to ensure the reliability of*
10 *lines of supply to Afghanistan.*

11 (4) *The lines of supply through Pakistan have*
12 *been repeatedly threatened by instability in that*
13 *country. Airlifting goods to Afghanistan, while safer,*
14 *is expensive.*

15 (5) *The Northern Distribution Network (NDN)*
16 *was established in late 2008 to ensure that a safe and*
17 *cost-effective line of supply is available for United*
18 *States troops in Afghanistan.*

19 (6) *The two prongs of supply provided by the*
20 *Northern Distribution Network ship nonlethal goods*
21 *from the Baltic ports in the north and the Caucauses*
22 *in the west to southwest Asia and Afghanistan.*

23 (7) *The Northern Distribution Network has been*
24 *successful and now handles more than 50 percent of*
25 *cargo shipped to Afghanistan.*

1 (8) *North Atlantic Treaty Organization (NATO)*
2 *member nations along the Northern Distribution Net-*
3 *work routes have contributed significantly to the suc-*
4 *cess of the Northern Distribution Network.*

5 (9) *The United States has strong economic ties*
6 *to Northern Distribution Network nations that are*
7 *members of the North Atlantic Treaty Organization,*
8 *and these nations may be able to provide quality*
9 *goods and services for near and long-term use by the*
10 *Department of Defense.*

11 (10) *Since 2009 the port of Riga, on the Baltic*
12 *Sea, has been a critical overland entry point for goods*
13 *being shipped using the Northern Distribution Net-*
14 *work. Latvia is a member of the North Atlantic Trea-*
15 *ty Organization and has been an ally of the United*
16 *States in the region for many years.*

17 (11) *In September 2010, the Defense Logistics*
18 *Agency, the General Services Administration, and*
19 *other parties hosted a local procurement conference in*
20 *Riga, Latvia.*

21 (12) *One hundred nine Latvian vendors attended*
22 *the September 2010 conference in Riga, and contracts*
23 *with Latvian vendors have been entered into as a re-*
24 *sult.*

1 (13) *In May 2012, Latvia hosted an inter-*
2 *national workshop in Riga to examine ways of trans-*
3 *forming the Northern Distribution Network from a*
4 *route for the delivery of United States and other Al-*
5 *lies' non-lethal goods to Afghanistan into a commer-*
6 *cial route that would support the economic growth of*
7 *Afghanistan and the southwest Asia region.*

8 (b) *SENSE OF SENATE.—It is the sense of the Senate*
9 *that—*

10 (1) *Latvia and other North Atlantic Treaty Or-*
11 *ganization member nations along the Northern Dis-*
12 *tribution Network routes are key economic and secu-*
13 *rity partners of the United States and are to be com-*
14 *mended for their contribution to ensuring United*
15 *States and International Security Assistance Force*
16 *troops have reliable lines of supply to achieve the mis-*
17 *sion in Afghanistan;*

18 (2) *when quality products at competitive prices*
19 *are available, significant effort should be made to pro-*
20 *cure goods locally from Latvia and other North Atlan-*
21 *tic Treaty Organization member nations along the*
22 *Northern Distribution Network routes; and*

23 (3) *Latvia and other North Atlantic Treaty Or-*
24 *ganization member nations along the Northern Dis-*
25 *tribution Network routes remain allies of the United*

1 *States in the region, and a mutually beneficial rela-*
2 *tionship should continue to be cultivated between the*
3 *United States and Latvia and such other nations in*
4 *the future.*

5 **SEC. 869. RESPONSIBILITIES OF INSPECTORS GENERAL**
6 **FOR OVERSEAS CONTINGENCY OPERATIONS.**

7 *(a) IN GENERAL.—The Inspector General Act of 1978*
8 *(5 U.S.C. App.) is amended—*

9 *(1) by redesignating section 8L as section 8M;*
10 *and*

11 *(2) by inserting after section 8K the following*
12 *new section 8L:*

13 **“SEC. 8L. SPECIAL PROVISIONS CONCERNING OVERSEAS**
14 **CONTINGENCY OPERATIONS.**

15 *“(a) IN GENERAL.—Upon the commencement or des-*
16 *ignation of a military operation as an overseas contingency*
17 *operation that exceeds 90 days, the Inspectors General spec-*
18 *ified in subsection (b) shall have the responsibilities speci-*
19 *fied in this section.*

20 *“(b) INSPECTORS GENERAL.—The Inspectors General*
21 *specified in this subsection are the Inspectors General as*
22 *follows:*

23 *“(1) The Inspector General of the Department of*
24 *Defense.*

1 “(2) *The Inspector General of the Department of*
2 *State.*

3 “(3) *The Inspector General of the United States*
4 *Agency for International Development.*

5 “(c) *STANDING COMMITTEE ON OVERSEAS CONTIN-*
6 *GENCY OPERATIONS.—(1) The Council of Inspectors Gen-*
7 *eral on Integrity and Efficiency (CIGIE) shall establish a*
8 *standing committee on overseas contingency operations. The*
9 *standing committee shall consist of the following:*

10 “(A) *A chair, who shall be the Lead Inspector*
11 *General for an overseas contingency operation under*
12 *subsection (d) if such an operation is underway, and*
13 *shall be an Inspector General specified in subsection*
14 *(b) selected by the Inspectors General specified in that*
15 *subsection from among themselves if such an oper-*
16 *ation is not underway.*

17 “(B) *The other Inspectors General specified in*
18 *subsection (b).*

19 “(C) *For the duration of any contingency oper-*
20 *ation that exceeds 90 days, any other inspectors gen-*
21 *eral determined by the chair, in coordination with the*
22 *other Inspectors General specified in subsection (b), to*
23 *have actual or potential areas of responsibility with*
24 *respect to the contingency operation.*

1 “(2) *The standing committee shall have such on-going*
2 *responsibilities, including planning, coordination, and de-*
3 *velopment of practices, to improve oversight of overseas con-*
4 *tingency operations as the chair considers appropriate.*

5 “(3)(A) *For the duration of any contingency operation*
6 *that exceeds 90 days, the standing committee shall develop*
7 *and update on an annual basis a joint-strategic plan for*
8 *ongoing and planned oversight of the contingency operation*
9 *by the Inspectors General specified in subsection (b) and*
10 *designated pursuant to paragraph (1)(C), including the fol-*
11 *lowing:*

12 “(i) *Audit and available inspection plans.*

13 “(ii) *An overall assessment of such oversight, in-*
14 *cluding projects or areas (whether departmental or*
15 *government-wide) of concern or in need of further re-*
16 *view.*

17 “(iii) *Such other matters as the Lead Inspector*
18 *General for the contingency operation considers ap-*
19 *propriate.*

20 “(B) *Each plan under this paragraph, and any update*
21 *of such plan, shall be made available on an Internet website*
22 *available to the public. Each plan, and any update of such*
23 *plan, made so available shall be made available in unclassi-*
24 *fied form.*

1 “(d) *LEAD INSPECTOR GENERAL FOR OVERSEAS CON-*
2 *TINGENCY OPERATIONS.*—(1) *There shall be a lead inspec-*
3 *tor general for each overseas contingency operation that ex-*
4 *ceeds 90 days (in this section referred to as the ‘Lead In-*
5 *spector General’ for the contingency operation concerned).*

6 “(2) *The Lead Inspector General for a contingency op-*
7 *eration shall be the Inspector General of the Department*
8 *of Defense, who shall assume such role not later than 90*
9 *days after the commencement or designation of the military*
10 *operation concerned as a contingency operation.*

11 “(e) *RESPONSIBILITIES OF LEAD INSPECTOR GEN-*
12 *ERAL.*—(1) *The Lead Inspector General for an overseas con-*
13 *tingency operation shall have the following responsibilities:*

14 “(A) *To conduct oversight, in full coordination*
15 *with the other Inspectors General specified in sub-*
16 *section (b), over all aspects of the contingency oper-*
17 *ation and to ensure, either through joint or indi-*
18 *vidual audits, inspections, and investigations, inde-*
19 *pendent and effective oversight of all programs and*
20 *operations of all departments and agencies in the con-*
21 *tingency operation.*

22 “(B) *To appoint, from among the offices of the*
23 *other Inspectors General specified in subsection (b),*
24 *an Inspector General to act as Associate Inspector*
25 *General for the overseas contingency operation who*

1 *shall act in a coordinating role to assist the Lead In-*
2 *pector General in the discharge of responsibilities*
3 *under this subsection.*

4 “(C)(i) *If none of the Inspectors General speci-*
5 *fied in subsection (b) has principal jurisdiction over*
6 *a matter with respect to the contingency operation, to*
7 *exercise responsibility for discharging oversight re-*
8 *sponsibilities in accordance with this Act with respect*
9 *to such matter.*

10 “(ii) *If more than one of the Inspectors General*
11 *specified in subsection (b) has jurisdiction over a*
12 *matter with respect to the contingency operation, to*
13 *determine principal jurisdiction for discharging over-*
14 *sight responsibilities in accordance with this Act with*
15 *respect to such matter.*

16 “(D) *To carry out such other responsibilities re-*
17 *lating to the coordination and efficient and effective*
18 *discharge by the Inspectors General specified in sub-*
19 *section (b) of duties relating to the contingency oper-*
20 *ation as the Lead Inspector General shall specify.*

21 “(2) *The Lead Inspector General for an overseas con-*
22 *tingency operation shall discharge the responsibilities for*
23 *the contingency operation under this subsection in a man-*
24 *ner consistent with the authorities and requirements of this*
25 *Act generally and the authorities and requirements applica-*

1 ble to the Inspectors General specified in subsection (b)
2 under this Act.

3 “(f) *REPORTS.*—(1) *The Lead Inspector General for an*
4 *overseas contingency operation shall, in coordination with*
5 *the other Inspectors General specified in subsection (b), sub-*
6 *mit to the appropriate committees of Congress on a semi-*
7 *annual basis, and make available on an Internet website*
8 *available to the public, a report summarizing, for the semi-*
9 *annual period, the activities of the Lead Inspector General*
10 *and the other Inspectors General specified in subsection (b)*
11 *with respect to the contingency operation, including—*

12 “(A) *the status and results of audits, inspections,*
13 *and closed investigations, and of the number of refer-*
14 *als to the Department of Justice;*

15 “(B) *updates and changes to overall plans for the*
16 *review of the contingency operation by inspectors gen-*
17 *eral, including plans for inspections and audits; and*

18 “(C) *the activities under programs and oper-*
19 *ations funded with amounts appropriated or other-*
20 *wise made available for the overseas contingency oper-*
21 *ation, including the information specified in para-*
22 *graph (2).*

23 “(2) *The information specified in this paragraph with*
24 *respect to an overseas contingency operation is as follows:*

1 “(A) *Obligations and expenditures of appro-*
2 *priated funds.*

3 “(B) *A project-by-project and program-by-pro-*
4 *gram accounting of the costs incurred to date for the*
5 *contingency operation, together with the estimate of*
6 *the Department of Defense, the Department of State,*
7 *and the United States Agency for International De-*
8 *velopment, as applicable, of the costs to complete each*
9 *project and program above the simplified acquisition*
10 *threshold.*

11 “(C) *Revenues attributable to or consisting of*
12 *funds provided by foreign nations or international or-*
13 *ganizations to programs and projects for the contin-*
14 *gency operation that are funded by any department*
15 *or agency of the United States Government, and any*
16 *obligations or expenditures of such revenues.*

17 “(D) *Revenues attributable to or consisting of*
18 *foreign assets seized or frozen that contribute to pro-*
19 *grams and projects for the contingency operation that*
20 *are funded by any department or agency of the*
21 *United States Government, and any obligations or ex-*
22 *penditures of such revenues.*

23 “(E) *Operating expenses of agencies or entities*
24 *receiving amounts appropriated or otherwise made*
25 *available for the contingency operation.*

1 “(F) *In the case of any contract, grant, agree-*
2 *ment, or other funding mechanism described in para-*
3 *graph (3) with respect to the contingency operation—*

4 “(i) *the amount of the contract, grant,*
5 *agreement, or other funding mechanism;*

6 “(ii) *a brief discussion of the scope of the*
7 *contract, grant, agreement, or other funding*
8 *mechanism;*

9 “(iii) *a discussion of how the department or*
10 *agency of the United States Government involved*
11 *in the contract, grant, agreement, or other fund-*
12 *ing mechanism identified, and solicited offers*
13 *from, potential individuals or entities to perform*
14 *the contract, grant, agreement, or other funding*
15 *mechanism, together with a list of the potential*
16 *individuals or entities that were issued solicita-*
17 *tions for the offers; and*

18 “(iv) *the justification and approval docu-*
19 *ments on which was based the determination to*
20 *use procedures other than procedures that pro-*
21 *vide for full and open competition.*

22 “(3) *A contract, grant, agreement, or other funding*
23 *mechanism described in this paragraph is any major con-*
24 *tract, grant, agreement, or other funding mechanism that*
25 *is entered into by any department or agency of the United*

1 *States Government that involves the use of amounts appro-*
2 *priated or otherwise made available for reconstruction and*
3 *other related activities in the contingency operation con-*
4 *cerned with any public or private sector entity, including*
5 *any of the following purposes:*

6 “(A) *To build or rebuild physical infrastructure.*

7 “(B) *To establish or reestablish a political or so-*
8 *cietal function or institution.*

9 “(C) *To provide products or services.*

10 “(4) *Each report under this subsection shall be sub-*
11 *mitted in unclassified form, but may include a classified*
12 *annex.*

13 “(g) *TEMPORARY EMPLOYMENT AUTHORITY.—(1)*
14 *Each Inspector General specified in subsection (b) may em-*
15 *ploy, on a temporary basis using the authorities in section*
16 *3161 of title 5, United States Code (but without regard to*
17 *subsections (a) and (b)(2) of such section), such auditors,*
18 *inspectors, investigators, and other personnel as such In-*
19 *spector General considers appropriate for purposes of assist-*
20 *ing such Inspector General in discharging responsibilities*
21 *under subsection (e) with respect to an overseas contingency*
22 *operation.*

23 “(2) *The employment under this subsection of an an-*
24 *nuitant described in section 9902(g) of title 5, United States*
25 *Code, shall be governed by the provisions of such section*

1 *as if the position to which employed was a position in the*
2 *Department of Defense.*

3 “(3) *The employment under this subsection of an an-*
4 *nuitant receiving an annuity under the Foreign Service Re-*
5 *tirement and Disability System under chapter 8 of the For-*
6 *ign Service Act of 1980 (22 U.S.C. 4041 et seq.) shall be*
7 *treated as employment in an elective position in the Gov-*
8 *ernment on a temporary basis under section 824(b) of the*
9 *Foreign Service Act of 1980 (22 U.S.C. 4064(b)) for which*
10 *continued receipt of annuities may be elected as provided*
11 *in such section.*

12 “(4) *The authority to employ personnel under this sub-*
13 *section for a contingency operation shall cease as provided*
14 *for in subsection (h).*

15 “(h) *SUNSET FOR PARTICULAR CONTINGENCY OPER-*
16 *ATIONS.—The requirements and authorities of this section*
17 *with respect to an overseas contingency operation shall*
18 *cease at the earlier of—*

19 “(1) *the end of the first fiscal year after the com-*
20 *mencement or designation of the contingency oper-*
21 *ation in which the total amount appropriated for the*
22 *contingency operation is less than \$250,000,000 (in*
23 *constant fiscal year 2012 dollars); or*

1 “(2) *the date that is 18 months after the date of*
2 *the issuance by the Secretary of Defense of an order*
3 *terminating the contingency operation.*

4 “(i) *CONSTRUCTION OF AUTHORITY.—Nothing in this*
5 *Act shall be construed to limit the ability of the Inspectors*
6 *General specified in subsection (b) to enter into agreements*
7 *to conduct joint audits, inspections, or investigations in the*
8 *exercise of their oversight responsibilities in accordance*
9 *with this Act with respect to overseas contingency oper-*
10 *ations.*

11 “(j) *DEFINITIONS.—In this section:*

12 “(1) *The term ‘overseas contingency operation’*
13 *means a military operation outside the United States*
14 *and its territories and possessions that is a contin-*
15 *gency operation (as that term is defined in section*
16 *101(a)(13) of title 10, United States Code).*

17 “(2) *The term ‘simplified acquisition threshold’*
18 *has the meaning provided that term in section*
19 *2302(7) of title 10, United States Code.”.*

20 “(b) *CONFORMING AMENDMENT RELATING TO TEM-*
21 *PORARY EMPLOYMENT AUTHORITY.—Section 3161 of title*
22 *5, United States Code, is amended by adding at the end*
23 *the following new subsection:*

24 “(j) *LEAD INSPECTORS GENERAL FOR OVERSEAS CON-*
25 *TINGENCY OPERATIONS AS TEMPORARY ORGANIZATION.—*

1 *In addition to the meaning given that term in subsection*
2 *(a), the term ‘temporary organization’ for purposes of this*
3 *subchapter shall, without regard to subsections (a) and*
4 *(b)(2) of this section, also include the Lead Inspector Gen-*
5 *eral for an overseas contingency operation under section 8L*
6 *of the Inspector General Act of 1978 and the Inspectors Gen-*
7 *eral and inspector general office personnel assisting the*
8 *Lead Inspector General in the discharge of responsibilities*
9 *and authorities under subsection (e) of such section 8L with*
10 *respect to the contingency operation.”.*

11 **SEC. 870. AGENCY REPORTS AND INSPECTOR GENERAL AU-**
12 **DITS OF CERTAIN INFORMATION ON OVER-**
13 **SEAS CONTINGENCY OPERATIONS.**

14 *(a) AGENCY REPORTS.—Not later than 180 days after*
15 *the commencement or designation of a military operation*
16 *as an overseas contingency operation and semi-annually*
17 *thereafter during the duration of the contingency operation,*
18 *the Secretary of Defense, the Secretary of State, and the*
19 *Administrator of the United States Agency for Inter-*
20 *national Development shall each make available to the In-*
21 *pector General of the department or agency concerned the*
22 *information required by subsection (f)(2) of section 8L of*
23 *the Inspector General Act of 1978 (as amended by section*
24 *869 of this Act) on the contingency operation.*

1 (b) *INSPECTOR GENERAL AUDITS.*—Not later than 90
2 days after receipt of a report under subsection (a), each In-
3 spector General referred to in that subsection shall—

4 (1) *perform an audit on the quality of the infor-*
5 *mation submitted in such report, including an assess-*
6 *ment of the completeness and accuracy of the infor-*
7 *mation and the extent to which the information fully*
8 *satisfies the requirements of such Inspector General in*
9 *preparing the semi-annual report described in sub-*
10 *section (f)(1)(C) of section 8L of the Inspector General*
11 *Act of 1978 (as so amended); and*

12 (2) *submit to the appropriate committees of Con-*
13 *gress a report on the reliability, accuracy, and com-*
14 *pleteness of the information, including any signifi-*
15 *cant problems in such information.*

16 (c) *DEFINITIONS.*—*In this section:*

17 (1) *The term “appropriate committees of Con-*
18 *gress” means—*

19 (A) *the Committee on Armed Services, the*
20 *Committee on Foreign Relations, the Committee*
21 *on Homeland Security and Governmental Af-*
22 *airs, and the Committee on Appropriations of*
23 *the Senate; and*

24 (B) *the Committee on Armed Services, the*
25 *Committee on Foreign Affairs, the Committee on*

1 *Oversight and Government Reform, and the*
2 *Committee on Appropriations of the House of*
3 *Representatives.*

4 (2) *The term “overseas contingency operation”*
5 *means a military operation outside the United States*
6 *and its territories and possessions that is a contin-*
7 *gency operation (as that term is defined in section*
8 *101(a)(13) of title 10, United States Code).*

9 **SEC. 871. OVERSIGHT OF CONTRACTS AND CONTRACTING**
10 **ACTIVITIES FOR OVERSEAS CONTINGENCY**
11 **OPERATIONS IN RESPONSIBILITIES OF CHIEF**
12 **ACQUISITION OFFICERS OF FEDERAL AGEN-**
13 **CIES.**

14 (a) *IN GENERAL.*—*Subsection (b)(3) of section 1702*
15 *of title 41, United States Code, is amended—*

16 (1) *by redesignating subparagraphs (F) and (G)*
17 *as subparagraphs (G) and (H), respectively; and*

18 (2) *by inserting after subparagraph (E) the fol-*
19 *lowing new subparagraph (F):*

20 *“(F) advising the executive agency on the appli-*
21 *cability of relevant policy on the contracts of the*
22 *agency for overseas contingency operations and ensur-*
23 *ing the compliance of the contracts and contracting*
24 *activities of the agency with such policy;”.*

1 **(b) DEFINITION.**—*Such section is further amended by*
2 *adding at the following new subsection:*

3 **“(d) OVERSEAS CONTINGENCY OPERATIONS DE-**
4 **FINED.**—*In this section, the term ‘overseas contingency op-*
5 *erations’ means military operations outside the United*
6 *States and its territories and possessions that are a contin-*
7 *gency operation (as that term is defined in section*
8 *101(a)(13) of title 10).”.*

9 **SEC. 872. REPORTS ON RESPONSIBILITY WITHIN DEPART-**
10 **MENT OF STATE AND THE UNITED STATES**
11 **AGENCY FOR INTERNATIONAL DEVELOPMENT**
12 **FOR CONTRACT SUPPORT FOR OVERSEAS**
13 **CONTINGENCY OPERATIONS.**

14 **(a) DOS AND USAID REPORTS REQUIRED.**—*Not later*
15 *than six months after the date of the enactment of this Act,*
16 *the Secretary of State and the Administrator of the United*
17 *States Agency for International Development shall, in con-*
18 *sultation with the Chief Acquisition Officer of the Depart-*
19 *ment of State and the Chief Acquisition Officer of the*
20 *United States Agency for International Development, re-*
21 *spectively, each submit to the appropriate committees of*
22 *Congress an assessment of Department of State and United*
23 *States Agency for International Development policies gov-*
24 *erning contract support in overseas contingency operations.*

1 (b) *ELEMENTS.*—*Each report under subsection (a)*
2 *shall include the following:*

3 (1) *A description and assessment of the roles and*
4 *responsibilities of the officials, offices, and components*
5 *of the Department of State or the United States Agen-*
6 *cy for International Development, as applicable, with-*
7 *in the chain of authority and responsibility for pol-*
8 *icy, planning, and execution of contract support for*
9 *overseas contingency operations.*

10 (2) *Procedures and processes of the Department*
11 *or Agency, as applicable, on the following in connec-*
12 *tion with contract support for overseas contingency*
13 *operations:*

14 (A) *Collection, inventory, and reporting of*
15 *data.*

16 (B) *Acquisition planning.*

17 (C) *Solicitation and award of contracts.*

18 (D) *Requirements development and man-*
19 *agement.*

20 (E) *Contract tracking and oversight.*

21 (F) *Performance evaluations.*

22 (G) *Risk management.*

23 (H) *Interagency coordination and transi-*
24 *tion planning.*

1 (3) *Strategies and improvements necessary for*
2 *the Department or the Agency, as applicable, to ad-*
3 *dress reliance on contractors, workforce planning, and*
4 *the recruitment and training of acquisition workforce*
5 *personnel, including the anticipated number of per-*
6 *sonnel needed to perform acquisition management*
7 *and oversight functions and plans for achieving per-*
8 *sonnel staffing goals, in connection with overseas con-*
9 *tingency operations.*

10 (c) *COMPTROLLER GENERAL REPORT.*—*Not later than*
11 *one year after the date of the enactment of this Act, the*
12 *Comptroller General of the United States shall submit to*
13 *the appropriate committees of Congress a report on the*
14 *progress of the efforts of the Department of State and the*
15 *United States Agency for International Development in im-*
16 *plementing improvements and changes identified under*
17 *paragraphs (1) through (3) of subsection (b) in the reports*
18 *required by subsection (a), together with such additional in-*
19 *formation as the Comptroller General considers appropriate*
20 *to further inform such committees on issues relating to the*
21 *reports required by subsection (a).*

22 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
23 *FINED.*—*In this section, the term “appropriate committees*
24 *of Congress” means—*

1 (1) *the Committee on Foreign Relations, the*
 2 *Committee on Armed Services, the Committee on*
 3 *Homeland Security and Governmental Affairs, and*
 4 *the Committee on Appropriations of the Senate; and*

5 (2) *the Committee on Foreign Affairs, the Com-*
 6 *mittee on Armed Services, the Committee on Over-*
 7 *sight and Government Reform, and the Committee on*
 8 *Appropriations of the House of Representatives.*

9 **SEC. 873. PROFESSIONAL EDUCATION FOR DEPARTMENT**
 10 **OF STATE PERSONNEL ON ACQUISITION FOR**
 11 **DEPARTMENT OF STATE SUPPORT AND PAR-**
 12 **TICIPATION IN OVERSEAS CONTINGENCY OP-**
 13 **ERATIONS.**

14 (a) *PROFESSIONAL EDUCATION REQUIRED.—The Sec-*
 15 *retary of State shall develop and administer for Depart-*
 16 *ment of State personnel specified in subsection (b) a course*
 17 *of professional education on acquisition by the Department*
 18 *of State for Department of State support for, and participa-*
 19 *tion in, overseas contingency operations.*

20 (b) *COVERED DEPARTMENT OF STATE PERSONNEL.—*
 21 *The Department of State personnel specified in this sub-*
 22 *section are as follows:*

23 (1) *The Chief Acquisition Officer of the Depart-*
 24 *ment of State.*

1 (2) *Personnel of the Department designated by*
2 *the Chief Acquisition Officer, including contracting*
3 *officers and other contracting personnel.*

4 (3) *Such other personnel of the Department as*
5 *the Secretary of State shall designate for purposes of*
6 *this section.*

7 (c) *ELEMENTS.—*

8 (1) *CURRICULUM CONTENT.—The course of pro-*
9 *fessional education under this section shall include*
10 *appropriate content on the following:*

11 (A) *Contingency contracting.*

12 (B) *Contingency program management.*

13 (C) *The strategic impact of contracting*
14 *costs on the mission and activities of the Depart-*
15 *ment of State.*

16 (D) *Such other matters relating to acquisi-*
17 *tion by the Department for Department support*
18 *for, or participation in, overseas contingency op-*
19 *erations as the Secretary of State considers ap-*
20 *propriate.*

21 (2) *PHASED APPROACH.—The course of profes-*
22 *sional education may be broken into two or more*
23 *phases of professional education with curriculum or*
24 *modules of education suitable for the Department of*
25 *State personnel specified in subsection (b) at different*

1 *phases of professional advancement within the De-*
2 *partment.*

3 *(d) DEFINITIONS.—In this section:*

4 *(1) The term “contingency contracting” means*
5 *all stages of the process of acquiring property or serv-*
6 *ices by the Department of State for Department of*
7 *State support for, and participation in, overseas con-*
8 *tingency operations.*

9 *(2) The term “contingency program manage-*
10 *ment” means the process of planning, organizing,*
11 *staffing, controlling, and leading specific acquisition*
12 *programs and activities of the Department of State*
13 *for Department of State support for, and participa-*
14 *tion in, overseas contingency operations.*

15 *(3) The term “overseas contingency operation”*
16 *means a military operation outside the United States*
17 *and its territories and possessions that is a contin-*
18 *gency operation (as that term is defined in section*
19 *101(a)(13) of title 10, United States Code).*

20 **SEC. 874. DATABASE ON PRICE TRENDS OF ITEMS AND**
21 **SERVICES UNDER FEDERAL CONTRACTS.**

22 *(a) DATABASE REQUIRED.—*

23 *(1) IN GENERAL.—Chapter 33 of title 41, United*
24 *States Code, is amended by adding at the end the fol-*
25 *lowing new section:*

1 **“§ 3312. Database on price trends of items and serv-**
2 **ices under Federal contracts**

3 “(a) *DATABASE REQUIRED.*—*The Administrator shall*
4 *establish and maintain a database of information on price*
5 *trends for items and services under contracts with the Fed-*
6 *eral Government. The information in the database shall be*
7 *designed to assist Federal acquisition officials in the fol-*
8 *lowing:*

9 “(1) *Monitoring developments in price trends for*
10 *items and services under contracts with the Federal*
11 *Government.*

12 “(2) *Conducting pricing or cost analyses for*
13 *items and services under offers for contracts with the*
14 *Federal Government, or otherwise conducting deter-*
15 *minations of the reasonableness of prices for items*
16 *and services under such offers, and addressing un-*
17 *justified escalation in prices being paid by the Fed-*
18 *eral Government for items and services under con-*
19 *tracts with the Federal Government.*

20 “(b) *USE.*—(1) *The database under subsection (a)*
21 *shall be available to executive agencies in the evaluation*
22 *of offers for contracts with the Federal Government for items*
23 *and services.*

24 “(2) *The Secretary of Defense may satisfy the require-*
25 *ments of this section by complying with the requirements*

1 of section 892 of the Ike Skelton National Defense Author-
 2 ization Act for Fiscal Year 2011 (10 U.S.C. 2306a note).”.

3 (2) *CLERICAL AMENDMENT.*—The table of sec-
 4 tions at the beginning of chapter 33 of such title is
 5 amended by adding at the end the following new item:
 “3312. Database on price trends of items and services under Federal contracts.”.

6 (b) *USE OF ELEMENTS OF DEPARTMENT OF DEFENSE*
 7 *PILOT PROJECT.*—In establishing the database required by
 8 section 3312 of title 41, United States Code (as added by
 9 subsection (a)), the Administrator of Federal Procurement
 10 Policy shall use and incorporate appropriate elements of
 11 the pilot project on pricing of the Department of Defense
 12 being carried out by the Director of Defense Pricing.

13 **SEC. 875. INFORMATION ON CORPORATE CONTRACTOR**
 14 **PERFORMANCE AND INTEGRITY THROUGH**
 15 **THE FEDERAL AWARDEE PERFORMANCE AND**
 16 **INTEGRITY INFORMATION SYSTEM.**

17 (a) *INCLUSION OF CORPORATIONS AMONG COVERED*
 18 *PERSONS.*—Subsection (b) of section 872 of the Duncan
 19 Hunter National Defense Authorization Act for Fiscal Year
 20 2009 (Public Law 110–417; 122 Stat. 4555) is amended
 21 by inserting “(including a corporation)” after “Any per-
 22 son” both places it appears.

23 (b) *INFORMATION ON CORPORATIONS.*—Subsection (d)
 24 of such section is amended by adding at the end the fol-
 25 lowing new paragraph:

1 “(3) *INFORMATION ON CORPORATIONS.*—*The in-*
2 *formation on a corporation in the database shall, to*
3 *the extent practicable, include information on any*
4 *parent, subsidiary, or successor entities to the cor-*
5 *poration in manner designed to give the acquisition*
6 *officials using the database a comprehensive under-*
7 *standing of the performance and integrity of the cor-*
8 *poration in carrying out Federal contracts and*
9 *grants.”.*

10 **SEC. 876. INCLUSION OF DATA ON CONTRACTOR PERFORM-**
11 **ANCE IN PAST PERFORMANCE DATABASES**
12 **FOR EXECUTIVE AGENCY SOURCE SELECTION**
13 **DECISIONS.**

14 (a) *STRATEGY REQUIRED.*—

15 (1) *IN GENERAL.*—*Not later than 180 days after*
16 *the date of the enactment of this Act, the Federal Ac-*
17 *quisition Regulatory Council shall develop a strategy*
18 *for ensuring that timely, accurate, and complete in-*
19 *formation on contractor performance is included in*
20 *past performance databases used by executive agencies*
21 *for making source selection decisions.*

22 (2) *CONSULTATION WITH USDATL.*—*In devel-*
23 *oping the strategy required by this subsection, the*
24 *Federal Acquisition Regulatory Council shall consult*
25 *with the Under Secretary of Defense for Acquisition,*

1 *Technology, and Logistics to ensure that the strategy*
2 *is, to the extent practicable, consistent with the strat-*
3 *egy developed by the Under Secretary pursuant to sec-*
4 *tion 806 of the National Defense Authorization Act*
5 *for Fiscal Year 2012 (Public Law 112–81; 125 Stat.*
6 *1487; 10 U.S.C. 2302 note).*

7 *(b) ELEMENTS.—The strategy required by subsection*
8 *(a) shall, at a minimum—*

9 *(1) establish standards for the timeliness and*
10 *completeness of past performance submissions for pur-*
11 *poses of databases described in subsection (a);*

12 *(2) assign responsibility and management ac-*
13 *countability for the completeness of past performance*
14 *submissions for such purposes; and*

15 *(3) ensure that past performance submissions for*
16 *such purposes are consistent with award fee evalua-*
17 *tions in cases where such evaluations have been con-*
18 *ducted.*

19 *(c) CONTRACTOR COMMENTS.—Not later than 180*
20 *days after the date of the enactment of this Act, the Federal*
21 *Acquisition Regulation shall be revised to require the fol-*
22 *lowing:*

23 *(1) That affected contractors are provided, in a*
24 *timely manner, information on contractor perform-*

1 *ance to be included in past performance databases in*
2 *accordance with subsection (a).*

3 *(2) That such contractors are afforded up to 14*
4 *calendar days, from the date of delivery of the infor-*
5 *mation provided in accordance with paragraph (1),*
6 *to submit comments, rebuttals, or additional informa-*
7 *tion pertaining to past performance for inclusion in*
8 *such databases.*

9 *(3) That agency evaluations of contractor past*
10 *performance, including any information submitted*
11 *under paragraph (2), are included in the relevant*
12 *past performance database not later than the date*
13 *that is 14 days after the date of delivery of the infor-*
14 *mation provided in accordance with paragraph (1).*

15 *(d) CONSTRUCTION.—Nothing in this section shall be*
16 *construed to prohibit a contractor from submitting com-*
17 *ments, rebuttals, or additional information pertaining to*
18 *past performance after the period described in subsection*
19 *(c)(2) has elapsed or to prohibit a contractor from chal-*
20 *lenging a past performance evaluation in accordance with*
21 *applicable laws, regulations, or procedures.*

22 *(e) COMPTROLLER GENERAL REPORT.—Not later than*
23 *18 months after the date of the enactment of this Act, the*
24 *Comptroller General of the United States shall submit to*
25 *the appropriate committees of Congress a report on the ac-*

1 tions taken by the Federal Acquisition Regulatory Council
2 pursuant to this section, including an assessment of the fol-
3 lowing:

4 (1) *The extent to which the strategy required by*
5 *subsection (a) is consistent with the strategy developed*
6 *by the Under Secretary of Defense for Acquisition,*
7 *Technology, and Logistics as described in subsection*
8 *(a)(2).*

9 (2) *The extent to which the actions of the Federal*
10 *Acquisition Regulatory Council pursuant to this sec-*
11 *tion have otherwise achieved the objectives of this sec-*
12 *tion.*

13 (f) *DEFINITIONS.—In this section:*

14 (1) *The term “appropriate committees of Con-*
15 *gress” means—*

16 (A) *the Committee on Armed Services, the*
17 *Committee on Foreign Relations, the Committee*
18 *on Homeland Security and Governmental Af-*
19 *airs, and the Committee on Appropriations of*
20 *the Senate; and*

21 (B) *the Committee on Armed Services, the*
22 *Committee on Foreign Affairs, the Committee on*
23 *Oversight and Government Reform, and the*
24 *Committee on Appropriations of the House of*
25 *Representatives.*

1 (2) *The term “executive agency” has the mean-*
2 *ing given that term in section 133 of title 41, United*
3 *States Code, except that the term excludes the Depart-*
4 *ment of Defense and the military departments.*

5 (3) *The term “Federal Acquisition Regulatory*
6 *Council” means the Federal Acquisition Regulatory*
7 *Council under section 1302(a) of title 41, United*
8 *States Code.*

9 **SEC. 877. PUBLIC AVAILABILITY OF DATABASE OF SENIOR**
10 **DEPARTMENT OF DEFENSE OFFICIALS SEEK-**
11 **ING EMPLOYMENT WITH DEFENSE CONTRAC-**
12 **TORS.**

13 *Section 847(b) of the National Defense Authorization*
14 *Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C.*
15 *1701 note) is amended by adding at the end the following*
16 *new paragraph:*

17 “(3) **PUBLIC AVAILABILITY OF INFORMATION.**—
18 *The Secretary of Defense shall make available online*
19 *to the public any information contained in the data-*
20 *base or repository required under paragraph (1) that*
21 *is not confidential, personal, or proprietary in na-*
22 *ture.”.*

Subtitle E—Other Matters

1 **Subtitle E—Other Matters**
2 **SEC. 881. REQUIREMENTS AND LIMITATIONS FOR SUSPEN-**
3 **SION AND DEBARMENT OFFICIALS OF THE**
4 **DEPARTMENT OF DEFENSE, THE DEPART-**
5 **MENT OF STATE, AND THE UNITED STATES**
6 **AGENCY FOR INTERNATIONAL DEVELOP-**
7 **MENT.**

8 (a) *IN GENERAL.*—Not later than 180 days after the
9 date of the enactment of this Act, the head of the covered
10 agency concerned shall ensure the following:

11 (1) *There shall be not less than one suspension*
12 *and debarment official—*

13 (A) *in the case of the Department of De-*
14 *fense, for each of the Department of the Army,*
15 *the Department of the Navy, the Department of*
16 *the Air Force, and the Defense Logistics Agency;*

17 (B) *for the Department of State; and*

18 (C) *for the United States Agency for Inter-*
19 *national Development.*

20 (2) *A suspension and debarment official under*
21 *paragraph (1) may not report to or be subject to the*
22 *supervision of the acquisition office or the Inspector*
23 *General of—*

24 (A) *in the case of the Department of De-*
25 *fense, either the Department of Defense or the*

1 *military department or Defense Agency con-*
2 *cerned; and*

3 *(B) in the case of any other covered agency,*
4 *the acquisition office or the Inspector General of*
5 *such agency.*

6 *(3)(A) Except as provided in subparagraph (B),*
7 *the duties of a suspension and debarment official*
8 *under paragraph (1) may include only the following:*

9 *(i) The direction, management, and over-*
10 *sight of suspension and debarment activities.*

11 *(ii) The direction, management, and over-*
12 *sight of fraud remedies activities.*

13 *(iii) Membership and participation in the*
14 *Interagency Committee on Debarment and Sus-*
15 *pension in accordance with Executive Order No.*
16 *12549 and section 873 of the Duncan Hunter*
17 *National Defense Authorization Act for Fiscal*
18 *Year 2009 (as amended by this section).*

19 *(B) The limitation in subparagraph (A) shall*
20 *not be construed to prohibit a suspension and debar-*
21 *ment official under paragraph (1) from providing au-*
22 *thorized legal advice to the extent that the provision*
23 *of such advice does not present a conflict of interest*
24 *with the exercise of the duties of the suspension and*
25 *debarment official under subparagraph (A).*

1 (4) *Each suspension and debarment official*
2 *under paragraph (1) shall have a staff and resources*
3 *adequate for the discharge of the suspension and de-*
4 *barment responsibilities of such official.*

5 (5) *Each suspension and debarment official*
6 *under paragraph (1) shall document the basis for any*
7 *decision taken pursuant to a referral in accordance*
8 *with the policies established under paragraph (7), in-*
9 *cluding, but not limited to, the following:*

10 (A) *Any decision to suspend or debar any*
11 *person or entity.*

12 (B) *Any decision not to suspend or debar*
13 *any person or entity.*

14 (C) *Any decision declining to pursue sus-*
15 *pension or debarment of any person or entity.*

16 (D) *Any administrative agreement entered*
17 *with any person or persons in lieu of suspension*
18 *or debarment of such person or entity.*

19 (6) *Any decision under subparagraphs (B)*
20 *through (D) of paragraph (5) shall not preclude a*
21 *subsequent decision by a suspension and debarment*
22 *official under paragraph (1) to suspend, debar, or*
23 *enter into any administrative agreement with any*
24 *person or entity based on additional information or*
25 *changed circumstances. All cases, whether based on re-*

1 *ferral or internally developed, shall be documented*
2 *prior to closure by the suspension and debarment offi-*
3 *cial.*

4 (7) *Each suspension and debarment official*
5 *under paragraph (1) shall, in consultation with the*
6 *General Counsel of the covered agency concerned, es-*
7 *tablish in writing policies for the consideration of the*
8 *following:*

9 (A) *Referrals of suspension and debarment*
10 *matters.*

11 (B) *Suspension and debarment matters that*
12 *are not referred.*

13 (b) *COVERED AGENCY DEFINED.—In subsection (a),*
14 *the term “covered agency” means the following:*

15 (1) *The Department of Defense.*

16 (2) *The Department of State.*

17 (3) *The United States Agency for International*
18 *Development.*

19 (c) *DUTIES OF INTERAGENCY COMMITTEE ON DEBAR-*
20 *MENT AND SUSPENSION.—Section 873 of the Duncan Hun-*
21 *ter National Defense Authorization Act for Fiscal Year 2009*
22 *(31 U.S.C. 6101 note) is amended—*

23 (1) *in subsection (a)—*

24 (A) *in paragraph (1), by inserting “, in-*
25 *cluding with respect to contracts in connection*

1 *with contingency operations” before the semi-*
2 *colon; and*

3 *(B) in paragraph (7)—*

4 *(i) in subparagraph (B), by striking*
5 *“and” at the end;*

6 *(ii) in subparagraph (C), by striking*
7 *the period at the end and inserting a semi-*
8 *colon; and*

9 *(iii) by adding at the end the following*
10 *new subparagraphs*

11 *“(D) a summary of suspensions,*
12 *debarments, and administrative agreements dur-*
13 *ing the previous year; and*

14 *“(E) a summary of referrals of suspension*
15 *and debarment matters received during the pre-*
16 *vious year, including an identification of the*
17 *agencies making such referrals and an assess-*
18 *ment of the timeliness of such referrals.”; and*

19 *(2) by striking subsection (b) and inserting the*
20 *following new subsections:*

21 *“(b) DATE OF SUBMITTAL OF ANNUAL REPORTS.—The*
22 *annual report required by subsection (a)(7) shall be sub-*
23 *mitted not later than 120 days after the end of the first*
24 *fiscal year ending after the date of the enactment of the*

1 *National Defense Authorization Act for Fiscal Year 2013,*
2 *and annually thereafter.*

3 “(c) *DEFINITIONS.—In this section:*

4 “(1) *The term ‘contingency operation’ has the*
5 *meaning given that term in section 101(a)(13) of title*
6 *10, United States Code.*

7 “(2) *The term ‘Interagency Committee on Debar-*
8 *ment and Suspension’ means the committee con-*
9 *stituted under sections 4 and 5 of Executive Order*
10 *No. 12549.’’.*

11 **SEC. 881A. ADDITIONAL BASES FOR SUSPENSION OR DE-**
12 **BARMENT.**

13 (a) *IN GENERAL.—Not later than 180 days after the*
14 *date of the enactment of this Act, the Federal Acquisition*
15 *Regulation shall be revised to provide for the automatic re-*
16 *ferral of a person described in subsection (b) to the appro-*
17 *priate suspension and debarment official for a determina-*
18 *tion whether or not the person should be suspended or*
19 *debarred.*

20 (b) *COVERED PERSONS.—A person described in this*
21 *subsection is any person as follows:*

22 (1) *A person who has been charged with a Fed-*
23 *eral criminal offense relating to the award or per-*
24 *formance of a contract of an executive agency.*

1 (2) *A person who has been alleged, in a civil or*
2 *criminal proceeding brought by the United States, to*
3 *have engaged in fraudulent actions in connection*
4 *with the award or performance of a contract of an ex-*
5 *ecutive agency.*

6 (3) *A person that does not maintain an office*
7 *within the United States and has been determined by*
8 *the head of a contracting agency of an executive agen-*
9 *cy to have failed to pay or refund amounts due or*
10 *owed to the Federal Government in connection with*
11 *the performance of a contract of the executive agency.*

12 (c) *DEFINITIONS.—In this section:*

13 (1) *The term “executive agency” has the mean-*
14 *ing given that term in section 133 of title 41, United*
15 *States Code.*

16 (2) *The term “person” has the meaning given*
17 *that term in section 1 of title 1, United States Code.*

18 **SEC. 882. UNIFORM CONTRACT WRITING SYSTEM REQUIRE-**

19 **MENTS.**

20 (a) *UNIFORM STANDARDS AND CONTROLS RE-*
21 *QUIRED.—Not later than 180 days after the date of the en-*
22 *actment of this Act, the officials specified in subsection (b)*
23 *shall—*

24 (1) *establish uniform data standards, internal*
25 *control requirements, independent verification and*

1 *validation requirements, and business process rules*
2 *for processing procurement requests, contracts, re-*
3 *ceipts, and invoices by the Department of Defense or*
4 *other executive agencies, as applicable;*

5 *(2) establish and maintain one or more approved*
6 *electronic contract writing systems that conform with*
7 *the standards, requirements, and rules established*
8 *pursuant to paragraph (1); and*

9 *(3) require the use of electronic contract writing*
10 *systems approved in accordance with paragraph (2)*
11 *for all contracts entered into by the Department of*
12 *Defense or other executive agencies, as applicable.*

13 ***(b) COVERED OFFICIALS.—The officials specified in***
14 ***this subsection are the following:***

15 *(1) The Secretary of Defense, with respect to the*
16 *Department of Defense and the military departments.*

17 *(2) The Administrator of the Office of Federal*
18 *Procurement Policy, with respect to the executive*
19 *agencies other than the Department of Defense and*
20 *the military departments.*

21 ***(c) ELECTRONIC WRITING SYSTEMS FOR DEPARTMENT***
22 ***OF STATE AND USAID.—Notwithstanding subsection***
23 ***(b)(2), the Secretary of State and the Administrator of the***
24 ***United States Agency for International Development may***
25 ***meet the requirements of subsection (a)(2) with respect to***

1 *approved electronic contract writing systems for the De-*
2 *partment of State and the United States Agency for Inter-*
3 *national Development, respectively, if the Secretary and the*
4 *Administrator, as the case may be, demonstrate to the Ad-*
5 *ministrator of the Office of Federal Procurement Policy that*
6 *prior investment of resources in existing contract writing*
7 *systems will result in the most cost effective and efficient*
8 *means to satisfy such requirements.*

9 *(d) PHASE-IN OF IMPLEMENTATION OF REQUIREMENT*
10 *FOR APPROVED SYSTEMS.—The officials specified in sub-*
11 *section (b) may phase in the implementation of the require-*
12 *ment to use approved electronic contract writing systems*
13 *in accordance with subsection (a)(3) over a period of up*
14 *to five years beginning with the date of the enactment of*
15 *this Act.*

16 *(e) REPORTS.—Not later than 180 days after the date*
17 *of the enactment of this Act, the officials specified in sub-*
18 *section (b) shall each submit to the appropriate committees*
19 *of Congress a report on the implementation of the require-*
20 *ments of this section. Each report shall, at a minimum—*

21 *(1) describe the standards, requirements, and*
22 *rules established pursuant to subsection (a)(1);*

23 *(2) identify the electronic contract writing sys-*
24 *tems approved pursuant to subsection (a)(2) and, if*
25 *multiple systems are approved, explain why the use*

1 *of such multiple systems is the most efficient and ef-*
2 *fective approach to meet the contract writing needs of*
3 *the Federal Government; and*

4 (3) *provide the schedule for phasing in the use*
5 *of approved electronic contract writing systems in ac-*
6 *cordance with subsections (a)(3) and (d).*

7 (f) *DEFINITIONS.—In this section:*

8 (1) *The term “appropriate committees of Con-*
9 *gress” means—*

10 (A) *the Committee on Armed Services, the*
11 *Committee on Foreign Relations, the Committee*
12 *on Homeland Security and Governmental Af-*
13 *airs, and the Committee on Appropriations of*
14 *the Senate; and*

15 (B) *the Committee on Armed Services, the*
16 *Committee on Foreign Affairs, the Committee on*
17 *Oversight and Government Reform, and the*
18 *Committee on Appropriations of the House of*
19 *Representatives.*

20 (2) *The term “executive agency” has the mean-*
21 *ing given that term in section 133 of title 41, United*
22 *States Code.*

1 **SEC. 883. COMPTROLLER GENERAL OF THE UNITED STATES**
2 **REVIEW OF USE BY THE DEPARTMENT OF DE-**
3 **FENSE, THE DEPARTMENT OF STATE, AND**
4 **THE UNITED STATES AGENCY FOR INTER-**
5 **NATIONAL DEVELOPMENT OF URGENT AND**
6 **COMPELLING EXCEPTION TO COMPETITION.**

7 (a) *REVIEW REQUIRED.*—*The Comptroller General of*
8 *the United States shall review each of the following:*

9 (1) *The use by the Department of Defense of the*
10 *unusual and compelling urgency exception to full and*
11 *open competition provided in section 2304(c)(2) of*
12 *title 10, United States Code.*

13 (2) *The use by each of the Department of State*
14 *and the United States Agency for International De-*
15 *velopment of the unusual and compelling urgency ex-*
16 *ception to full and open competition provided in sec-*
17 *tion 3304(a)(2) of title 41, United States Code.*

18 (b) *MATTERS TO BE REVIEWED.*—*The review of the*
19 *use of an unusual and compelling urgency exception re-*
20 *quired by subsection (a) shall include a review of the fol-*
21 *lowing:*

22 (1) *The pattern of use of the exception by acqui-*
23 *sition organizations within the Department of De-*
24 *fense, the Department of State, and the United States*
25 *Agency for International Development in order to de-*

1 *termine which organizations are commonly using the*
2 *exception and the frequency of such use.*

3 (2) *The range of items or services being acquired*
4 *through the use of the exception.*

5 (3) *The process for reviewing and approving jus-*
6 *tifications involving the exception.*

7 (4) *Whether the justifications for use of the ex-*
8 *ception typically meet the relevant requirements of the*
9 *Federal Acquisition Regulation applicable to the use*
10 *of the exception.*

11 (5) *The extent to which the exception is used to*
12 *solicit bids or proposals from only one source and the*
13 *extent to which such sole-source procurements are ap-*
14 *propriately documented and justified.*

15 (6) *The compliance of the Department of De-*
16 *fense, the Department of State, and the United States*
17 *Agency for International Development with the re-*
18 *quirements of section 2304(d)(3) of title 10, United*
19 *States Code, or section 3304(c)(1)(B) of title 41,*
20 *United States Code, as applicable, that limit the du-*
21 *ration of contracts awarded pursuant to the exception*
22 *and require approval for any such contract in excess*
23 *of one year.*

24 (c) *REPORT.*—*Not later than one year after the date*
25 *of the enactment of this Act, the Comptroller General shall*

1 *submit to the appropriate committees of Congress a report*
2 *on the review required by subsection (a), including a discus-*
3 *sion of each of the matters specified in subsection (b). The*
4 *report shall include any recommendations relating to the*
5 *matters reviewed that the Comptroller General considers ap-*
6 *propriate.*

7 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
8 *FINED.—In this section, the term “appropriate committees*
9 *of Congress” means—*

10 (1) *the Committee on Armed Services, the Com-*
11 *mittee on Foreign Relations, the Committee on Home-*
12 *land Security and Governmental Affairs, and the*
13 *Committee on Appropriations of the Senate; and*

14 (2) *the Committee on Armed Services, the Com-*
15 *mittee on Foreign Affairs, the Committee on Over-*
16 *sight and Government Reform, and the Committee on*
17 *Appropriations of the House of Representatives.*

18 **SEC. 884. AUTHORITY TO PROVIDE FEE-FOR-SERVICE IN-**
19 **SPECTION AND TESTING BY DEFENSE CON-**
20 **TRACT MANAGEMENT AGENCY FOR CERTAIN**
21 **CRITICAL EQUIPMENT IN THE ABSENCE OF A**
22 **PROCUREMENT CONTRACT.**

23 (a) *AUTHORITY.—Section 2539b of title 10, United*
24 *States Code, is amended—*

25 (1) *in subsection (a)—*

1 (A) in paragraph (3), by striking “and” at
2 the end;

3 (B) in paragraph (4), by striking the period
4 at the end and inserting “; and”; and

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

7 “(5) make available to any person or entity, in
8 advance of the award of a procurement contract,
9 through contracts or other appropriate arrangements
10 and subject to subsection (c), the services of the De-
11 fense Contract Management Agency for testing and
12 inspection of items when such testing and inspection
13 is determined by such Secretary to be critical to a
14 specific program of the Department of Defense.”;

15 (2) by redesignating subsections (c) and (d) as
16 subsections (d) and (e), respectively; and

17 (3) by inserting after subsection (b) the following
18 new subsection (c):

19 “(c) *DCMA SERVICES*.—Services of the Defense Con-
20 tract Management Agency may be made available under
21 subsection (a)(5) only if the contract or other arrangement
22 for those services—

23 “(1) holds the United States harmless if the
24 items covered by the contract or other arrangement
25 (whether or not tested and inspected under the con-

1 *tract or other arrangement) are not subsequently or-*
2 *dered by or delivered to the United States under a*
3 *procurement contract entered into after the contract*
4 *or other arrangement is entered into; and*

5 *“(2) holds the United States harmless against*
6 *any claim arising out of the inspection and testing,*
7 *or the use in any commercial application, of the*
8 *equipment tested and inspected by the Defense Con-*
9 *tract Management Agency under the contract or other*
10 *arrangement.”.*

11 *(b) FEES.—Subsection (d) of such section, as redesign-*
12 *ated by subsection (a)(2) of this section, is amended—*

13 *(1) in the first sentence, by striking “and (a)(4)”*
14 *and inserting “, (a)(4), and (a)(5)”;* and

15 *(2) in the second sentence—*

16 *(A) by inserting “, travel, and other inci-*
17 *dental overhead expenses” after “salaries”;* and

18 *(B) by inserting “or inspection” before the*
19 *period at the end.*

20 *(c) USE OF FEES.—Subsection (e) of such section, as*
21 *so redesignated, is amended by striking “and (a)(4)” and*
22 *inserting “, (a)(4), and (a)(5)”.*

1 **SEC. 885. DISESTABLISHMENT OF DEFENSE MATERIEL**
2 **READINESS BOARD.**

3 (a) *DISESTABLISHMENT OF BOARD.*—*The Defense Ma-*
4 *teriel Readiness Board established pursuant to section 871*
5 *of the National Defense Authorization Act for Fiscal Year*
6 *2008 (Public Law 110–181; 10 U.S.C. 117 note) is hereby*
7 *disestablished.*

8 (b) *TERMINATION OF STRATEGIC READINESS FUND.*—
9 *The Department of Defense Strategic Readiness Fund estab-*
10 *lished by section 872(d) of the National Defense Authoriza-*
11 *tion Act for Fiscal Year 2008 (10 U.S.C. 117 note) is hereby*
12 *closed.*

13 (c) *REPEAL.*—*Subtitle G of title VIII of the National*
14 *Defense Authorization Act for Fiscal Year 2008 (10 U.S.C.*
15 *117 note) is repealed.*

16 **SEC. 886. MODIFICATION OF PERIOD OF WAIT FOLLOWING**
17 **NOTICE TO CONGRESS OF INTENT TO CON-**
18 **TRACT FOR LEASES OF CERTAIN VESSELS**
19 **AND VEHICLES.**

20 *Section 2401(h)(2) of title 10, United States Code, is*
21 *amended by striking “of continuous session of Congress”.*

22 **SEC. 887. EXTENSION OF OTHER TRANSACTION AUTHOR-**
23 **ITY.**

24 *Section 845(i) of the National Defense Authorization*
25 *Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amended*

1 *by striking “September 30, 2013” and inserting “September*
2 *30, 2018”.*

3 **SEC. 888. SUBCONTRACTOR NOTIFICATIONS.**

4 *Section 8(d) of the Small Business Act (15 U.S.C.*
5 *637(d)) is amended by adding at the end the following:*

6 *“(13) NOTIFICATION REQUIREMENT.—An offeror with*
7 *respect to a contract let by a Federal agency that is to be*
8 *awarded pursuant to the negotiated method of procurement*
9 *that intends to identify a small business concern as a poten-*
10 *tial subcontractor in the offer relating to the contract shall*
11 *notify the small business concern that the offeror intends*
12 *to identify the small business concern as a potential subcon-*
13 *tractor in the offer.*

14 *“(14) REPORTING BY SUBCONTRACTORS.—The Ad-*
15 *ministrator shall establish a reporting mechanism that al-*
16 *lows a subcontractor to report fraudulent activity by a con-*
17 *tractor with respect to a subcontracting plan submitted to*
18 *a procurement authority under paragraph (4)(B).”.*

19 **SEC. 889. REPORT BY THE SUSPENSION AND DEBARMENT**
20 **OFFICIALS OF THE MILITARY DEPARTMENTS**
21 **AND THE DEFENSE LOGISTICS AGENCY.**

22 *(a) REPORT REQUIRED.—Not later than 60 days after*
23 *the date of the enactment of this Act, the suspension and*
24 *debarment official of each agency specified in subsection (b)*
25 *shall submit to the congressional defense committees a re-*

1 *port on the suspension and debarment activities of such offi-*
2 *cial containing the information specified in subsection (c).*

3 (b) *COVERED AGENCIES.*—*The agencies specified in*
4 *this subsection are the following:*

5 (1) *The Department of the Army.*

6 (2) *The Department of the Navy.*

7 (3) *The Department of the Air Force.*

8 (4) *The Defense Logistics Agency.*

9 (c) *COVERED INFORMATION.*—*The information speci-*
10 *fied in this subsection to be included in the report of a sus-*
11 *pension and debarment official under subsection (a) is the*
12 *following:*

13 (1) *The number of open suspension and debar-*
14 *ment cases of such official as of the date of such re-*
15 *port.*

16 (2) *The current average processing time for sus-*
17 *pension and debarment cases.*

18 (3) *The target goal of such official for average*
19 *processing time for suspension and debarment pro-*
20 *posals.*

21 (4) *If the average time required for such official*
22 *to process suspension and debarment proposals is*
23 *more than twice the target goal specified under para-*
24 *graph (3)—*

1 (A) *an explanation why the average time*
2 *exceeds the target goal by more than twice the*
3 *target goal; and*

4 (B) *a description of the actions to be taken*
5 *by such official to ensure that the average proc-*
6 *essing time for suspension and debarment pro-*
7 *posals meets the target goal.*

8 **SEC. 889A. STUDY ON ARMY SMALL ARMS AND AMMUNITION**
9 **ACQUISITION.**

10 (a) *STUDY.—*

11 (1) *IN GENERAL.—Not later than 30 days after*
12 *the date of the enactment of this Act, the Secretary of*
13 *Defense shall enter into a contract with a Federally*
14 *Funded Research and Development Center to conduct*
15 *a study on the Army's acquisition of small arms and*
16 *ammunition to determine each of the following:*

17 (A) *A comparative evaluation of the current*
18 *military small arms in use by United States*
19 *general purpose and special operations forces, al-*
20 *lied foreign militaries, and those potential can-*
21 *didate small arms not necessarily in use mili-*
22 *tarily but available commercially.*

23 (B) *An assessment of the Department of De-*
24 *fense's current plans to modernize its small arms*
25 *capabilities.*

1 (C) *A comparative evaluation of the Army's*
2 *standard small arms ammunition with other*
3 *small arms ammunition alternatives.*

4 (2) *FACTORS TO CONSIDER.*—*The study required*
5 *under subsection (a) shall take into consideration the*
6 *following factors:*

7 (A) *Current and future operating environ-*
8 *ments as specified or referred to in Department*
9 *of Defense strategic guidance and planning docu-*
10 *ments.*

11 (B) *Modifications and improvements re-*
12 *cently applied to United States general purpose*
13 *and special operations forces small arms as well*
14 *as their potential for continued modification and*
15 *improvement.*

16 (C) *Industrial base impacts.*

17 (3) *ACCESS TO INFORMATION.*—*The Secretary of*
18 *Defense and the Secretary of the Army shall ensure*
19 *that the Federally Funded Research and Development*
20 *Center conducting the study required under subsection*
21 *(a) has access to all necessary data, records, analysis,*
22 *personnel, and other resources necessary to complete*
23 *the study.*

24 (b) *REPORT.*—

1 (1) *IN GENERAL.*—Not later than September 30,
2 2013, the Secretary of Defense shall submit to the con-
3 gressional defense committees a report containing the
4 results of the study conducted under subsection (a),
5 together with the comments of the Secretary of Defense
6 on the findings contained in the study.

7 (2) *CLASSIFIED ANNEX.*—The report shall be in
8 unclassified form, but may contain a classified annex.

9 (c) *DEFINITIONS.*—In this section:

10 (1) The term “small arms” means—

11 (A) firearms up to but not including .50
12 caliber; and

13 (B) shotguns.

14 (2) The term “small arms ammunition” means
15 ammunition or ordnance for—

16 (A) firearms up to but not including .50
17 caliber; and

18 (B) shotguns.

19 **SEC. 889B. ANNUAL REPORT ON DEFENSE CONTRACTING**
20 **FRAUD.**

21 (a) *ANNUAL STUDY AND REPORT.*—The Secretary of
22 Defense shall conduct an annual study on defense con-
23 tracting fraud and submit a report containing the findings
24 of such study to the congressional defense committees.

1 (b) *REPORT CONTENTS.*—*The report required under*
2 *subsection (a) shall include with respect to the most recent*
3 *reporting period the following elements:*

4 (1) *An assessment of the total value of Depart-*
5 *ment of Defense contracts entered into to with con-*
6 *tractors that have been indicted for, settled charges of,*
7 *been fined by any Federal department or agency for,*
8 *or been convicted of fraud in connection with any*
9 *contract or other transaction entered into with the*
10 *Federal Government.*

11 (2) *Recommendations by the Inspector General*
12 *of the Department of Defense or other appropriate De-*
13 *partment of Defense official regarding how to penalize*
14 *contractors repeatedly involved in fraud in connection*
15 *with contracts or other transactions entered into with*
16 *the Federal Government, including an update on im-*
17 *plementation by the Department of any previous such*
18 *recommendations.*

19 **SEC. 889C. PLAN TO INCREASE NUMBER OF CONTRACTORS**
20 **ELIGIBLE FOR CONTRACTS UNDER AIR**
21 **FORCE NETCENTS-2 CONTRACT.**

22 (a) *PLAN REQUIRED.*—*Not later than 180 days after*
23 *the date of the enactment of this Act, the Secretary of De-*
24 *fense shall submit to the congressional defense committees*
25 *a plan to increase the number of contractors eligible to be*

1 *grounds for sustaining protests relating to bids for contracts*
2 *during such year.*

3 **SEC. 889E. SMALL BUSINESS HUBZONES.**

4 (a) *DEFINITION.*—*In this section, the term “covered*
5 *base closure area” means a base closure area that, on or*
6 *before the date of enactment of this Act, was treated as a*
7 *HUBZone for purposes of the Small Business Act (15*
8 *U.S.C. 631 et seq.) pursuant to section 152(a)(2) of the*
9 *Small Business Reauthorization and Manufacturing Assist-*
10 *ance Act of 2004 (15 U.S.C. 632 note).*

11 (b) *TREATMENT AS HUBZONE.*—

12 (1) *IN GENERAL.*—*Subject to paragraph (2), a*
13 *covered base closure area shall be treated as a*
14 *HUBZone for purposes of the Small Business Act (15*
15 *U.S.C. 631 et seq.) during the 5-year period begin-*
16 *ning on the date of enactment of this Act.*

17 (2) *LIMITATION.*—*The total period of time that*
18 *a covered base closure area is treated as a HUBZone*
19 *for purposes of the Small Business Act (15 U.S.C. 631*
20 *et seq.) pursuant to this section and section 152(a)(2)*
21 *of the Small Business Reauthorization and Manufac-*
22 *turing Assistance Act of 2004 (15 U.S.C. 632 note)*
23 *may not exceed 5 years.*

1 ***Subtitle F—Ending Trafficking in***
2 ***Government Contracting***

3 **SEC. 891. SHORT TITLE.**

4 *This subtitle may be cited as the “End Trafficking in*
5 *Government Contracting Act of 2012”.*

6 **SEC. 892. DEFINITIONS.**

7 *In this subtitle:*

8 (1) *COMMERCIAL SEX ACT.*—*The term “commer-*
9 *cial sex act” has the meaning given the term in sec-*
10 *tion 22.1702 of the Federal Acquisition Regulation*
11 *(or any similar successor regulation).*

12 (2) *EXECUTIVE AGENCY.*—*The term “executive*
13 *agency” has the meaning given the term in section*
14 *133 of title 41, United States Code.*

15 (3) *SUBCONTRACTOR.*—*The term “subcontractor”*
16 *means a recipient of a contract at any tier under a*
17 *grant, contract, or cooperative agreement.*

18 (4) *SUBGRANTEE.*—*The term “subgrantee”*
19 *means a recipient of a grant at any tier under a*
20 *grant or cooperative agreement.*

21 (5) *UNITED STATES.*—*The term “United States”*
22 *has the meaning provided in section 103(12) of the*
23 *Trafficking Victims Protection Act of 2000 (22 U.S.C.*
24 *7102(12)).*

1 **SEC. 893. CONTRACTING REQUIREMENTS.**

2 (a) *IN GENERAL.*—Section 106(g) of the Trafficking
3 *Victims Protection Act of 2000 (22 U.S.C. 7104(g)) is*
4 *amended by striking “if the grantee or any subgrantee,”*
5 *and all that follows through the period at the end and in-*
6 *serting the following: “or take any of the other remedial*
7 *actions authorized under section 895(c) of the End Traf-*
8 *ficking in Government Contracting Act of 2012, if the*
9 *grantee or any subgrantee, or the contractor or any subcon-*
10 *tractor, engages in, or uses labor recruiters, brokers, or other*
11 *agents who engage in—*

12 “(i) *severe forms of trafficking in per-*
13 *sons;*

14 “(ii) *the procurement of a commercial*
15 *sex act during the period of time that the*
16 *grant, contract, or cooperative agreement is*
17 *in effect;*

18 “(iii) *the use of forced labor in the per-*
19 *formance of the grant, contract, or coopera-*
20 *tive agreement, or*

21 “(iv) *acts that directly support or ad-*
22 *vance trafficking in persons, including the*
23 *following acts:*

24 “(I) *Destroying, concealing, re-*
25 *moving, confiscating, or otherwise de-*
26 *nying an employee access to that em-*

1 *ployee’s identity or immigration docu-*
2 *ments.*

3 *“(II) Failing to pay return trans-*
4 *portation costs to an employee upon*
5 *the end of employment, unless—*

6 *“(aa) exempted from the*
7 *duty to repatriate by the Federal*
8 *department or agency providing*
9 *or entering into the grant, con-*
10 *tract, or cooperative agreement; or*

11 *“(bb) the employee is a vic-*
12 *tim of human trafficking seeking*
13 *victim services or legal redress in*
14 *the country of employment or a*
15 *witness in a human trafficking*
16 *enforcement action.*

17 *“(III) Soliciting a person for the*
18 *purpose of employment, or offering em-*
19 *ployment, by means of materially false*
20 *or fraudulent pretenses, representa-*
21 *tions, or promises regarding that em-*
22 *ployment.*

23 *“(IV) Charging recruited employ-*
24 *ees unreasonable placement or recruit-*
25 *ment fees, such as fees equal to or*

1 *greater than the employee's monthly*
2 *salary, or recruitment fees that violate*
3 *the laws of the country from which an*
4 *employee is recruited.*

5 *“(V) Providing or arranging*
6 *housing that fails to meet the host*
7 *country housing and safety stand-*
8 *ards.”.*

9 *(b) EFFECTIVE DATE.—The amendment made by sub-*
10 *section (a) shall take effect 90 days after the date of the*
11 *enactment of this Act.*

12 **SEC. 894. COMPLIANCE PLAN AND CERTIFICATION RE-**
13 **QUIREMENT.**

14 *(a) REQUIREMENT.—The head of an executive agency*
15 *may not provide or enter into a grant, contract, or coopera-*
16 *tive agreement if the estimated value of the services required*
17 *to be performed under the grant, contract, or cooperative*
18 *agreement outside the United States exceeds \$500,000, un-*
19 *less a duly designated representative of the recipient of such*
20 *grant, contract, or cooperative agreement certifies to the*
21 *contracting or grant officer prior to receiving an award and*
22 *on an annual basis thereafter, after having conducted due*
23 *diligence, that—*

24 *(1) the recipient has implemented a plan to pre-*
25 *vent the activities described in section 106(g) of the*

1 *Trafficking Victims Protection Act of 2000 (22 U.S.C.*
2 *7104(g)), as amended by section 3, and is in compli-*
3 *ance with that plan;*

4 *(2) the recipient has implemented procedures to*
5 *prevent any activities described in such section 106(g)*
6 *and to monitor, detect, and terminate any subcon-*
7 *tractor, subgrantee, or employee of the recipient en-*
8 *gaging in any activities described in such section;*
9 *and*

10 *(3) to the best of the representative's knowledge,*
11 *neither the recipient, nor any subcontractor or sub-*
12 *grantee of the recipient or any agent of the recipient*
13 *or of such a subcontractor or subgrantee, is engaged*
14 *in any of the activities described in such section.*

15 *(b) LIMITATION.—Any plan or procedures imple-*
16 *mented pursuant to subsection (a) shall be appropriate to*
17 *the size and complexity of the grant, contract, or cooperative*
18 *agreement and to the nature and scope of its activities, in-*
19 *cluding the number of non-United States citizens expected*
20 *to be employed.*

21 *(c) DISCLOSURE.—The recipient shall provide a copy*
22 *of the plan to the contracting or grant officer upon request,*
23 *and as appropriate, shall post the useful and relevant con-*
24 *tents of the plan or related materials on its website and*
25 *at the workplace.*

1 (d) *GUIDANCE.*—*The President, in consultation with*
2 *the Secretary of State, the Attorney General, the Secretary*
3 *of Defense, the Secretary of Labor, the Secretary of Home-*
4 *land Security, the Administrator for the United States*
5 *Agency for International Development, and the heads of*
6 *such other executive agencies as the President deems appro-*
7 *priate, shall establish minimum requirements for contractor*
8 *plans and procedures to be implemented pursuant to this*
9 *section.*

10 (e) *REGULATIONS.*—*Not later than 270 days after the*
11 *date of the enactment of this Act, the Federal Acquisition*
12 *Regulation shall be amended to carry out the purposes of*
13 *this section.*

14 (f) *EFFECTIVE DATE.*—*The requirements under sub-*
15 *section (a) and (c) shall apply to grants, contracts, and*
16 *cooperative agreements entered into on or after the date that*
17 *is 90 days after the Federal Acquisition Regulation is*
18 *amended pursuant to subsection (e).*

19 **SEC. 895. MONITORING AND INVESTIGATION OF TRAF-**
20 **FICKING IN PERSONS.**

21 (a) *REFERRAL AND INVESTIGATION.*—

22 (1) *REFERRAL.*—*If the contracting or grant offi-*
23 *cer of an executive agency for a grant, contract, or co-*
24 *operative agreement receives credible information that*
25 *a recipient of the grant, contract, or cooperative*

1 *agreement; any subgrantee or subcontractor of the re-*
2 *recipient; or any agent of the recipient or of such a sub-*
3 *grantee or subcontractor, has engaged in an activity*
4 *described in section 106(g) of the Trafficking Victims*
5 *Protection Act of 2000 (22 U.S.C. 7104(g)), as*
6 *amended by section 893, including a report from a*
7 *contracting officer representative, an auditor, an al-*
8 *leged victim or victim’s representative, or any other*
9 *credible source, the contracting or grant officer shall*
10 *promptly refer the matter to the agency’s Office of In-*
11 *pector General for investigation. The contracting of-*
12 *ficer may also direct the contractor to take specific*
13 *steps to abate an alleged violation or enforce the re-*
14 *quirements of a compliance plan implemented pursu-*
15 *ant to section 894.*

16 (2) *INVESTIGATION.*—*Where appropriate, an In-*
17 *pector General who receives credible information that*
18 *a recipient of the grant, contract, or cooperative*
19 *agreement; any subgrantee or subcontractor of the re-*
20 *recipient; or any agent of the recipient or of such a sub-*
21 *grantee or subcontractor, has engaged in an activity*
22 *described in section 106(g) of the Trafficking Victims*
23 *Protection Act of 2000 (22 U.S.C. 7104(g)), as*
24 *amended by section 893, pursuant to a referral under*
25 *paragraph (1) or otherwise, shall promptly initiate*

1 *an investigation of the matter. In the event that an*
2 *Inspector General does not initiate an investigation,*
3 *the Inspector General shall provide an explanation*
4 *for the decision not to investigate.*

5 (3) *CRIMINAL INVESTIGATION.*—*If the matter is*
6 *referred to the Department of Justice for criminal*
7 *prosecution, the Inspector General may suspend any*
8 *investigation under this subsection pending the out-*
9 *come of the criminal prosecution. If the criminal in-*
10 *vestigation results in an indictment of the recipient*
11 *of a contract, grant, or cooperative agreement; any*
12 *subgrantee or subcontractor of the recipient; or any*
13 *agent of the recipient or of a subgrantee or subcon-*
14 *tractor, the Inspector General shall notify the head of*
15 *the executive agency that awarded the contract, grant,*
16 *or cooperative agreement of the indictment. If the*
17 *criminal investigation results in a decision not to*
18 *prosecute, the Inspector General shall resume any in-*
19 *vestigation that was suspended pursuant to this para-*
20 *graph.*

21 (b) *REPORT AND DETERMINATION.*—

22 (1) *REPORT.*—*Upon completion of an investiga-*
23 *tion under subsection (a), the Inspector General shall*
24 *submit a report on the investigation, including con-*
25 *clusions about whether the recipient of a grant, con-*

1 *tract, or cooperative agreement; any subcontractor or*
2 *subgrantee of the recipient; or any agent of the recipi-*
3 *ent or of such a subcontractor or subgrantee, engaged*
4 *in any of the activities described in section 106(g) of*
5 *the Trafficking Victims Protection Act of 2000 (22*
6 *U.S.C. 7104(g)), as amended by section 893, to the*
7 *head of the executive agency that awarded the con-*
8 *tract, grant, or cooperative agreement.*

9 (2) *DETERMINATION.*—*Upon receipt of an In-*
10 *pector General’s report pursuant to paragraph (1),*
11 *the head of the executive agency shall make a written*
12 *determination whether the recipient of a contract,*
13 *grant, or cooperative agreement; any subgrantee or*
14 *subcontractor of the recipient; or any agent of the re-*
15 *ipient or of a subgrantee or subcontractor, engaged*
16 *in any of the activities described in section 106(g) of*
17 *the Trafficking Victims Protection Act of 2000 (22*
18 *U.S.C. 7104(g)), as amended by section 893.*

19 (c) *REMEDIAL ACTIONS.*—

20 (1) *IN GENERAL.*—*If the head of an executive*
21 *agency determines pursuant to subsection (b)(2) that*
22 *the recipient of a contract, grant, or cooperative*
23 *agreement; any subgrantee or subcontractor of the re-*
24 *ipient; or any agent of the recipient or of a sub-*
25 *grantee or subcontractor, engaged in any of the ac-*

1 *tivities described in section 106(g) of the Trafficking*
2 *Victims Protection Act of 2000 (22 U.S.C. 7104(g)),*
3 *as amended by section 893, or is notified of an indict-*
4 *ment for an offense under subsection (a)(3), the head*
5 *of agency shall consider taking one or more of the fol-*
6 *lowing remedial actions:*

7 *(A) Requiring the recipient to remove an*
8 *employee from the performance of work under the*
9 *grant, contract, or cooperative agreement.*

10 *(B) Requiring the recipient to terminate a*
11 *subcontract or subgrant.*

12 *(C) Suspending payments under the grant,*
13 *contract, or cooperative agreement until such*
14 *time as the recipient of the grant, contract, or*
15 *cooperative agreement has taken appropriate re-*
16 *medial action.*

17 *(D) Withholding award fees, consistent with*
18 *the award fee plan, for the performance period*
19 *in which the agency determined the contractor or*
20 *subcontractor engaged in any of the activities de-*
21 *scribed in such section 106(g).*

22 *(E) Declining to exercise available options*
23 *under the contract.*

1 (F) *Terminating the contract for default or*
2 *cause, in accordance with the termination clause*
3 *for the contract.*

4 (G) *Referring the matter to the agency sus-*
5 *pension and debarment official.*

6 (2) *SAVINGS CLAUSE.—Nothing in this sub-*
7 *section shall be construed as limiting the scope of ap-*
8 *plicable remedies available to the Federal Govern-*
9 *ment.*

10 (3) *MITIGATING FACTOR.—Where applicable, the*
11 *head of an executive agency may consider whether the*
12 *contractor or grantee had a plan in place under sec-*
13 *tion 894, and was in compliance with that plan at*
14 *the time of the violation, as a mitigating factor in de-*
15 *termining which remedies, if any, should apply.*

16 (4) *AGGRAVATING FACTOR.—Where applicable,*
17 *the head of an executive agency may consider the fail-*
18 *ure of a contractor or grantee to abate an alleged vio-*
19 *lation or enforce the requirements of a compliance*
20 *plan when directed by a contracting officer pursuant*
21 *to subsection (a)(1) as an aggravating factor in deter-*
22 *mining which remedies, if any, should apply.*

23 (d) *INCLUSION OF REPORT CONCLUSIONS IN*
24 *FAPIIS.—*

1 (1) *IN GENERAL.*—*The head of an executive*
2 *agency shall ensure that any written determination*
3 *under subsection (b) is included in the Federal*
4 *Awardee Performance and Integrity Information Sys-*
5 *tem (FAPIIS).*

6 (2) *AMENDMENT TO TITLE 41, UNITED STATES*
7 *CODE.*—*Section 2313(c)(1)(E) of title 41, United*
8 *States Code, is amended to read as follows:*

9 “(E) *In an administrative proceeding—*

10 “(i) *a final determination of contractor*
11 *fault by the Secretary of Defense pursuant*
12 *to section 823(d) of the National Defense*
13 *Authorization Act for Fiscal Year 2010 (10*
14 *U.S.C. 2302 note; Public Law 111–84); or*

15 “(ii) *a final determination, pursuant*
16 *to section 895(b)(2) of the End Trafficking*
17 *in Government Contracting Act of 2012,*
18 *that the contractor, a subcontractor, or an*
19 *agent of the contractor or subcontractor en-*
20 *gaged in any of the activities described in*
21 *section 106(g) of the Trafficking Victims*
22 *Protection Act of 2000 (22 U.S.C.*
23 *7104(g)).”.*

1 **SEC. 896. NOTIFICATION TO INSPECTORS GENERAL AND**
2 **COOPERATION WITH GOVERNMENT.**

3 (a) *IN GENERAL.*—*The head of an executive agency*
4 *making or awarding a grant, contract, or cooperative agree-*
5 *ment shall require that the recipient of the grant, contract,*
6 *or cooperative agreement—*

7 (1) *immediately inform the Inspector General of*
8 *the executive agency of any information it receives*
9 *from any source that alleges credible information that*
10 *the recipient; any subcontractor or subgrantee of the*
11 *recipient; or any agent of the recipient or of such a*
12 *subcontractor or subgrantee, has engaged in conduct*
13 *described in section 106(g) of the Trafficking in Vic-*
14 *tims Protection Act of 2000 (22 U.S.C. 7104(g)), as*
15 *amended by section 3 of this Act; and*

16 (2) *fully cooperate with any Federal agencies re-*
17 *sponsible for audits, investigations, or corrective ac-*
18 *tions relating to trafficking in persons.*

19 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
20 *section (a) shall take effect 90 days after the date of the*
21 *enactment of this Act.*

22 **SEC. 897. EXPANSION OF FRAUD IN FOREIGN LABOR CON-**
23 **TRACTING TO INCLUDE ATTEMPTED FRAUD**
24 **AND WORK OUTSIDE THE UNITED STATES.**

25 (a) *IN GENERAL.*—*Section 1351 of title 18, United*
26 *States Code, is amended—*

1 (1) by striking “Whoever knowingly and with the
2 intent to defraud recruits, solicits or hires a person
3 outside the United States” and inserting “(a) *WORK*
4 *INSIDE THE UNITED STATES.*—Whoever knowingly
5 and with the intent to defraud recruits, solicits, or
6 hires a person outside the United States, or attempts
7 to do so,”; and

8 (2) by adding at the end the following new sub-
9 section:

10 “(b) *WORK OUTSIDE THE UNITED STATES.*—Whoever
11 knowingly and with intent to defraud recruits, solicits, or
12 hires a person outside the United States, or attempts to do
13 so, for purposes of employment performed on a United
14 States Government contract performed outside the United
15 States, or on a United States military installation or mis-
16 sion outside the United States or other property or premises
17 outside the United States owned or controlled by the United
18 States Government, by means of materially false or fraudu-
19 lent pretenses, representations, or promises regarding that
20 employment, shall be fined under this title or imprisoned
21 for not more than 5 years, or both.”.

22 (b) *SPECIAL RULE FOR ALIEN VICTIMS.*—No alien
23 may be admitted to the United States pursuant to subpara-
24 graph (U) of section 101(a)(15) of the Immigration and Na-
25 tionality Act (8 U.S.C. 1101(a)(15)) as a result of the alien

1 *being a victim of a crime described in subsection (b) of sec-*
 2 *tion 1351 of title 18, United States Code, as added by sub-*
 3 *section (a).*

4 **SEC. 898. IMPROVING DEPARTMENT OF DEFENSE ACCOUNT-**
 5 **ABILITY FOR REPORTING TRAFFICKING IN**
 6 **PERSONS CLAIMS AND VIOLATIONS.**

7 *Section 105(d)(7)(H) of the Trafficking Victims Pro-*
 8 *tection Act of 2000 (22 U.S.C. 7103(d)(7)(H)) is amend-*
 9 *ed—*

10 *(1) in clause (ii), by striking “and” at the end;*

11 *(2) by redesignating clause (iii) as clause (iv);*

12 *(3) by inserting after clause (ii) the following*
 13 *new clause:*

14 *“(iii) all known trafficking in persons*
 15 *cases reported to the Under Secretary of De-*
 16 *fense for Personnel and Readiness;”;*

17 *(4) in clause (iv), as redesignated by paragraph*
 18 *(2), by inserting “and” at the end after the semicolon;*
 19 *and*

20 *(5) by adding at the end the following new*
 21 *clause:*

22 *“(v) all trafficking in persons activities*
 23 *of contractors reported to the Under Sec-*
 24 *retary of Defense for Acquisition, Tech-*
 25 *nology, and Logistics;”.*

1 **SEC. 899. RULES OF CONSTRUCTION.**

2 (a) *LIABILITY.*—*Excluding section 897, nothing in*
3 *this subtitle shall be construed to supersede, enlarge, or di-*
4 *minish the common law or statutory liabilities of any*
5 *grantee, subgrantee, contractor, subcontractor, or other*
6 *party covered by section 106(g) of the Trafficking Victims*
7 *Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by*
8 *section 893.*

9 (b) *AUTHORITY OF DEPARTMENT OF JUSTICE.*—*Noth-*
10 *ing in this subtitle shall be construed as diminishing or*
11 *otherwise modifying the authority of the Attorney General*
12 *to investigate activities covered by this subtitle.*

13 (c) *PROSPECTIVE EFFECT.*—*Nothing in this subtitle,*
14 *or the amendments made by this subtitle, shall be construed*
15 *to apply to a contract or grant entered into or renewed be-*
16 *fore the date of the enactment of this subtitle.*

1 **TITLE IX—DEPARTMENT OF DE-**
2 **FENSE ORGANIZATION AND**
3 **MANAGEMENT**

4 ***Subtitle A—Department of Defense***
5 ***Management***

6 **SEC. 901. DEFINITION AND REPORT ON TERMS “PREPARA-**
7 **TION OF THE ENVIRONMENT” AND “OPER-**
8 **ATIONAL PREPARATION OF THE ENVIRON-**
9 **MENT” FOR JOINT DOCTRINE PURPOSES.**

10 (a) *DEFINITIONS REQUIRED.*—Not later than 90 days
11 after the date of the enactment of this Act, the Secretary
12 of Defense shall define for purposes of joint doctrine the fol-
13 lowing terms:

- 14 (1) *The term “preparation of the environment”.*
15 (2) *The term “operational preparation of the en-*
16 *vironment”.*

17 (b) *REPORT REQUIRED.*—Not later than 180 days
18 after the date of the enactment of this Act, the Secretary
19 shall submit to the Committees on Armed Services of the
20 Senate and the House of Representatives a report on the
21 terms defined under subsection (a). The report shall include
22 the following:

- 23 (1) *The definition of the term “preparation of*
24 *the environment” pursuant to subsection (a).*

1 (2) *Examples of activities meeting the definition*
2 *of the term “preparation of the environment” by spe-*
3 *cial operations forces and general purpose forces.*

4 (3) *The definition of the term “operational prep-*
5 *aration of the environment” pursuant to subsection*
6 *(a).*

7 (4) *Examples of activities meeting the definition*
8 *of the term “operational preparation of the environ-*
9 *ment” by special operations forces and general pur-*
10 *pose forces.*

11 (5) *An assessment of the appropriate roles of spe-*
12 *cial operations forces and general purpose forces in*
13 *conducting activities meeting the definition of the*
14 *term “preparation of the environment” and the defi-*
15 *nition of the term “operational preparation of the en-*
16 *vironment”.*

17 **SEC. 902. EXPANSION OF DUTIES AND RESPONSIBILITIES**
18 **OF THE NUCLEAR WEAPONS COUNCIL.**

19 (a) *GUIDANCE ON NUCLEAR COMMAND, CONTROL, AND*
20 *COMMUNICATIONS SYSTEMS.—Subsection (d) of section 179*
21 *of title 10, United States Code, is amended—*

22 (1) *by redesignating paragraph (10) as para-*
23 *graph (11); and*

24 (2) *by inserting after paragraph (9) the fol-*
25 *lowing new paragraph (10):*

1 “(10) *Providing programmatic guidance on nu-*
2 *clear command, control and communications sys-*
3 *tems.*”.

4 **(b) BUDGET AND FUNDING MATTERS.**—*Such section*
5 *is further amended—*

6 (1) *by redesignating subsection (f) as subsection*
7 *(g); and*

8 (2) *by inserting after subsection (e) the following*
9 *new subsection (f):*

10 **“(f) BUDGET AND FUNDING MATTERS.**—(1) *The Coun-*
11 *cil shall submit to Congress each year, at the same time*
12 *the budget of the President for the fiscal year beginning in*
13 *such year is submitted to Congress pursuant to section*
14 *1105(a) of title 31, a certification whether or not the*
15 *amounts requested for the National Nuclear Security Ad-*
16 *ministration in such budget, and anticipated over the four*
17 *fiscal years following such budget, meets nuclear stockpile*
18 *and stockpile stewardship program requirements for such*
19 *fiscal year and over such four fiscal years. If a member*
20 *of the Council does not concur in a certification, the certifi-*
21 *cation shall include the reasons for the member’s non-con-*
22 *currence.*

23 “(2) *If a House of Congress adopts a bill authorizing*
24 *or appropriating funds for the National Nuclear Security*
25 *Administration for nuclear stockpile and stockpile steward-*

1 *ship program activities or other activities that, as deter-*
 2 *mined by the Council, provides insufficient funds for such*
 3 *activities for the period covered by such bill, the Council*
 4 *shall notify the congressional defense committees of the de-*
 5 *termination.”.*

6 **SEC. 903. FAILURE OF THE DEPARTMENT OF DEFENSE TO**
 7 **OBTAIN AUDITS WITH AN UNQUALIFIED OPIN-**
 8 **ION ON ITS FINANCIAL STATEMENTS BY FIS-**
 9 **CAL YEAR 2017.**

10 *If the Department of Defense fails to obtain an audit*
 11 *with an unqualified opinion on its financial statements for*
 12 *fiscal year 2017, the following shall take effect, effective as*
 13 *of the date of the issuance of the opinion on such audit:*

14 (1) *REORGANIZATION OF RESPONSIBILITIES OF*
 15 *CHIEF MANAGEMENT OFFICER.—*

16 (A) *POSITION OF CHIEF MANAGEMENT OFFI-*
 17 *CER.—Section 132a of title 10, United States*
 18 *Code, is amended to read as follows:*

19 **“§ 132a. Chief Management Officer**

20 *“(a) IN GENERAL.—(1) There is a Chief Management*
 21 *Officer of the Department of Defense, appointed from civil-*
 22 *ian life by the President, by and with the advice and con-*
 23 *sent of the Senate.*

24 *“(2) Any individual nominated for appointment as*
 25 *Chief Management Officer shall be an individual who has—*

1 “(A) *extensive executive level leadership and*
2 *management experience in the public or private sec-*
3 *tor;*

4 “(B) *strong leadership skills;*

5 “(C) *a demonstrated ability to manage large and*
6 *complex organizations; and*

7 “(D) *a proven record in achieving positive oper-*
8 *ational results.*

9 “(b) *POWERS AND DUTIES.—The Chief Management*
10 *Officer shall perform such duties and exercise such powers*
11 *as the Secretary of Defense may prescribe.*

12 “(c) *SERVICE AS CHIEF MANAGEMENT OFFICER.—(1)*
13 *The Chief Management Officer is the Chief Management Of-*
14 *ficer of the Department of Defense.*

15 “(2) *In serving as the Chief Management Officer of the*
16 *Department of Defense, the Chief Management Officer shall*
17 *be responsible for the management and administration of*
18 *the Department of Defense with respect to the following:*

19 “(A) *The expenditure of funds, accounting, and*
20 *finance.*

21 “(B) *Procurement, including procurement of any*
22 *enterprise resource planning (ERP) system and any*
23 *information technology (IT) system that is a finan-*
24 *cial feeder system, human resources system, or logis-*
25 *tics system.*

1 “(C) *Facilities, property, nonmilitary equip-*
2 *ment, and other resources.*

3 “(D) *Strategic planning, and annual perform-*
4 *ance planning, and identification and tracking of*
5 *performance measures.*

6 “(E) *Internal audits and management analyses*
7 *of the programs and activities of the Department, in-*
8 *cluding the Defense Contract Audit Agency.*

9 “(F) *Such other areas or matters as the Sec-*
10 *retary of Defense may designate.*

11 “(3) *The head of the Defense Contract Audit Agency*
12 *shall be under the supervision of, and shall report directly*
13 *to, the Chief Management Officer.*

14 “(d) *PRECEDENCE.—The Chief Management Officer*
15 *takes precedence in the Department of Defense after the Sec-*
16 *retary of Defense and the Deputy Secretary of Defense.”.*

17 (B) *CONFORMING AMENDMENTS.—*

18 (i) *Section 131(b) of title 10, United*
19 *States Code, is amended—*

20 (I) *by striking paragraph (3);*

21 (II) *by redesignating paragraph*
22 *(2) as paragraph (3); and*

23 (III) *by inserting after paragraph*
24 *(1) the following new paragraph (2):*

1 “(2) *The Chief Management Officer of the De-*
2 *partment of Defense.*”.

3 (ii) *Section 132 of such title is amend-*
4 *ed—*

5 (I) *by striking subsection (c); and*

6 (II) *by redesignating subsections*
7 *(d) and (e) as subsections (c) and (d),*
8 *respectively.*

9 (iii) *Section 133(e)(1) of such title is*
10 *amended by striking “and the Deputy Sec-*
11 *retary of Defense” and inserting “, the Dep-*
12 *uty Secretary of Defense, and the Chief*
13 *Management Officer of the Department of*
14 *Defense”.*

15 (iv) *Such title is further amended by*
16 *inserting “the Chief Management Officer of*
17 *the Department of Defense,” after “the Dep-*
18 *uty Secretary of Defense,” each place it ap-*
19 *pears in the provisions as follows:*

20 (I) *Section 133(e)(2).*

21 (II) *Section 134(c).*

22 (v) *Section 137a(d) of such title is*
23 *amended by striking “the Secretaries of the*
24 *military departments,” and all that follows*
25 *and inserting “the Chief Management Offi-*

1 *cer of the Department of Defense, the Secre-*
2 *taries of the military departments, and the*
3 *Under Secretaries of Defense.”.*

4 *(vi) Section 138(d) of such title is*
5 *amended by striking “the Secretaries of the*
6 *military departments,” and all that follows*
7 *through the period and inserting “the Chief*
8 *Management Officer of the Department of*
9 *Defense, the Secretaries of the military de-*
10 *partments, the Under Secretaries of Defense,*
11 *and the Director of Defense Research and*
12 *Engineering.”.*

13 *(C) CLERICAL AMENDMENT.—The table of*
14 *sections at the beginning of chapter 4 of such*
15 *title is amended by striking the item relating to*
16 *section 132a and inserting the following new*
17 *item:*

“132a. Chief Management Officer.”.

18 *(D) EXECUTIVE SCHEDULE.—Section 5313*
19 *of title 5, United States Code, is amended by*
20 *adding at the end the following:*

21 *“Chief Management Officer of the Department of*
22 *Defense.”.*

23 *(E) REFERENCE IN LAW.—Any reference in*
24 *any provision of law to the Chief Management*
25 *Officer of the Department of Defense shall be*

1 *deemed to refer to the Chief Management Officer*
2 *of the Department of Defense under section 132a*
3 *of title 10, United States Code (as amended by*
4 *this paragraph).*

5 (2) *JURISDICTION OF DFAS.—*

6 (A) *TRANSFER TO DEPARTMENT OF THE*
7 *TREASURY.—Jurisdiction of the Defense Finance*
8 *and Accounting Service (DFAS) is transferred*
9 *from the Department of Defense to the Depart-*
10 *ment of the Treasury.*

11 (B) *ADMINISTRATION.—The Secretary of the*
12 *Treasury shall administer the Defense Finance*
13 *and Accounting Service following transfer under*
14 *this paragraph through the Financial Manage-*
15 *ment Service of the Department of the Treasury.*

16 (C) *MEMORANDUM OF UNDERSTANDING.—*
17 *The Secretary of Defense and the Secretary of the*
18 *Treasury shall jointly enter into a memorandum*
19 *of understanding regarding the transfer of jurisdic-*
20 *tion of the Defense Finance and Accounting*
21 *Service under this paragraph. The memorandum*
22 *of understanding shall provide for the transfer of*
23 *the personnel and other resources of the Service*
24 *to the Department of the Treasury and for the*
25 *assumption of responsibility for such personnel*

1 *and resources by the Department of the Treas-*
2 *ury.*

3 (D) *CONSTRUCTION.*—*Nothing in this para-*
4 *graph shall be construed as terminating, alter-*
5 *ing, or revising any responsibilities or authori-*
6 *ties of the Defense Finance and Accounting Serv-*
7 *ice (other than responsibilities and authorities in*
8 *connection with the exercise of jurisdiction of the*
9 *Service following transfer under this paragraph).*

10 **SEC. 904. INFORMATION FOR DEPUTY CHIEF MANAGEMENT**
11 **OFFICER OF THE DEPARTMENT OF DEFENSE**
12 **FROM THE MILITARY DEPARTMENTS AND DE-**
13 **FENSE AGENCIES FOR DEFENSE BUSINESS**
14 **SYSTEM INVESTMENT REVIEWS.**

15 *Section 2222(g) of title 10, United States Code, is*
16 *amended by adding at the end the following new paragraph:*

17 “(3)(A) *The investment management process required*
18 *by paragraph (1) shall include requirements for the mili-*
19 *tary departments and the Defense Agencies to submit to the*
20 *Deputy Chief Management Officer such information on cov-*
21 *ered defense business system programs as the Deputy Chief*
22 *Management Officer shall require for the review of defense*
23 *business system programs under the process. Such informa-*
24 *tion shall be submitted to the Deputy Chief Management*

1 *Officer in a standardized format established by the Deputy*
2 *Chief Management Officer for purposes of this paragraph.”*

3 ***Subtitle B—Space Activities***

4 ***SEC. 911. OPERATIONALLY RESPONSIVE SPACE PROGRAM***

5 ***OFFICE.***

6 *(a) IN GENERAL.—Subsection (a) of section 2273a of*
7 *title 10, United States Code, is amended to read as follows:*

8 *“(a) IN GENERAL.—There is within the Air Force*
9 *Space and Missile Systems Center of the Department of De-*
10 *fense an office known as the Operationally Responsive*
11 *Space Program Office (in this section referred to as the ‘Of-*
12 *fice’). The facilities of the Office may not be co-located with*
13 *the headquarters facilities of the Air Force Space and Mis-*
14 *sile Systems Center.”.*

15 *(b) HEAD OF OFFICE.—Subsection (b) of such section*
16 *is amended by striking “shall be—” and all that follows*
17 *and inserting “the designee of the Department of Defense*
18 *Executive Agent for Space. The head of the Office shall re-*
19 *port to the Commander of the Air Force Space and Missile*
20 *Systems Center.”.*

21 *(c) MISSION.—Subsection (c)(1) of such section is*
22 *amended by striking “spacelift” and inserting “launch”.*

23 *(d) SENIOR ACQUISITION EXECUTIVE.—Paragraph (1)*
24 *of subsection (e) of such section is amended to read as fol-*
25 *lows:*

1 “(1) *The Program Executive Officer (PEO) for*
2 *Space shall be the Acquisition Executive of the Office*
3 *and shall provide streamlined acquisition authorities*
4 *for projects of the Office.*”.

5 *(e) EXECUTIVE COMMITTEE.—Such section is further*
6 *amended by adding at the end the following new subsection:*

7 “(g) *EXECUTIVE COMMITTEE.—(1) The Secretary of*
8 *Defense shall establish for the Office an Executive Com-*
9 *mittee (to be known as the ‘Operationally Responsive Space*
10 *Executive Committee’) to provide coordination, oversight,*
11 *and approval of projects of the Office.*

12 “(2) *The Executive Committee shall consist of the offi-*
13 *cials (and their duties) as follows:*

14 “(A) *The Department of Defense Executive Agent*
15 *for Space, who shall serve as Chair of the Executive*
16 *Committee and provide oversight, prioritization, co-*
17 *ordination, and resources for the Office.*

18 “(B) *The Under Secretary of Defense for Acqui-*
19 *sition, Technology, and Logistics, who shall provide*
20 *coordination and oversight of the Office and rec-*
21 *ommend funding sources for programs of the Office*
22 *that exceed the approved program baseline.*

23 “(C) *The Commander of the United States Stra-*
24 *tegic Command, who shall validate requirements for*
25 *systems to be acquired by the Office and participate*

1 *in approval of any acquisition program initiated by*
2 *the Office.*

3 “(D) *The Commander of the Air Force Space*
4 *Command, who shall organize, train, and equip forces*
5 *to support the acquisition programs of the Office.*

6 “(E) *Such other officials (and their duties) as*
7 *the Secretary of Defense considers appropriate.*”

8 (f) *TRANSFER OF FISCAL YEAR 2012 FUNDS.—*

9 (1) *IN GENERAL.—To the extent provided in ap-*
10 *propriations Acts, the Secretary of the Air Force may*
11 *transfer from the funds described in paragraph (2),*
12 *\$60,000,000 to other, higher priority programs of the*
13 *Air Force.*

14 (2) *COVERED FUNDS.—The funds described in*
15 *this paragraph are amounts authorized to be appro-*
16 *priated for fiscal year 2012 by section 201 of the Na-*
17 *tional Defense Authorization Act for Fiscal Year 2012*
18 *(Public Law 112–81; 125 Stat. 1329) and available*
19 *for Research, Development, Test, and Evaluation, Air*
20 *Force, for the Weather Satellite Follow On Program*
21 *as specified in the funding table in section 4201 of*
22 *that Act.*

23 (3) *EFFECT ON AUTHORIZATION AMOUNTS.—A*
24 *transfer made from one account to another under the*
25 *authority of this subsection shall be deemed to in-*

1 crease the amount authorized for the account to which
2 the amount is transferred by an amount equal to the
3 amount transferred.

4 (4) *CONSTRUCTION OF AUTHORITY.*—The trans-
5 fer authority in this subsection is in addition to any
6 other transfer authority provided in this Act.

7 (5) *PROGRAM PLAN.*—Not later than December
8 31, 2012, the Secretary shall submit to the congres-
9 sional defense committees a report setting forth a pro-
10 gram plan for higher priority programs described in
11 paragraph (1).

12 **SEC. 912. COMMERCIAL SPACE LAUNCH COOPERATION.**

13 (a) *IN GENERAL.*—Chapter 135 of title 10, United
14 States Code, is amended by adding at the end the following
15 new section:

16 **“§ 2275. Commercial space launch cooperation**

17 “(a) *AUTHORITY.*—The Secretary of Defense may, to
18 assist the Secretary of Transportation in carrying out re-
19 sponsibilities set forth in title 51 with respect to private
20 sector involvement in commercial space activities and pub-
21 lic-private partnerships pertaining to space transportation
22 infrastructure, take the following actions:

23 “(1) *Maximize the use by the private sector in*
24 *the United States of the capacity of the space trans-*
25 *portation infrastructure of the Department of Defense.*

1 “(2) Maximize the effectiveness and efficiency of
2 the space transportation infrastructure of the Depart-
3 ment.

4 “(3) Reduce the cost of services provided by the
5 Department related to space transportation infra-
6 structure at launch support facilities and space recov-
7 ery support facilities.

8 “(4) Encourage commercial space activities by
9 enabling investment by covered entities in the space
10 transportation infrastructure of the Department.

11 “(5) Foster cooperation between the Department
12 and covered entities.

13 “(b) *AUTHORITY FOR CONTRACTS AND OTHER AGREE-*
14 *MENTS RELATING TO SPACE TRANSPORTATION INFRA-*
15 *STRUCTURE.—The Secretary of Defense—*

16 “(1) may enter into a contract or other agree-
17 ment with a covered entity to provide to the covered
18 entity support and services related to the space trans-
19 portation infrastructure of the Department of Defense;
20 and

21 “(2) upon the request of that covered entity, may
22 include such support and services in the space launch
23 and reentry range support requirements of the De-
24 partment if—

1 “(A) the Secretary determines that the in-
2 clusion of such support and services in such re-
3 quirements—

4 “(i) is in the best interest of the Fed-
5 eral Government;

6 “(ii) does not interfere with the re-
7 quirements of the Department; and

8 “(iii) does not compete with the com-
9 mercial space activities of other covered en-
10 tities, unless that competition is in the na-
11 tional security interests of the United
12 States; and

13 “(B) any commercial requirement included
14 in that contract or other agreement has full non-
15 Federal funding before the execution of the con-
16 tract or other agreement.

17 “(c) CONTRIBUTIONS.—(1) The Secretary of Defense
18 may enter into contracts or other agreements with covered
19 entities on a cooperative and voluntary basis to accept con-
20 tributions of funds, services, and equipment to carry out
21 this section.

22 “(2) Any funds, services, or equipment accepted by the
23 Secretary under this subsection—

24 “(A) may be used only for the objectives specified
25 in this section in accordance with terms of use set

1 *forth in the contract or other agreement entered into*
2 *under this subsection; and*

3 *“(B) shall be managed by the Secretary in ac-*
4 *cordance with regulations of the Department of De-*
5 *fense.*

6 *“(3) A contract or other agreement entered into under*
7 *this subsection with a covered entity—*

8 *“(A) shall address the terms of use, ownership,*
9 *and disposition of the funds, services, or equipment*
10 *contributed pursuant to the contract or other agree-*
11 *ment; and*

12 *“(B) shall include a provision that the covered*
13 *entity will not recover the costs of its contribution*
14 *through any other contract or agreement with the*
15 *United States.*

16 *“(d) DEFENSE COOPERATION SPACE LAUNCH AC-*
17 *COUNT.—(1) There is established on the books of the Treas-*
18 *ury a special account to be known as the ‘Defense Coopera-*
19 *tion Space Launch Account’.*

20 *“(2) Funds received by the Secretary of Defense under*
21 *subsection (c) shall be credited to the Defense Cooperation*
22 *Space Launch Account.*

23 *“(3) Amounts in the Department Defense Cooperation*
24 *Space Launch Account shall be available, to the extent pro-*
25 *vided in appropriation Acts, for costs incurred by the De-*

1 *partment of Defense under subsection (c). Funds in the Ac-*
2 *count shall remain available until expended.*

3 “(e) *ANNUAL REPORT.*—*Not later than January 31*
4 *each year, the Secretary of Defense shall submit to the con-*
5 *gressional defense committees a report on the funds, services,*
6 *and equipment accepted and used by the Secretary under*
7 *this section during the previous fiscal year.*

8 “(f) *REGULATIONS.*—*The Secretary of Defense shall*
9 *prescribe regulations to carry out this section.*

10 “(g) *DEFINITIONS.*—*In this section:*

11 “(1) *COVERED ENTITY.*—*The term ‘covered enti-*
12 *ty’ means a non-Federal entity that—*

13 “(A) *is organized under the laws of the*
14 *United States or of any jurisdiction within the*
15 *United States; and*

16 “(B) *is engaged in commercial space activi-*
17 *ties.*

18 “(2) *LAUNCH SUPPORT FACILITIES.*—*The term*
19 *‘launch support facilities’ has the meaning given that*
20 *term in section 50501(7) of title 51.*

21 “(3) *SPACE RECOVERY SUPPORT FACILITIES.*—
22 *The term ‘space recovery support facilities’ has the*
23 *meaning given that term in section 50501(11) of title*
24 *51.*

1 “(4) *SPACE TRANSPORTATION INFRASTRUC-*
2 *TURE.—The term ‘space transportation infrastruc-*
3 *ture’ has the meaning given that term in section*
4 *50501(12) of title 51.”.*

5 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
6 *the beginning of chapter 135 of such title is amended by*
7 *adding at the end the following new item:*

 “2275. *Commercial space launch cooperation.*”.

8 **SEC. 913. REPORTS ON INTEGRATION OF ACQUISITION AND**
9 **CAPABILITY DELIVERY SCHEDULES FOR COM-**
10 **PONENTS FOR MAJOR SATELLITE ACQUI-**
11 **SION PROGRAMS AND FUNDING FOR SUCH**
12 **PROGRAMS.**

13 **(a) IN GENERAL.**—*Chapter 135 of title 10, United*
14 *States Code, as amended by section 912 of this Act, is fur-*
15 *ther amended by adding at the end the following new sec-*
16 *tion:*

17 **“§2276. Reports on integration of acquisition and ca-**
18 **pability delivery schedules for components**
19 **for major satellite acquisition programs**
20 **and funding for such programs**

21 **“(a) REPORTS REQUIRED.**—*The Under Secretary of*
22 *Defense for Acquisition, Technology, and Logistics shall*
23 *submit to the congressional defense committees a report on*
24 *each major satellite acquisition program in accordance with*
25 *subsection (d) that assesses—*

1 “(1) *the integration of the schedules for the ac-*
2 *quisition and the delivery of the capabilities of the*
3 *components for the program; and*

4 “(2) *funding for the program.*

5 “(b) *ELEMENTS.—Each report required by subsection*
6 *(a) with respect to a major satellite acquisition program*
7 *shall include the following:*

8 “(1) *The amount of funding approved for the*
9 *program and for each related program that is nec-*
10 *essary for the operational capability of the program.*

11 “(2) *The dates by which the program is antici-*
12 *ipated to reach initial and full operational capability.*

13 “(3) *An assessment of the extent to which the*
14 *schedules for the acquisition and the delivery of the*
15 *capabilities of the components for the program or any*
16 *related program referred to in paragraph (1) are in-*
17 *tegrated.*

18 “(4) *If the Under Secretary determines pursuant*
19 *to the assessment under paragraph (3) that the sched-*
20 *ules for the acquisition and the delivery of the capa-*
21 *bilities of the components for the program, or a re-*
22 *lated program referred to in paragraph (1), provide*
23 *for the acquisition or the delivery of the capabilities*
24 *of at least two of the three components for the pro-*

1 *gram or related program more than one year apart,*
2 *an identification of—*

3 *“(A) the measures the Under Secretary is*
4 *taking or is planning to take to improve the in-*
5 *tegration of those schedules; and*

6 *“(B) the risks and challenges that impede*
7 *the ability of the Department of Defense to fully*
8 *integrate those schedules.*

9 *“(c) CONSIDERATION BY MILESTONE DECISION AU-*
10 *THORITY.—The Milestone Decision Authority shall include*
11 *the report required by subsection (a) with respect to a major*
12 *satellite acquisition program as part of the documentation*
13 *used to approve the acquisition of the program.*

14 *“(d) SUBMITTAL OF REPORTS.—(1) In the case of a*
15 *major satellite acquisition program initiated before the date*
16 *of the enactment of the National Defense Authorization Act*
17 *for Fiscal Year 2013, the Under Secretary shall submit the*
18 *report required by subsection (a) with respect to the pro-*
19 *gram not later than one year after such date of enactment.*

20 *“(2) In the case of a major satellite acquisition pro-*
21 *gram initiated on or after the date of the enactment of the*
22 *National Defense Authorization Act for Fiscal Year 2013,*
23 *the Under Secretary shall submit the report required by*
24 *subsection (a) with respect to the program at the time of*
25 *the Milestone B approval of the program.*

1 “(e) *NOTIFICATION TO CONGRESS OF NON-INTE-*
2 *GRATED ACQUISITION AND CAPABILITY DELIVERY SCHED-*
3 *ULES.*—*If, after submitting the report required by sub-*
4 *section (a) with respect to a major satellite acquisition pro-*
5 *gram, the Under Secretary determines that the schedules for*
6 *the acquisition and the delivery of the capabilities of the*
7 *components for the program, or a related program referred*
8 *to in subsection (b)(1), provide for the acquisition or the*
9 *delivery of the capabilities of at least two of the three com-*
10 *ponents for the program or related program more than one*
11 *year apart, the Under Secretary shall, not later than 30*
12 *days after making that determination, submit to the con-*
13 *gressional defense committees a report—*

14 “(1) *notifying the committees of that determina-*
15 *tion; and*

16 “(2) *identifying the measures the Under Sec-*
17 *retary is taking or is planning to take to improve the*
18 *integration of those schedules.*

19 “(f) *DEFINITIONS.*—*In this section:*

20 “(1) *COMPONENTS.*—*The term ‘components’,*
21 *with respect to a major satellite acquisition program,*
22 *refers to any satellites acquired under the program*
23 *and the ground equipment and user terminals nec-*
24 *essary for the operation of those satellites.*

1 (3) *by adding at the end the following new sub-*
2 *paragraph:*

3 “(C) *in the event of any dispute resolution*
4 *process involving the surrender of use of such*
5 *band, the Department of Defense has adequate*
6 *representation to convey its views.”.*

7 ***Subtitle C—Intelligence-Related***
8 ***and Cyber Matters***

9 ***SEC. 921. AUTHORITY TO PROVIDE GEOSPATIAL INTEL-***
10 ***LIGENCE SUPPORT TO SECURITY ALLIANCES***
11 ***AND INTERNATIONAL AND REGIONAL ORGA-***
12 ***NIZATIONS.***

13 (a) *EXTENSION OF AUTHORITY TO SECURITY ALLI-*
14 *ANCES AND INTERNATIONAL AND REGIONAL ORGANIZA-*
15 *TIONS.—Section 443(a) of title 10, United States Code, is*
16 *amended by inserting “, regional organizations with defense*
17 *or security components, and international organizations*
18 *and security alliances of which the United States is a mem-*
19 *ber” after “foreign countries”.*

20 (b) *CONFORMING AND CLERICAL AMENDMENTS.—*

21 (1) *HEADING AMENDMENT.—The heading of sec-*
22 *tion 443 of such title is amended to read as follows:*

1 **“§443. Imagery intelligence and geospatial informa-**
 2 **tion: support for foreign countries, secu-**
 3 **rity alliances, and international and re-**
 4 **gional organizations”.**

5 (2) *TABLE OF SECTIONS.*—*The table of sections*
 6 *at the beginning of subchapter I of chapter 22 of such*
 7 *title is amended by striking the item relating to sec-*
 8 *tion 443 and inserting the following new item:*

“443. Imagery intelligence and geospatial information: support for foreign coun-
tries, security alliances, and international and regional organi-
zations.”.

9 **SEC. 922. ARMY DISTRIBUTED COMMON GROUND SYSTEM.**

10 (a) *ASSIGNMENT OF RESPONSIBILITY FOR OVER-*
 11 *SIGHT.*—*The Secretary of the Army shall assign responsi-*
 12 *bility for oversight of the development, acquisition, testing,*
 13 *and fielding of the Distributed Common Ground System*
 14 *(DCGS) cloud computing program of the Army to the Chief*
 15 *Information Officer of the Army ((CIO)/G–6).*

16 (b) *REVIEW OF PROGRAM.*—

17 (1) *IN GENERAL.*—*Not later than December 1,*
 18 *2012, the Chief Information Officer shall submit to*
 19 *the Secretary a report on a review of the Distributed*
 20 *Common Ground System cloud computing program of*
 21 *the Army conducted by the Chief Information Officer*
 22 *for purposes of this section.*

23 (2) *ELEMENTS.*—*The report shall include the fol-*
 24 *lowing:*

1 (A) *An assessment of the program in com-*
2 *parison with commercial products, if applicable,*
3 *with respect to each of the following:*

4 (i) *The effectiveness of analyst tools,*
5 *user interfaces, and data visualization in*
6 *supporting analyst missions and require-*
7 *ments.*

8 (ii) *Training requirements for ana-*
9 *lysts.*

10 (iii) *Ease of use for analysts.*

11 (iv) *Rates of progress in developing*
12 *analyst tools and linking tools for standard*
13 *workflows.*

14 (B) *An assessment of the soundness of the*
15 *past decisions of the Army, and the future plans*
16 *of the Army, for acquiring and integrating ana-*
17 *lyst tools, user interfaces, and data visualization*
18 *capabilities through government-sponsored cus-*
19 *tom development, leasing of commercial solu-*
20 *tions, and government open source development.*

21 (C) *Such recommendations regarding the*
22 *program as the Chief Information Officer con-*
23 *siders appropriate in light of the review under*
24 *this subsection.*

1 **SEC. 923. RATIONALIZATION OF CYBER NETWORKS AND**
2 **CYBER PERSONNEL OF THE DEPARTMENT OF**
3 **DEFENSE.**

4 (a) *IN GENERAL.*—*The Secretary of Defense shall take*
5 *appropriate actions to substantially reduce the number of*
6 *sub-networks and network enclaves across the Department*
7 *of Defense, and the associated security and access manage-*
8 *ment controls, in order to achieve the following objectives*
9 *for the Department:*

10 (1) *Visibility for the United States Cyber Com-*
11 *mand in the operational and security status of all*
12 *networks, network equipment, and computers.*

13 (2) *Elimination of redundant network security*
14 *infrastructure and personnel.*

15 (3) *Rationalization and consolidation of cyber*
16 *attack detection, diagnosis, and response resources,*
17 *and elimination of gaps in security coverage.*

18 (4) *Reduction of barriers to information sharing*
19 *and enhancement of the capacity to rapidly create*
20 *collaborative communities of interest.*

21 (5) *Enhancement of access to information*
22 *through authentication-based and identity-based ac-*
23 *cess controls.*

24 (6) *Enhancement of the capacity to deploy, and*
25 *achieve access to, enterprise-level services.*

1 (7) *Separation of server and end-user device*
2 *computing to facilitate server and data center consoli-*
3 *dation and a more secure tiered and zoned network*
4 *architecture.*

5 **(b) PERSONNEL PLAN.—**

6 (1) *IN GENERAL.—As part of the actions taken*
7 *under subsection (a), the Secretary shall establish and*
8 *carry out a plan to reassign personnel billets cur-*
9 *rently allocated to network operations and security*
10 *that will become available pursuant to the reduction*
11 *in network enclaves required by that subsection to*
12 *tasks related to potential offensive cyber operations in*
13 *order to achieve an appropriate balance between the*
14 *offensive and defensive missions of the United States*
15 *Cyber Command and its components. The plan shall*
16 *include targets for the number of personnel to be reas-*
17 *signed to tasks related to offensive operations, and the*
18 *rate at which such personnel shall be added to the*
19 *workforce for such tasks.*

20 (2) *DISPOSITION OF PERSONNEL.—In developing*
21 *the plan required by paragraph (1), the Secretary*
22 *shall—*

23 (A) *determine whether the number of per-*
24 *sonnel required to be reassigned to tasks related*
25 *to offensive operations in order to achieve the*

1 *balance described in paragraph (1) will be met,*
2 *in pace and numbers, through the reassignment*
3 *of personnel billets pursuant to the plan; and*

4 *(B) if the Secretary determines that the*
5 *number of personnel so required will not be so*
6 *met (whether because of insufficient numbers of*
7 *personnel in billets to be reassigned or because*
8 *personnel available for reassignment cannot be*
9 *trained or directed to tasks related to offensive*
10 *operations), take appropriate actions to ensure*
11 *the availability to the United States Cyber Com-*
12 *mand of appropriate numbers of personnel*
13 *qualified to undertake tasks related to offensive*
14 *operations.*

15 (3) *ADDITIONAL ELEMENTS.—In developing the*
16 *plan required by paragraph (1), the Secretary shall*
17 *also—*

18 *(A) identify targets for the number of per-*
19 *sonnel to be reassigned to tasks related to offen-*
20 *sive cyber operations, and the rate at which such*
21 *personnel shall be added to the workforce for such*
22 *tasks; and*

23 *(B) identify targets for use of National*
24 *Guard personnel to support cyber workforce ra-*

1 *tionalization and the actions taken under sub-*
2 *section (a).*

3 (4) *SUBMITTAL TO CONGRESS.*—*The Secretary*
4 *shall submit the plan required by paragraph (1) to*
5 *the congressional defense committees at the time of the*
6 *submittal to Congress of the budget of the President*
7 *for fiscal year 2014 pursuant to section 1105(a) of*
8 *title 31, United States Code.*

9 **SEC. 924. NEXT-GENERATION HOST-BASED CYBER SECU-**
10 **RITY SYSTEM FOR THE DEPARTMENT OF DE-**
11 **FENSE.**

12 (a) *STRATEGY FOR ACQUISITION OF SYSTEM RE-*
13 *QUIRED.*—*The Chief Information Officer of the Department*
14 *of Defense shall, in coordination with the Under Secretary*
15 *of Defense for Acquisition, Technology, and Logistics, de-*
16 *velop a strategy to acquire next-generation host-based cyber-*
17 *security tools and capabilities (in this section referred to*
18 *as a “next-generation system”) for the Department of De-*
19 *fense.*

20 (b) *ELEMENTS OF SYSTEM.*—*It is the sense of Congress*
21 *that any next-generation system acquired under the strat-*
22 *egy required by subsection (a) should meet the following re-*
23 *quirements:*

24 (1) *To overcome problems and limitations in*
25 *current capabilities, the system should not rely on*

1 *anti-virus or signature-based threat detection tech-*
2 *niques that—*

3 *(A) cannot address new or rapidly*
4 *morphing threats;*

5 *(B) consume substantial amounts of com-*
6 *munications capacity to remain current with*
7 *known threats and to report current status; or*

8 *(C) consume substantial amounts of re-*
9 *sources to store rapidly growing threat libraries.*

10 *(2) The system should provide an open architec-*
11 *ture-based framework for so-called “plug-and-play”*
12 *integration of a variety of types of deployable tools in*
13 *addition to cyber intrusion detection tools, including*
14 *tools for—*

15 *(A) insider threat detection;*

16 *(B) continuous monitoring and configura-*
17 *tion management;*

18 *(C) remediation following infections; and*

19 *(D) protection techniques that do not rely*
20 *on detection of the attack, such as virtualization,*
21 *and diversification of attack surfaces.*

22 *(3) The system should be designed for ease of de-*
23 *ployment to potentially millions of host devices of tai-*
24 *lored security solutions depending on need and risk,*
25 *and to be compatible with cloud-based, thin-client,*

1 *and virtualized environments as well as battlefield de-*
2 *vices and weapons systems.*

3 (c) *SUBMITTAL TO CONGRESS.—The Chief Informa-*
4 *tion Office shall submit to Congress a report setting forth*
5 *the strategy required by subsection (a) together with the*
6 *budget justification materials of the Department of Defense*
7 *submitted to Congress with the budget of the President for*
8 *fiscal year 2015 pursuant to section 1105(a) of title 31,*
9 *United States Code.*

10 **SEC. 925. IMPROVEMENTS OF SECURITY, QUALITY, AND**
11 **COMPETITION IN COMPUTER SOFTWARE PRO-**
12 **CURED BY THE DEPARTMENT OF DEFENSE.**

13 (a) *COMPREHENSIVE PROGRAM ON IMPROVEMENT OF*
14 *PROCUREMENT OF COMPUTER SOFTWARE.—The Under*
15 *Secretary of Defense for Acquisition, Technology, and Lo-*
16 *gistics shall, in coordination with the Chief Information Of-*
17 *ficer of the Department of Defense, develop a comprehensive*
18 *program for improvements of the security, quality, and*
19 *competition in the computer software procured by the De-*
20 *partment of Defense for covered systems*

21 (b) *UPDATE OF DEVELOPMENT AND ACQUISITION*
22 *MODELS.—*

23 (1) *IN GENERAL.—The Under Secretary of De-*
24 *fense for Acquisition, Technology, and Logistics shall,*
25 *in coordination with the Chief Information Officer,*

1 *provide for the development of updates and improve-*
2 *ments to one or more existing best-practice develop-*
3 *ment and acquisition models (such as the Capability*
4 *Maturity Model Integration) in order to provide ex-*
5 *PLICIT guidance under such model or models for im-*
6 *proved assurance, security, quality, and resiliency in*
7 *the computer software developed and procured by the*
8 *Department.*

9 (2) *ELEMENTS.—Any update or improvement to*
10 *a development and acquisition model under this sub-*
11 *section shall—*

12 (A) *include diagnostic methods that enable*
13 *evaluations of conformance to the processes and*
14 *best practices of the model for achieving quality,*
15 *assurance, and security throughout the life cycle*
16 *of software products concerned; and*

17 (B) *be compatible with the variety of cur-*
18 *rent agile and incremental software development*
19 *methodologies.*

20 (c) *REQUIREMENTS FOR SECURE CODE DEVELOP-*
21 *MENT PRACTICES.—The Under Secretary shall, in coordi-*
22 *nation with the Chief Information Officer—*

23 (1) *direct the Director of the Defense Information*
24 *Systems Agency to modify the Application Security*
25 *and Development Security Technical Implementation*

1 *Guide (STIG) to require (rather than highly rec-*
2 *ommend) the use of automated static vulnerability*
3 *analysis tools in the computer software code develop-*
4 *ment phase, and in development and operational test-*
5 *ing, to identify and remediate security vulnerabilities*
6 *for covered systems;*

7 (2) *develop a list of qualified government and*
8 *private-sector static analysis tools and third-party*
9 *testing organizations to support the requirement*
10 *under paragraph (1);*

11 (3) *direct the Director—*

12 (A) *to designate secure software coding*
13 *standards; and*

14 (B) *to modify the Security Technical Imple-*
15 *mentation Guide to reference the approved*
16 *standards; and*

17 (4) *develop guidance and direction for Depart-*
18 *ment program managers to require government soft-*
19 *ware development and maintenance organizations*
20 *and contractors to identify and implement, through*
21 *contract statements of work, a secure software coding*
22 *plan that includes verifiable processes and practices.*

23 (d) *VERIFICATION OF EFFECTIVE IMPLEMENTATION.—*

24 *The Under Secretary shall, in coordination with the Chief*
25 *Information Officer, develop guidance and direction for De-*

1 *partment program managers for covered systems to do as*
2 *follows:*

3 (1) *To require evidence that government software*
4 *development and maintenance organizations and con-*
5 *tractors are conforming in computer software coding*
6 *to—*

7 (A) *approved secure coding standards of the*
8 *Department during software development, up-*
9 *grade and maintenance activities, including*
10 *through the use of inspection and appraisals;*

11 (B) *an applicable best practice development*
12 *and acquisition model; and*

13 (C) *the requirement established pursuant to*
14 *subsection (b)(1).*

15 (2) *To make appropriate use of authorized soft-*
16 *ware code assessment centers (whether a government*
17 *center, Federally funded research and development*
18 *center, or government contractor) to evaluate applica-*
19 *tions and software products for conformance to secure*
20 *coding requirements.*

21 (e) *STUDY ON ADDITIONAL MEANS OF IMPROVING*
22 *SOFTWARE SECURITY.—*

23 (1) *IN GENERAL.—The Under Secretary shall, in*
24 *coordination with the Chief Information Officer, pro-*
25 *vide for a study of potential mechanisms for obtain-*

1 *ing higher quality and secure development of com-*
2 *puter software for the Department.*

3 (2) *MECHANISMS TO BE STUDIED.*—*The mecha-*
4 *nisms studied under paragraph (1) may include the*
5 *following:*

6 (A) *Liability for defects or vulnerabilities*
7 *in software code.*

8 (B) *So-called “clawback” provisions on*
9 *earned fees that enable the Department to recoup*
10 *funds for security vulnerabilities discovered after*
11 *software is delivered.*

12 (C) *Exemption from liability for rigorous*
13 *conformance with secure development processes.*

14 (D) *Warranties against software defects and*
15 *vulnerabilities.*

16 (f) *SOFTWARE REPOSITORIES AND COLLABORATIVE*
17 *DEVELOPMENT ENVIRONMENTS.*—*The Under Secretary*
18 *shall, in consultation with the Chief Information Officer—*

19 (1) *establish or require the use of one or more ex-*
20 *isting computer software repositories and collabo-*
21 *rative computer software development environments*
22 *(such as Forge.mil managed by the Defense Informa-*
23 *tion Systems Agency) for covered systems for purposes*
24 *of—*

1 (A) storing software code owned by the gov-
2 ernment, or to which it has use rights, together
3 with all associated documentation and quality
4 and security test results;

5 (B) minimizing duplicative investment in
6 software code development infrastructure while
7 promoting common, high-quality development
8 practices and facilitating sharing of best prac-
9 tices; and

10 (C) promoting software re-use and competi-
11 tion for software capability insertion, upgrades,
12 and maintenance;

13 (2) establish rules and procedures for depositors
14 in the repositories and environments provided for
15 under paragraph (1) to keep the software code base
16 current, if the depositors are not already using such
17 a repository or environment for software development
18 and life-cycle management; and

19 (3) ensure that the repositories and environments
20 provided for under paragraph (1) provide automated
21 tools for software reverse engineering, functionality
22 analysis, and static and dynamic vulnerability anal-
23 ysis of source code and binary code in order to enable
24 users to search for software relevant to their require-

1 *ments, understand what the code does and how it*
2 *functions, and assess its quality and security.*

3 *(g) COVERED SYSTEMS DEFINED.—In this section, the*
4 *term “covered systems” means any Department of Defense*
5 *critical information systems and weapons systems, includ-*
6 *ing—*

7 *(1) major systems, as that term is defined in sec-*
8 *tion 2302(5) of title 10, United States Code;*

9 *(2) national security systems, as that term is de-*
10 *fined in section 3542(b)(2) of title 44, United States*
11 *Code; and*

12 *(3) Department of Defense information systems*
13 *categorized as Mission Assurance Category I in De-*
14 *partment of Defense Directive 8500.01E that are*
15 *funded by the Department of Defense.*

16 **SEC. 926. COMPETITION IN CONNECTION WITH DEPART-**
17 **MENT OF DEFENSE DATA LINK SYSTEMS.**

18 *(a) COMPETITION IN CONNECTION WITH DATA LINK*
19 *SYSTEMS.—*

20 *(1) IN GENERAL.—Not later than December 1,*
21 *2013, the Under Secretary of Defense for Acquisition,*
22 *Technology, and Logistics shall—*

23 *(A) develop an inventory of all data link*
24 *systems in use and in development in the De-*
25 *partment of Defense;*

1 (B) conduct a business case analysis of each
2 data link system contained in the inventory
3 under subparagraph (A) to determine whether—

4 (i) the maintenance, upgrade, new de-
5 ployment, or replacement of such system
6 should be open to competition; or

7 (ii) the data link should be converted
8 to an open architecture, or a different data
9 link standard should be adopted to enable
10 such competition;

11 (C) for each data link system for which
12 competition is determined advisable under clause
13 (i) or (ii) of subparagraph (B), develop a plan
14 (with specific objectives, actions, and schedules)
15 to achieve such competition, including a plan to
16 address any policy, legal, programmatic, or tech-
17 nical barriers to such competition; and

18 (D) for each data link system for which
19 competition is determined not advisable under
20 subparagraph (B), prepare a justification for the
21 determination that it is not practical to conduct
22 such competition or to convert the data link
23 standard to open architecture or adopt a dif-
24 ferent data link standard for which competition
25 is feasible.

1 (2) *ELEMENT OF BUSINESS CASE ANALYSES.*—*In*
2 *conducting a business case analysis for purposes of*
3 *paragraph (1)(B), the Under Secretary shall solicit*
4 *the views of industry on the merits and feasibility of*
5 *introducing competition for the maintenance, up-*
6 *grade, new deployment, or replacement for the data*
7 *link system in question.*

8 (b) *EARLIER ACTIONS.*—*If the Under Secretary com-*
9 *pletes any portion of the plan described in subsection*
10 *(a)(1)(C) before December 1, 2013, the Secretary may com-*
11 *mence action on such portion of the plan upon completion*
12 *of such portion, including publication of such portion of*
13 *the plan.*

14 (c) *REPORTS.*—

15 (1) *SUBMITTAL OF PLAN TO CONGRESS.*—*The*
16 *Under Secretary shall submit to Congress the plan de-*
17 *scribed in subsection (a)(1)(C) at the same time the*
18 *budget of the President for fiscal year 2015 is sub-*
19 *mitted to Congress pursuant to section 1105(a) of title*
20 *31, United States Code. The Under Secretary shall*
21 *include with the plan—*

22 (A) *a list of the data link systems covered*
23 *by subsection (a)(1)(C);*

24 (B) *a list of the data link systems covered*
25 *by subsection (a)(1)(D); and*

1 are in development in ongoing programs, including
2 the following:

3 (A) *The Guardrail program and the*
4 *ARGUS A160 program of the Army.*

5 (B) *The Blue Moon quick reaction capa-*
6 *bility program of the Air Force.*

7 (C) *The Wide Area Network Detection pro-*
8 *gram of the Defense Advanced Research Projects*
9 *Agency (DARPA).*

10 (2) *CONSULTATION.—The Director shall consult*
11 *with the National Security Agency, the combatant*
12 *commands (including the United States Special Oper-*
13 *ations Command), and the formal wireless working*
14 *groups of the intelligence community in developing*
15 *the plan.*

16 (3) *SUPPORT.—The Secretary of the Army, the*
17 *Secretary of the Air Force, and the Director of the*
18 *Defense Advanced Research Projects Agency shall each*
19 *provide the Director such information and support as*
20 *the Director shall require for the development of the*
21 *plan.*

22 (b) *DEVELOPMENT AND DEPLOYMENT.—In addition to*
23 *the responsibility under subsection (a), the Director of the*
24 *Intelligence, Surveillance, and Reconnaissance Task Force*
25 *shall also coordinate funding, provide acquisition oversight,*

1 *coordinate system deployment, and synchronize operational*
2 *integration in support of combat operations for purposes*
3 *of the development and deployment of the capability de-*
4 *scribed in that subsection.*

5 **SEC. 928. COLLECTION AND ANALYSIS OF NETWORK FLOW**
6 **DATA.**

7 (a) *DEVELOPMENT OF TECHNOLOGIES.*—*The Chief In-*
8 *formation Officer of the Department of Defense may, in co-*
9 *ordination with the Under Secretary of Defense for Policy*
10 *and the Under Secretary of Defense for Intelligence and act-*
11 *ing through the Director of the Defense Information Sys-*
12 *tems Agency (DISA), use the available funding and re-*
13 *search activities and capabilities of the Community Data*
14 *Center of the Defense Information Systems Agency to de-*
15 *velop and demonstrate collection, processing, and storage*
16 *technologies for network flow data that—*

17 (1) *are potentially scalable to the volume used by*
18 *Tier 1 Internet Service Providers (ISPs) to collect*
19 *and analyze the flow data across their networks;*

20 (2) *will substantially reduce the cost and com-*
21 *plexity of capturing and analyzing high volumes of*
22 *flow data; and*

23 (3) *support the capability—*

24 (A) *to detect and identify cybersecurity*
25 *threats, networks of compromised computers, and*

1 *command and control sites used for managing il-*
2 *licit cyber operations and receiving information*
3 *from compromised computers;*

4 *(B) track illicit cyber operations for attri-*
5 *bution of the source; and*

6 *(C) provide early warning and attack as-*
7 *essment of offensive cyber operations.*

8 **(b) COORDINATION.**—*Any research and development*
9 *required in the development of the technologies described in*
10 *subsection (a) shall be conducted in cooperation with the*
11 *heads of other appropriate departments and agencies of the*
12 *Federal Government and, whenever feasible, Tier 1 Internet*
13 *Service Providers.*

14 **SEC. 929. DEPARTMENT OF DEFENSE USE OF NATIONAL SE-**
15 **CURITY AGENCY CLOUD COMPUTING DATA-**
16 **BASE AND INTELLIGENCE COMMUNITY**
17 **CLOUD COMPUTING INFRASTRUCTURE AND**
18 **SERVICES.**

19 **(a) LIMITATION ON USE OF NSA DATABASE.**—

20 **(1) LIMITATION.**—*No component of the Depart-*
21 *ment of Defense may utilize the cloud computing*
22 *database developed by the National Security Agency*
23 *(NSA) called Accumulo after September 30, 2013, un-*
24 *less the Chief Information Officer of the Department*
25 *of Defense certifies one of the following:*

1 (A) *That there are no viable commercial*
2 *open source databases with extensive industry*
3 *support (such as the Apache Foundation HBase*
4 *and Cassandra databases) that have security fea-*
5 *tures comparable to the Accumulo database that*
6 *are considered essential by the Chief Information*
7 *Officer for purposes of the certification under*
8 *this paragraph.*

9 (B) *That the Accumulo database has become*
10 *a successful Apache Foundation open source*
11 *database with adequate industry support and di-*
12 *versification, based on criteria to be established*
13 *by the Chief Information Officer for purposes of*
14 *the certification under this paragraph and sub-*
15 *mitted to the appropriate committees of Congress*
16 *not later than January 1, 2013.*

17 (2) *CONSTRUCTION.—The limitation in para-*
18 *graph (1) shall not apply to the National Security*
19 *Agency.*

20 (b) *ADAPTATION OF ACCUMULO SECURITY FEATURES*
21 *TO HBASE DATABASE.—The Director of the National Secu-*
22 *rity Agency shall take appropriate actions to ensure that*
23 *companies and organizations developing and supporting*
24 *open source and commercial open source versions of the*
25 *Apache Foundation HBase and Cassandra databases, or*

1 *similar systems, receive technical assistance from govern-*
2 *ment and contractor developers of software code for the*
3 *Accumulo database to enable adaptation and integration of*
4 *the security features of the Accumulo database.*

5 *(c) COORDINATION REGARDING DoD USE OF INTEL-*
6 *LIGENCE COMMUNITY CLOUD COMPUTING INFRASTRUC-*
7 *TURE AND SERVICES.—*

8 *(1) IN GENERAL.—The Under Secretary of De-*
9 *fense for Acquisition, Technology, and Logistics, the*
10 *Chief Information Officer of the Department of De-*
11 *fense, and the Chief Information Officer of each of the*
12 *military departments shall coordinate with the Direc-*
13 *tor of National Intelligence and the Under Secretary*
14 *of Defense for Intelligence regarding the use of cloud*
15 *computing infrastructure and software services offered*
16 *by the intelligence community by components of the*
17 *Department of Defense for purposes other than intel-*
18 *ligence analysis.*

19 *(2) PURPOSE.—The purpose of the coordination*
20 *required by paragraph (1) is to ensure that Depart-*
21 *ment use of cloud computing infrastructure and soft-*
22 *ware services described in that paragraph is cost-effec-*
23 *tive and consistent with the Information Technology*
24 *Efficiencies initiative, data center and server consoli-*

1 *dation plans, and cybersecurity requirements and*
2 *policies of the Department.*

3 *(d) APPROPRIATE COMMITTEES OF CONGRESS DE-*
4 *FINED.—In this section, the term “appropriate committees*
5 *of Congress” means—*

6 *(1) the Committees on Armed Services and Ap-*
7 *propriations and the Select Committee on Intelligence*
8 *of the Senate; and*

9 *(2) the Committees on Armed Services and Ap-*
10 *propriations and the Permanent Select Committee on*
11 *Intelligence of the House of Representatives.*

12 **SEC. 930. ELECTRO-OPTICAL IMAGERY.**

13 *(a) SUSTAINMENT OF COLLECTION CAPACITY.—The*
14 *Secretary of Defense and the Director of National Intel-*
15 *ligence shall jointly take appropriate actions to sustain*
16 *through fiscal year 2013 the commercial electro-optical im-*
17 *aging collection capacity that was planned under the En-*
18 *hanced View program approved in the National Defense*
19 *Authorization Act for Fiscal Year 2012 (Public Law 112–*
20 *81) to be available to the Department of Defense through the*
21 *Service Level Agreements with commercial data providers.*

22 *(b) IDENTIFICATION OF DEPARTMENT OF DEFENSE*
23 *ELECTRO-OPTICAL IMAGERY REQUIREMENTS.—*

24 *(1) REPORT.—Not later than April 1, 2013, the*
25 *Vice Chairman of the Joint Chiefs of Staff shall sub-*

1 *mit to the Director of the Congressional Budget Office*
2 *a report setting forth a comprehensive description of*
3 *Department of Defense peacetime and wartime re-*
4 *quirements for electro-optical imagery under current*
5 *circumstances and under anticipated revisions of*
6 *strategy and budgetary constraints.*

7 (2) *SCOPE OF REQUIREMENTS.—The require-*
8 *ments under paragraph (1) shall—*

9 (A) *be expressed in such terms as daily re-*
10 *gional and global area coverage and number of*
11 *point targets, resolution, revisit rates, mean-time*
12 *to access, latency, redundancy, survivability, and*
13 *diversity; and*

14 (B) *take into consideration all types of im-*
15 *agery and collection means available.*

16 (c) *ASSESSMENT OF IDENTIFIED REQUIREMENTS.—*

17 (1) *IN GENERAL.—Not later than September 15,*
18 *2013, the Director of the Congressional Budget Office*
19 *shall submit to the appropriate committees of Con-*
20 *gress a report setting forth an assessment by the Di-*
21 *rector of the report required by subsection (b).*

22 (2) *ELEMENTS.—The assessment required by*
23 *paragraph (1) shall include an assessment of the fol-*
24 *lowing:*

1 (A) *The extent to which the requirements of*
2 *the Department for electro-optical imagery from*
3 *space can be satisfied by commercial companies*
4 *using either—*

5 (i) *current designs; or*

6 (ii) *enhanced designs that could be de-*
7 *veloped at low risk.*

8 (B) *Whether a reduction by half in the*
9 *amounts requested for the Enhanced View pro-*
10 *gram for fiscal year 2013 from amounts re-*
11 *quested for that program for fiscal year 2012 is*
12 *consistent with Presidential Space Policy of*
13 *June 2010, Presidential Policy Directive 4, ap-*
14 *licable provisions of the Federal Acquisition*
15 *Regulation (10.001(a)(3)(i) and 12.101(a)–(b)),*
16 *and section 2377 of title 10, United States Code,*
17 *regarding preferences for procuring commercial*
18 *capabilities and modifying as necessary and fea-*
19 *sible commercial capabilities to meet government*
20 *requirements, and for modifying government re-*
21 *quirements to a reasonable extent to enable com-*
22 *mercial or non-developmental products to meet*
23 *government needs.*

1 (3) *CONSULTATION AND OTHER RESOURCES.*—*In*
2 *preparing the assessment required by paragraph (1),*
3 *the Director shall—*

4 (A) *consult widely with appropriate indi-*
5 *viduals and entities, including Members and*
6 *committees of Congress, the Office of Manage-*
7 *ment and Budget and other agencies and offi-*
8 *cials of the Government, private industry, and*
9 *academia; and*

10 (B) *make maximum use of existing studies*
11 *and modeling and simulations conducted by or*
12 *on behalf of Members and committees of Con-*
13 *gress, the Joint Staff, the Director of National*
14 *Intelligence, the National Reconnaissance Office,*
15 *the National Geospatial-Intelligence Agency, pri-*
16 *vate industry, and academia.*

17 (4) *ACCESS TO INFORMATION.*—*The Director of*
18 *National Intelligence and the Secretary of Defense*
19 *shall each provide the staff of the Director of the Con-*
20 *gressional Budget Office with such access to informa-*
21 *tion and programs applicable to the assessment re-*
22 *quired by paragraph (1) as the Director of the Con-*
23 *gressional Budget Office shall require for the prepara-*
24 *tion of the assessment.*

1 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
2 *FINED.*—*In this section, the term “appropriate committees*
3 *of Congress” means—*

4 (1) *the Committees on Armed Services and Ap-*
5 *propriations and the Select Committee on Intelligence*
6 *of the Senate; and*

7 (2) *the Committees on Armed Services and Ap-*
8 *propriations and the Permanent Select Committee on*
9 *Intelligence of the House of Representatives.*

10 (e) *FUNDING.*—*In addition to any other amounts au-*
11 *thorized to be appropriated by this Act and available for*
12 *Service Level Agreements described in subsection (a), of the*
13 *amounts authorized to be appropriated for fiscal year 2013*
14 *by section 301 for operation and maintenance and available*
15 *as specified in the funding table in section 4301,*
16 *\$125,000,000 is available for such Service Level Agree-*
17 *ments.*

18 **SEC. 931. SOFTWARE LICENSES OF THE DEPARTMENT OF**
19 **DEFENSE.**

20 (a) *AUDITS.*—*Not later than 180 days after the date*
21 *of the enactment of this Act, and every two years thereafter,*
22 *the Chief Information Officer of the Department of the De-*
23 *fense shall, in consultation with chief information officers*
24 *of the military departments and the Defense Agencies—*

1 (1) *conduct an inventory of all existing software*
2 *licenses in favor of the Department of Defense, includ-*
3 *ing licenses in use and licenses not in use, on an ap-*
4 *plication-by-application basis;*

5 (2) *compare the number of software licenses in*
6 *use, and the manner of their use by Department em-*
7 *ployees, with the number of software licenses available*
8 *to the Department and the product use rights con-*
9 *tained in such licenses;*

10 (3) *assess the needs of the Department and the*
11 *components of the Department for software licenses*
12 *during the two fiscal years next following the date of*
13 *the completion of the inventory; and*

14 (4) *determine means by which the Department*
15 *can achieve the greatest possible economies of scale*
16 *and cost-savings in the procurement, use, and optimi-*
17 *zation of software licenses.*

18 (b) *PERFORMANCE PLAN.—*

19 (1) *IN GENERAL.—If the Chief Information Offi-*
20 *cer determines through an inventory conducted under*
21 *subsection (a) that the number of existing software li-*
22 *ceses, on an application-by-application basis, of the*
23 *Department and the components of the Department*
24 *exceeds the needs of the Department for such software*
25 *licenses, the Secretary of Defense shall, not later than*

1 90 days after the date of the completion of such inven-
2 tory, implement a plan to bring the number of soft-
3 ware licenses, on an application-by-application basis,
4 into balance with the needs of the Department.

5 (2) *EXCEPTIONS.*—The Chief Information Officer
6 may exempt from coverage under a plan under para-
7 graph (1) such applications or categories of applica-
8 tions as the Chief Information Officer considers ap-
9 propriate. Immediately upon finalizing the applica-
10 tions or categories of applications to be exempt from
11 coverage under a plan, the Chief Information Officer
12 shall submit to the congressional defense committees a
13 report (in classified form, if required) setting forth
14 the applications or categories of applications to be ex-
15 empt from coverage under the plan.

16 **SEC. 932. DEFENSE CLANDESTINE SERVICE.**

17 (a) *PROHIBITION ON USE OF FUNDS FOR ADDITIONAL*
18 *PERSONNEL.*—Amounts authorized to be appropriated by
19 this Act for the Military Intelligence Program (MIP) may
20 not be obligated or expended to provide for a number of
21 personnel conducting or supporting human intelligence
22 within the Department of Defense in excess of the number
23 of such personnel as of April 20, 2012.

24 (b) *CAPE REPORT ON COSTS.*—Not later than 120
25 days after the date of the enactment of this Act, the Director

1 *of Cost Assessment and Program Evaluation of the Depart-*
2 *ment of Defense shall submit to the appropriate committees*
3 *of Congress an independent estimate of the costs of the De-*
4 *fense Clandestine Service, whether funded through the Mili-*
5 *tary Intelligence Program or the National Intelligence Pro-*
6 *gram, including an estimate of the costs over the period of*
7 *the current future-years defense program and an estimate*
8 *of the out year costs.*

9 *(c) USDI REPORT ON DCS.—*

10 *(1) REPORT REQUIRED.—Not later than Feb-*
11 *ruary 1, 2013, the Under Secretary of Defense for In-*
12 *telligence shall submit to the appropriate committees*
13 *of Congress a report on the Defense Clandestine Serv-*
14 *ice.*

15 *(2) ELEMENTS.—The report under paragraph*
16 *(1) shall include the following:*

17 *(A) A detailed description of the location*
18 *and schedule for current and anticipated deploy-*
19 *ments of case officers trained under the Field*
20 *Tradecraft Course, whether overseas or domesti-*
21 *cally, and a certification whether or not such de-*
22 *ployments can be accommodated and supported.*

23 *(B) A statement of the objectives for the ef-*
24 *fective management of case officers trained under*
25 *the Field Tradecraft Course for each of the*

1 *Armed Forces, the Defense Intelligence Agency,*
2 *and the United States Special Operations Com-*
3 *mand, including objectives on numbers of tours*
4 *requiring training in the Field Tradecraft*
5 *Course and objectives for management of career*
6 *tracks and case officer covers.*

7 (C) *A statement of the manner in which*
8 *each Armed Force, the Defense Intelligence Agen-*
9 *cy, and the United States Special Operations*
10 *Command will each achieve the objectives appli-*
11 *cable thereto under subparagraph (B).*

12 (D) *A copy of any memoranda of under-*
13 *standing or memoranda of agreement between*
14 *the Department of Defense and other depart-*
15 *ments and agencies of the United States Govern-*
16 *ment, or between components or elements of the*
17 *Department of Defense, that are required to im-*
18 *plement objectives for the Defense Clandestine*
19 *Service.*

20 (d) *DEFINITIONS.—In this section:*

21 (1) *The term “appropriate committees of Con-*
22 *gress” means—*

23 (A) *the Committees on Armed Services and*
24 *Appropriations and the Select Committee on In-*
25 *telligence of the Senate; and*

1 (B) the Committees on Armed Services and
2 Appropriations and the Permanent Select Com-
3 mittee on Intelligence of the House of Represent-
4 atives.

5 (2) The term “future-years defense program”
6 means the future-years defense program under section
7 221 of title 10, United States Code.

8 **SEC. 933. AUTHORITY FOR SHORT-TERM EXTENSION OF**
9 **LEASE FOR AIRCRAFT SUPPORTING THE**
10 **BLUE DEVIL INTELLIGENCE, SURVEILLANCE,**
11 **AND RECONNAISSANCE PROGRAM.**

12 (a) *IN GENERAL.*—Notwithstanding section 2401 of
13 title 10, United States Code, the Secretary of the Air Force
14 may extend or renew the lease of aircraft supporting the
15 Blue Devil intelligence, surveillance, and reconnaissance
16 program after the date of the expiration of the current lease
17 of such aircraft for a term that is the shorter of—

18 (1) the period beginning on the date of the expi-
19 ration of the current lease and ending on the date on
20 which the Commander of the United States Central
21 Command notifies the Secretary that a substitute is
22 available for the capabilities provided by the lease, or
23 that the capabilities provided by such aircraft are no
24 longer required; or

25 (2) six months.

1 (b) *FUNDING.*—Amounts authorized to be appro-
2 priated for fiscal year 2013 by title XV and available for
3 Overseas Contingency Operations for operation and main-
4 tenance as specified in the funding tables in section 4302
5 may be available for the extension or renewal of the lease
6 authorized by subsection (a).

7 **SEC. 934. SENSE OF SENATE ON POTENTIAL SECURITY**
8 **RISKS TO DEPARTMENT OF DEFENSE NET-**
9 **WORKS.**

10 (a) *FINDINGS.*—The Senate makes the following find-
11 ings:

12 (1) *Cybersecurity threats are pervasive and seri-*
13 ous, including through the supply chain of informa-
14 tion technology equipment and software.

15 (2) *Semiconductor manufacturing is already*
16 dominated by foreign producers, presenting supply
17 chain risk management challenges.

18 (3) *In a number of instances, foreign manufac-*
19 turers of telecommunications equipment, including
20 advanced wireless technology, are gaining global mar-
21 ket share due to high quality and low prices. Com-
22 petitive market forces ensure that commercial pro-
23 viders of consumer, business, and government systems
24 and services will choose equipment and associated
25 software from these manufacturers. In some cases, like

1 *Huawei Industries, this competitive position stems in*
2 *part from inappropriate government subsidies and*
3 *other forms of assistance.*

4 (4) *Some of these companies also present clear*
5 *cybersecurity supply chain risks that the Government*
6 *must address.*

7 (5) *The Committee on Foreign Investment in the*
8 *United States has blocked the attempt by Huawei to*
9 *acquire United States technology firms on two occa-*
10 *sions and the National Security Agency and the Sec-*
11 *retary of Commerce have advised two major United*
12 *States telecommunications carriers against selecting*
13 *Huawei as a supplier.*

14 (6) *The Ike Skelton National Defense Authoriza-*
15 *tion Act for Fiscal Year 2011 (Public Law 111–383)*
16 *provided authority and mechanisms for the Secretary*
17 *of Defense to control these supply chain risks, but*
18 *only for National Security Systems, leaving many in-*
19 *formation technology systems and missions exposed to*
20 *supply chain risks.*

21 (7) *Blocking sales from providers of information*
22 *technology systems and services due to concerns about*
23 *cybersecurity risks, while maintaining our commit-*
24 *ment to free trade and fair and transparent competi-*
25 *tion, poses difficult policy challenges.*

1 **(b) SENSE OF SENATE.**—*It is the sense of the Senate*
2 *that the Department of Defense—*

3 **(1)** *must ensure it maintains full visibility and*
4 *adequate control of its supply chain, including sub-*
5 *contractors, in order to mitigate supply chain exploi-*
6 *tation; and*

7 **(2)** *needs the authority and capability to miti-*
8 *gate supply chain risks to its information technology*
9 *systems that fall outside the scope of National Secu-*
10 *rity Systems.*

11 **SEC. 935. SENSE OF CONGRESS ON THE UNITED STATES**

12 **CYBER COMMAND.**

13 **(a) FINDINGS.**—*Congress makes the following findings:*

14 **(1)** *On June 23, 2009, the Secretary of Defense*
15 *directed the Commander of the United States Stra-*
16 *tegic Command to establish the United States Cyber*
17 *Command, which became operational on May 21,*
18 *2010, and operates as a sub-unified command subor-*
19 *dinate to the United States Strategic Command.*

20 **(2)** *In May 2012, media reports indicated that*
21 *General Martin Dempsey, the Chairman of the Joint*
22 *Chiefs of Staff, planned to recommend to Secretary of*
23 *Defense Leon Panetta that the two-year-old United*
24 *States Cyber Command be elevated to full combatant*
25 *command status.*

1 (3) *On August 14, 2012, General Keith Alex-*
2 *ander, the Commander of the United States Cyber*
3 *Command and the Director of the National Security*
4 *Agency, addressed the TechNet Land Forces conference*
5 *and stated that “[i]n 2007 we drafted . . . a paper*
6 *. . . about establishing a Cyber Command . . . [which*
7 *concluded that] . . . the most logical is to set it up*
8 *as a sub unified and grow it to a unified, and I think*
9 *that’s the process that we’re going to work our way*
10 *through”.*

11 (4) *On October 11, 2012, Secretary of Defense*
12 *Leon Panetta discussed cybersecurity in a speech to*
13 *the Business Executives for National Security in New*
14 *York, New York, specifically calling for a strength-*
15 *ening of the United States Cyber Command and stat-*
16 *ing that the Department of Defense “must ensure that*
17 *[the United States Cyber Command] has the re-*
18 *sources, that it has the authorities, that it has the ca-*
19 *pabilities required to perform this growing mission.*
20 *And it must also be able to react quickly to events un-*
21 *folding in cyberspace and help fully integrate cyber*
22 *into all of the department’s plans and activities.”.*

23 (b) *SENSE OF CONGRESS.—Congress—*

24 (1) *recognizes the serious cyber threat to national*
25 *security and the need to work both offensively and de-*

1 *fensively to protect the Nation’s networks and critical*
2 *infrastructure;*

3 *(2) acknowledges the importance of the unified*
4 *command structure of the Department in directing*
5 *military operations in cyberspace and recognizes that*
6 *a change in the status of the United States Cyber*
7 *Command has Department-wide and national secu-*
8 *rity implications, which require careful consideration;*

9 *(3) expects to be briefed and consulted about any*
10 *proposal to elevate the United States Cyber Command*
11 *to a unified command before a decision by the Sec-*
12 *retary make such a proposal to the President and to*
13 *receive, at a minimum—*

14 *(A) a clear statement of mission and related*
15 *legal definitions;*

16 *(B) an outline of the specific national secu-*
17 *rity benefits of elevating the sub-unified United*
18 *States Cyber Command to a unified command;*

19 *(C) an estimate of the cost of creating a*
20 *unified United States Cyber Command and a*
21 *justification of the expenditure; and*

22 *(D) if the Secretary considers it advisable to*
23 *continue the designation of the Commander of*
24 *the United States Cyber Command as also being*
25 *the Director of the National Security Agency—*

1 (i) an explanation of how a single in-
2 dividual could serve as a commander of a
3 combatant command that conducts overt, al-
4 beit clandestine, cyber operations under title
5 10, United States Code, as well as the direc-
6 tor of an intelligence agency that conducts
7 covert cyber operations under the National
8 Security Act of 1947 (50 U.S.C. 401 et seq.)
9 in a manner that affords deniability to the
10 United States; and

11 (ii) a statement of whether the Sec-
12 retary believes it is appropriate either to
13 appoint a line officer as the Director of the
14 National Security Agency or to take the un-
15 precedented step of appointing an intel-
16 ligence officer as a unified commander; and

17 (4) believes that appropriate policy foundations
18 and standing rules of engagement must be in place
19 before any decision to create a unified United States
20 Cyber Command.

21 **SEC. 936. REPORTS TO DEPARTMENT OF DEFENSE ON PEN-**
22 **ETRATIONS OF NETWORKS AND INFORMA-**
23 **TION SYSTEMS OF CERTAIN CONTRACTORS.**

24 (a) *PROCESS FOR REPORTING PENETRATIONS.*—The
25 *Under Secretary of Defense for Intelligence shall, in coordi-*

1 nation with the officials specified in subsection (c), establish
2 a process by which cleared defense contractors shall report
3 to elements of the Department of Defense designated by the
4 Under Secretary for purposes of the process when a network
5 or information system of such contractors designated pursu-
6 ant to subsection (b) is successfully penetrated.

7 (b) *DESIGNATION OF NETWORKS AND INFORMATION*
8 *SYSTEMS.*—The Under Secretary of Defense for Intelligence
9 shall, in coordination with the officials specified in sub-
10 section (c), establish criteria for designating the cleared de-
11 fense contractors' networks or information systems that con-
12 tain or process information created by or for the Depart-
13 ment of Defense to be subject to the reporting process estab-
14 lished pursuant to subsection (a).

15 (c) *OFFICIALS.*—The officials specified in this sub-
16 section are the following:

17 (1) *The Under Secretary of Defense for Policy.*

18 (2) *The Under Secretary of Defense for Acquisi-*
19 *tion, Technology, and Logistics.*

20 (3) *The Chief Information Officer of the Depart-*
21 *ment of Defense.*

22 (4) *The Commander of the United States Cyber*
23 *Command.*

24 (d) *PROCESS REQUIREMENTS.*—

1 (1) *RAPID REPORTING.*—*The process required by*
2 *subsection (a) shall provide for rapid reporting by*
3 *contractors of successful penetrations of designated*
4 *network or information systems.*

5 (2) *REPORT ELEMENTS.*—*The report by a con-*
6 *tractor on a successful penetration of a designated*
7 *network or information system under the process shall*
8 *include the following:*

9 (A) *A description of the technique or meth-*
10 *od used in the penetration.*

11 (B) *A sample of the malicious software, if*
12 *discovered and isolated by the contractor.*

13 (3) *ACCESS.*—*The process shall include mecha-*
14 *nisms by which Department of Defense personnel*
15 *may, upon request, obtain access to equipment or in-*
16 *formation of a contractor necessary to conduct a fo-*
17 *rensic analysis to determine whether information cre-*
18 *ated by or for the Department in connection with any*
19 *Department program was successfully exfiltrated from*
20 *a network or information system of the contractor*
21 *and, if so, what information was exfiltrated.*

22 (4) *LIMITATION ON DISSEMINATION OF CERTAIN*
23 *INFORMATION.*—*The process shall prohibit the dis-*
24 *semination outside the Department of Defense of in-*
25 *formation obtained or derived through the process*

1 *that is not created by or for the Department except*
2 *with the approval of the contractor providing such in-*
3 *formation.*

4 *(e) CLEARED DEFENSE CONTRACTOR DEFINED.—In*
5 *this section, the term “cleared defense contractor” means a*
6 *private entity granted clearance by the Defense Security*
7 *Service to receive and store classified information for the*
8 *purpose of bidding for a contract or conducting activities*
9 *under a contract with the Department of Defense.*

10 ***Subtitle D—Other Matters***

11 ***SEC. 941. NATIONAL LANGUAGE SERVICE CORPS.***

12 *(a) AUTHORITY TO ESTABLISH.—The David L. Boren*
13 *National Security Education Act of 1991 (50 U.S.C. 1901*
14 *et seq.) is amended by adding at the end the following new*
15 *section:*

16 ***“SEC. 813. NATIONAL LANGUAGE SERVICE CORPS.***

17 *“(a) ESTABLISHMENT.—(1) The Secretary of Defense*
18 *may establish and maintain within the Department of De-*
19 *fense a National Language Service Corps (in this section*
20 *referred to as the ‘Corps’).*

21 *“(2) The purpose of the Corps is to provide a pool of*
22 *personnel with foreign language skills who, as provided in*
23 *regulations prescribed under this section, agree to provide*
24 *foreign language services to the Department of Defense or*
25 *another department or agency of the United States.*

1 “(b) *NATIONAL SECURITY EDUCATION BOARD.*—If the
2 *Corps is established, the Secretary shall provide for the Na-*
3 *tional Security Education Board to oversee and coordinate*
4 *the activities of the Corps to such extent and in such man-*
5 *ner as determined by the Secretary under paragraph (9)*
6 *of section 803(d).*

7 “(c) *MEMBERSHIP.*—To be eligible for membership in
8 *the Corps, a person must be a citizen of the United States*
9 *authorized by law to be employed in the United States, have*
10 *attained the age of 18 years, and possess such foreign lan-*
11 *guage skills as the Secretary considers appropriate for*
12 *membership in the Corps. Members of the Corps may in-*
13 *clude employees of the Federal Government and of State*
14 *and local governments.*

15 “(d) *TRAINING.*—The Secretary may provide members
16 *of the Corps such training as the Secretary prescribes for*
17 *purposes of this section.*

18 “(e) *SERVICE.*—Upon a determination that it is in the
19 *national interests of the United States, the Secretary shall*
20 *call upon members of the Corps to provide foreign language*
21 *services to the Department of Defense or another department*
22 *or agency of the United States.*

23 “(f) *FUNDING.*—The Secretary may impose fees, in
24 *amounts up to full-cost recovery, for language services and*
25 *technical assistance rendered by members of the Corps.*

1 *Amounts of fees received under this section shall be credited*
2 *to the account of the Department providing funds for any*
3 *costs incurred by the Department in connection with the*
4 *Corps. Amounts so credited to such account shall be merged*
5 *with amounts in such account, and shall be available to*
6 *the same extent, and subject to the same conditions and lim-*
7 *itations, as amounts in such account. Any amounts so cred-*
8 *ited shall remain available until expended.”.*

9 (b) *NATIONAL SECURITY EDUCATION BOARD MAT-*
10 *TERS.—*

11 (1) *COMPOSITION.—Subsection (b) of section 803*
12 *of such Act (50 U.S.C. 1903) is amended—*

13 (A) *by striking paragraph (5);*

14 (B) *by redesignating paragraphs (6) and*
15 *(7) as paragraphs (8) and (9), respectively; and*

16 (C) *by inserting after paragraph (4) the fol-*
17 *lowing new paragraphs:*

18 “(5) *The Secretary of Homeland Security.*

19 “(6) *The Secretary of Energy.*

20 “(7) *The Director of National Intelligence.”.*

21 (2) *FUNCTIONS.—Subsection (d) of such section*
22 *is amended by adding at the end the following new*
23 *paragraph:*

24 “(9) *To the extent provided by the Secretary of*
25 *Defense, oversee and coordinate the activities of the*

1 *National Language Service Corps under section 813,*
2 *including—*

3 “(A) *identifying and assessing on a peri-*
4 *odic basis the needs of the departments and agen-*
5 *cies of the Federal Government for personnel*
6 *with skills in various foreign languages;*

7 “(B) *establishing plans to address foreign*
8 *language shortfalls and requirements of the de-*
9 *partments and agencies of the Federal Govern-*
10 *ment;*

11 “(C) *recommending effective ways to in-*
12 *crease public awareness of the need for foreign*
13 *languages skills and career paths in the Federal*
14 *government that use those skills;*

15 “(D) *coordinating activities with Executive*
16 *agencies and State and Local governments to de-*
17 *velop interagency plans and agreements to ad-*
18 *dress overall foreign language shortfalls and to*
19 *utilize personnel to address the various types of*
20 *crises that warrant foreign language skills; and*

21 “(E) *proposing to the Secretary regulations*
22 *to carry out section 813.”.*

1 **SEC. 942. REPORT ON EDUCATION AND TRAINING AND PRO-**
2 **MOTION RATES FOR PILOTS OF REMOTELY PI-**
3 **LOTED AIRCRAFT.**

4 (a) *REPORT REQUIRED.*—Not later than January 31,
5 2013, the Secretary of the Air Force and the Chief of Staff
6 of the Air Force shall jointly submit to the congressional
7 defense committees a report on education and training and
8 promotion rates for Air Force pilots of remotely piloted air-
9 craft (RPA).

10 (b) *ELEMENTS.*—The report required by subsection (a)
11 shall include the following:

12 (1) *A detailed analysis of the reasons for persist-*
13 *ently lower average education and training and pro-*
14 *motion rates for Air Force pilots of remotely piloted*
15 *aircraft.*

16 (2) *An assessment of the long-term impact on the*
17 *Air Force of the sustainment of such lower rates*

18 (3) *A plan to raise such rates, including—*

19 (A) *a description of the near-term and*
20 *longer-term actions the Air Force intends to un-*
21 *dertake to implement the plan; and*

22 (B) *an analysis of the potential direct and*
23 *indirect impacts of the plan on the achievement*
24 *and sustainment of the combat air patrol objec-*
25 *tives of the Air Force for remotely piloted air-*
26 *craft.*

1 **TITLE X—GENERAL PROVISIONS**

2 **Subtitle A—Financial Matters**

3 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

4 (a) *AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

5 (1) *AUTHORITY.—Upon determination by the*
6 *Secretary of Defense that such action is necessary in*
7 *the national interest, the Secretary may transfer*
8 *amounts of authorizations made available to the De-*
9 *partment of Defense in this division for fiscal year*
10 *2013 between any such authorizations for that fiscal*
11 *year (or any subdivisions thereof). Amounts of au-*
12 *thorizations so transferred shall be merged with and*
13 *be available for the same purposes as the authoriza-*
14 *tion to which transferred.*

15 (2) *LIMITATION.—Except as provided in para-*
16 *graph (3), the total amount of authorizations that the*
17 *Secretary may transfer under the authority of this*
18 *section may not exceed \$5,000,000,000.*

19 (3) *EXCEPTION FOR TRANSFERS BETWEEN MILI-*
20 *TARY PERSONNEL AUTHORIZATIONS.—A transfer of*
21 *funds between military personnel authorizations*
22 *under title IV shall not be counted toward the dollar*
23 *limitation in paragraph (2).*

24 (b) *LIMITATIONS.—The authority provided by this sec-*
25 *tion to transfer authorizations—*

1 *fense may transfer, from amounts authorized to be appro-*
2 *priated for the Department of Defense for fiscal year 2013*
3 *pursuant to this Act, to the Secretary of Energy an amount,*
4 *not to exceed \$150,000,000, to be available only for weapons*
5 *activities of the National Nuclear Security Administration.*

6 (b) *NOTICE TO CONGRESS.—In the event of a transfer*
7 *under subsection (a), the Secretary of Defense shall prompt-*
8 *ly notify Congress of the transfer, and shall include in such*
9 *notice the Department of Defense account or accounts from*
10 *which funds are transferred.*

11 (c) *TRANSFER MECHANISM.—Any funds transferred*
12 *under this section shall be transferred in accordance with*
13 *established procedures for reprogramming under section*
14 *1001 or successor provisions of law.*

15 (d) *CONSTRUCTION OF AUTHORITY.—The transfer au-*
16 *thority provided under subsection (a) is in addition to any*
17 *other transfer authority provided under this Act.*

18 **SEC. 1003. AUDIT READINESS OF DEPARTMENT OF DE-**
19 **FENSE STATEMENTS OF BUDGETARY RE-**
20 **SOURCES.**

21 (a) *OBJECTIVE.—Section 1003(a)(2)(A)(ii) of the Na-*
22 *tional Defense Authorization Act for Fiscal Year 2010 (Pub-*
23 *lic Law 111–84; 123 Stat. 2439; 10 U.S.C. 2222 note) is*
24 *amended by inserting “, and the statement of budgetary re-*
25 *sources of the Department of Defense is validated as ready*

1 *for audit by not later than September 30, 2014” after “Sep-*
2 *tember 30, 2017”.*

3 *(b) AFFORDABLE AND SUSTAINABLE APPROACH.—*

4 *(1) IN GENERAL.—The Chief Management Offi-*
5 *cer of the Department of Defense and the Chief Man-*
6 *agement Officers of each of the military departments*
7 *shall ensure that plans to achieve an auditable state-*
8 *ment of budgetary resources of the Department of De-*
9 *fense by September 30, 2014, include appropriate*
10 *steps to minimize one-time fixes and manual work-*
11 *arounds, are sustainable and affordable, and will not*
12 *delay full auditability of financial statements.*

13 *(2) ADDITIONAL ELEMENTS IN FIAR PLAN RE-*
14 *PORT.—Each semi-annual report on the Financial*
15 *Improvement and Audit Readiness Plan of the De-*
16 *partment of Defense submitted by the Under Sec-*
17 *retary of Defense (Comptroller) under section 1003(b)*
18 *of the National Defense Authorization Act for Fiscal*
19 *Year 2010 during the period beginning on the date of*
20 *the enactment of this Act and ending on September*
21 *30, 2014, shall include the following:*

22 *(A) A description of the actions taken by*
23 *the military departments pursuant to paragraph*
24 *(1).*

1 (B) A determination by the Chief Manage-
2 ment Officer of each military department wheth-
3 er or not such military department is able to
4 achieve an auditable statement of budgetary re-
5 sources by September 30, 2014, without an
6 unaffordable or unsustainable level of one-time
7 fixes and manual work-arounds and without de-
8 laying the full auditability of the financial state-
9 ments of such military department.

10 (C) If the Chief Management Officer of a
11 military department determines under subpara-
12 graph (B) that the military department is not
13 able to achieve an auditable statement of budg-
14 etary resources by September 30, 2014, as de-
15 scribed in that subparagraph—

16 (i) an explanation why the military
17 department is unable to meet the deadline;

18 (ii) an alternative deadline by which
19 the military department will achieve an
20 auditable statement of budgetary resources;

21 (iii) a description of the plan of the
22 military department for meeting the alter-
23 native deadline.

1 **SEC. 1004. REPORT ON EFFECTS OF BUDGET SEQUESTRA-**
2 **TION ON THE DEPARTMENT OF DEFENSE.**

3 (a) *FINDINGS.*—Congress makes the following findings:

4 (1) *The inability of the Joint Select Committee*
5 *on Deficit Reduction to find \$1,200,000,000,000 in*
6 *savings will trigger automatic funding reductions*
7 *known as “sequestration” to the Department of De-*
8 *fense of \$492,000,000,000 between 2013 and 2021*
9 *under section 251A of the Balanced Budget and*
10 *Emergency Deficit Control Act of 1985 (2 USC 901a).*

11 (2) *These reductions are in addition to reduc-*
12 *tions of \$487,000,000,000 already being implemented*
13 *by the Department of Defense, and would decrease the*
14 *readiness and capabilities of the Armed Forces while*
15 *increasing risks to the effective implementation of the*
16 *National Security Strategy of the United States.*

17 (3) *The leaders of the Department of Defense*
18 *have consistently testified that threats to the national*
19 *security of the United States have increased, not de-*
20 *creased. Secretary of Defense Leon Panetta said that*
21 *these reductions would “inflict severe damage to our*
22 *national defense for generations”, comments that have*
23 *been echoed by the Secretaries of the Army, Navy, and*
24 *Air Force.*

25 (4) *While reductions in funds available for the*
26 *Department of Defense will automatically commence*

1 *January 2, 2013, uncertainty regarding the reduc-*
2 *tions has already exacerbated Department of Defense*
3 *efforts to plan future defense budget.*

4 *(5) Sequestration will have a detrimental effect*
5 *on the industrial base that supports the Department*
6 *of Defense.*

7 *(b) REPORT.—*

8 *(1) IN GENERAL.—Not later than August 15,*
9 *2012, the Secretary of Defense shall submit to the*
10 *Committees on Armed Services of the Senate and the*
11 *House of Representatives a detailed report on the im-*
12 *port on the Department of Defense of the sequestra-*
13 *tion of funds authorized and appropriated for fiscal*
14 *year 2013 for the Department of Defense, if automati-*
15 *cally triggered on January 2, 2013, under section*
16 *251A of the Balanced Budget and Emergency Deficit*
17 *Control Act of 1985.*

18 *(2) ELEMENTS.—The report required by para-*
19 *graph (1) shall include the following:*

20 *(A) An assessment of the potential impact*
21 *of sequestration on the readiness of the Armed*
22 *Forces, including impacts to steaming hours, fly-*
23 *ing hours, and full spectrum training miles, and*
24 *an estimate of the increase or decrease in readi-*

1 ness (as defined in the C status C–1 through C–
2 5).

3 (B) *An assessment of the potential impact*
4 *of sequestration on the ability of the Department*
5 *of Defense to carry out the National Military*
6 *Strategy of the United States, and any changes*
7 *to the most recent Risk Assessment of the Chair-*
8 *man of the Joint Chiefs of Staff under section*
9 *153(b) of title 10, United States Code arising*
10 *from sequestration.*

11 (C) *A list of the programs, projects, and ac-*
12 *tivities across the Department of Defense, the*
13 *military departments, and the elements and*
14 *components of the Department of Defense that*
15 *would be reduced or terminated as a result of se-*
16 *questration.*

17 (D) *An estimate of the number and value of*
18 *all contracts that will be terminated, restruc-*
19 *tured, or revised in scope as a result of sequestra-*
20 *tion, including an estimate of potential termi-*
21 *nation costs and of increased contract costs due*
22 *to renegotiation and reinstatement of contracts.*

23 (3) *ASSUMPTIONS.—The report required by*
24 *paragraph (1) shall assume the following:*

1 (A) *Except as provided in subparagraph*
2 *(B), the funds subject to sequester are the funds*
3 *in all 050 accounts, including all unobligated*
4 *balances.*

5 (B) *The funds exempt from the sequester are*
6 *the following:*

7 (i) *Funds in accounts for military per-*
8 *sonnel.*

9 (ii) *Funds in accounts for overseas*
10 *contingency operations.*

11 (4) *PRESENTATION OF CERTAIN INFORMATION.—*

12 *In listing programs, projects, and activities under*
13 *paragraph (2)(C), the report required by paragraph*
14 *(1) shall set forth for each the following:*

15 (A) *The most specific level of budget item*
16 *identified in applicable appropriations Acts.*

17 (B) *Related classified annexes and explana-*
18 *tory statements.*

19 (C) *Department of Defense budget justifica-*
20 *tion documents DOD P–1 and R–1 as subse-*
21 *quently modified by congressional action, and as*
22 *submitted by the Department of Defense together*
23 *with the budget materials for the budget of the*
24 *President for fiscal year 2013 (as submitted to*

1 Congress pursuant to section 1105(a) of title 31,
2 United States Code).

3 (D) Department of Defense document O-1
4 for operation and maintenance accounts for fis-
5 cal year 2013, for which purpose the term “pro-
6 gram, project, or activity” means the budget ac-
7 tivity account and sub account for the program,
8 project, or activity as submitted in such docu-
9 ment O-1.

10 **SEC. 1005. REPORT ON BALANCES CARRIED FORWARD BY**
11 **THE DEPARTMENT OF DEFENSE AT THE END**
12 **OF FISCAL YEAR 2012.**

13 Not later than 180 days after the date of the enactment
14 of this Act, the Secretary of Defense shall submit to Con-
15 gress, and publish on the Internet website of the Department
16 of Defense available to the public, the following:

17 (1) The total dollar amount of all balances car-
18 ried forward by the Department of Defense at the end
19 of fiscal year 2012 by account.

20 (2) The total dollar amount of all unobligated
21 balances carried forward by the Department of De-
22 fense at the end of fiscal year 2012 by account.

23 (3) The total dollar amount of any balances
24 (both obligated and unobligated) that have been car-
25 ried forward by the Department of Defense for five

1 *years or more as of the end of fiscal year 2012 by ac-*
2 *count.*

3 **SEC. 1006. TRANSFER OF CERTAIN FISCAL YEAR 2012 AND**
4 **2013 FUNDS.**

5 *(a) TRANSFER AUTHORIZED.—To the extent provided*
6 *in appropriations Acts, the Secretary of Defense may trans-*
7 *fer from fiscal year 2012 and 2013 procurement or research,*
8 *development, test, and evaluation accounts an aggregate of*
9 *\$46,000,000 to be available for the additional authoriza-*
10 *tions in sections 132, 154, and 217.*

11 *(b) COVERED FUNDS.—In subsection (a), the term*
12 *“fiscal year 2012 and 2013 procurement or research, devel-*
13 *opment, test, and evaluation accounts” means—*

14 *(1) amounts authorized to be appropriated for*
15 *fiscal year 2012 by sections 101 and 201 of the Na-*
16 *tional Defense Authorization Act for Fiscal Year 2012*
17 *(Public Law 112–81) and available as specified in the*
18 *funding tables in sections 4101 and 4201 of that Act*
19 *for Army tactical bridging, BLIN–133, \$12.5 million;*
20 *Army C–RAM, BLIN–90, \$15.8 million; Army non-*
21 *system training devices, BLIN–182, \$9.8 million; De-*
22 *fense wide 12/14 USSOCOM C–ISO modifications,*
23 *\$4.0 million; Defense wide 12/14 Combat mission re-*
24 *quirements, \$4.2 million.*

1 (c) *EFFECT ON AUTHORIZATION AMOUNTS.*—A trans-
 2 *fer made from one account to another under the authority*
 3 *of this section shall be deemed to change the amount author-*
 4 *ized for the account to which the amount is transferred by*
 5 *an amount equal to the amount transferred.*

6 (d) *CONSTRUCTION OF AUTHORITY.*—*The transfer au-*
 7 *thority in this section is in addition to any other transfer*
 8 *authority provided in this Act.*

9 ***Subtitle B—Counter-Drug Activities***

10 ***SEC. 1011. EXTENSION OF AUTHORITY FOR JOINT TASK***
 11 ***FORCES TO PROVIDE SUPPORT TO LAW EN-***
 12 ***FORCEMENT AGENCIES CONDUCTING***
 13 ***COUNTER-TERRORISM ACTIVITIES.***

14 *Section 1022(b) of the National Defense Authorization*
 15 *Act for Fiscal Year 2004 (10 U.S.C. 371 note) is amended*
 16 *by striking “2012” and inserting “2013”.*

17 ***SEC. 1012. REQUIREMENT FOR BIENNIAL CERTIFICATION***
 18 ***ON PROVISION OF SUPPORT FOR COUNTER-***
 19 ***DRUG ACTIVITIES TO CERTAIN FOREIGN GOV-***
 20 ***ERNMENTS.***

21 *Section 1033 of the National Defense Authorization*
 22 *Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat.*
 23 *1881), as most recently amended by section 1006 of the Na-*
 24 *tional Defense Authorization Act for Fiscal Year 2012 (Pub-*
 25 *lic Law 112–81; 125 Stat. 1557), is further amended—*

1 (1) *in subsection (f)—*

2 (A) *in paragraph (1), by striking “the writ-*
3 *ten certification described in subsection (g) for*
4 *that fiscal year.” and inserting “a written cer-*
5 *tification described in subsection (g) applicable*
6 *to that fiscal year. The first such certification*
7 *with respect to any such government may apply*
8 *only to a period of one fiscal year. Subsequent*
9 *certifications with respect to any such govern-*
10 *ment may apply to a period of not to exceed two*
11 *fiscal years.”; and*

12 (B) *in paragraph (4)(B), by striking “The*
13 *Committee on National Security and the Com-*
14 *mittee on International Relations of the House of*
15 *Representatives” and inserting “The Committee*
16 *on Armed Services and the Committee on For-*
17 *ign Affairs of the House of Representatives”;*
18 *and*

19 (2) *in subsection (g), in the matter preceding*
20 *paragraph (1)—*

21 (A) *by striking “The written” and inserting*
22 *“A written”; and*

23 (B) *by striking “for a fiscal year” and all*
24 *that follows through the colon and inserting*
25 *“with respect to a government to receive support*

1 *under this section for any period of time is a*
2 *certification of each of the following with respect*
3 *to that government:”.*

4 **SEC. 1013. AUTHORITY TO SUPPORT THE UNIFIED**
5 **COUNTERDRUG AND COUNTERTERRORISM**
6 **CAMPAIGN IN COLOMBIA.**

7 *(a) AUTHORITY.—*

8 *(1) IN GENERAL.—Of the amounts authorized to*
9 *be appropriated by section 1404 for the Department*
10 *of Defense for drug interdiction and counter-drug ac-*
11 *tivities, Defense-wide for fiscal year 2013, not more*
12 *than \$50,000,000 may be used by the Secretary of De-*
13 *fense to provide in support of a unified campaign by*
14 *the Government of Colombia against narcotics traf-*
15 *ficking and against terrorist organizations (as des-*
16 *ignated by the Secretary of State) in Colombia the*
17 *following:*

18 *(A) Logistics support, services, and sup-*
19 *plies.*

20 *(B) The types of support authorized under*
21 *section 1004(b) of the National Defense Author-*
22 *ization Act for Fiscal Year 1991 (10 U.S.C. 374*
23 *note).*

24 *(C) The types of support authorized under*
25 *section 1033(c) of the National Defense Author-*

1 *ization Act for Fiscal Year 1998 (Public Law*
2 *105–85).*

3 *(2) SCOPE OF AUTHORITY.—The authority to*
4 *provide assistance for a campaign under this sub-*
5 *section includes authority to take actions to protect*
6 *human health and welfare in emergency cir-*
7 *cumstances, including the undertaking of rescue oper-*
8 *ations.*

9 *(b) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—*
10 *The Secretary of Defense may not use the authority in sub-*
11 *section (a) to provide any type of assistance described in*
12 *this subsection that is otherwise prohibited by any provision*
13 *of law.*

14 *(c) LIMITATION ON PARTICIPATION OF UNITED*
15 *STATES PERSONNEL.—No United States Armed Forces per-*
16 *sonnel, United States civilian employees, or United States*
17 *civilian contractor personnel employed by the United States*
18 *may participate in any combat operation in connection*
19 *with assistance using funds pursuant to the authority in*
20 *subsection (a), except for the purpose of acting in self de-*
21 *fense or of rescuing any United States citizen, including*
22 *any United States Armed Forces personnel, United States*
23 *civilian employee, or civilian contractor employed by the*
24 *United States.*

1 (d) *RELATION TO OTHER AUTHORITIES.*—The author-
2 *ity provided by subsection (a) is in addition to any other*
3 *authority in law to provide assistance to the Government*
4 *of Colombia.*

5 (e) *REPORT.*—

6 (1) *IN GENERAL.*—Not later than November 1
7 *following any fiscal year in which the Secretary of*
8 *Defense provides support under subsection (a), the*
9 *Secretary shall submit to the congressional defense*
10 *committees a report setting forth the following:*

11 (A) *A description of the support provided,*
12 *including—*

13 (i) *a description of the support;*

14 (ii) *the cost of the support;*

15 (iii) *a list of the Colombia units to*
16 *which support was provided; and*

17 (iv) *a list of the Colombia operations*
18 *supported.*

19 (B) *Guidance for future Department of De-*
20 *fense support for a unified campaign by the Gov-*
21 *ernment of Colombia against narcotics traf-*
22 *ficking and terrorism.*

23 (2) *FORM.*—The report required by paragraph
24 (1) shall be submitted in unclassified form, but may
25 include a classified annex.

1 **SEC. 1014. QUARTERLY REPORTS ON USE OF FUNDS IN THE**
2 **DRUG INTERDICTION AND COUNTER-DRUG**
3 **ACTIVITIES, DEFENSE-WIDE ACCOUNT.**

4 (a) *QUARTERLY REPORTS ON EXPENDITURES OF*
5 *FUNDS.*—Not later than 60 days after the end of each fiscal
6 year quarter, the Secretary of Defense shall submit to the
7 congressional defense committees a report setting forth a de-
8 scription of the expenditure of funds, by project code, from
9 the Drug Interdiction and Counter-Drug Activities, De-
10 fense-wide account during such fiscal year quarter, includ-
11 ing expenditures of funds in direct or indirect support of
12 the counter-drug activities of foreign governments.

13 (b) *INFORMATION ON SUPPORT OF COUNTER-DRUG AC-*
14 *TIVITIES OF FOREIGN GOVERNMENTS.*—The information in
15 a report under subsection (a) on direct or indirect support
16 of the counter-drug activities of foreign governments shall
17 include, for each foreign government so supported, the fol-
18 lowing:

19 (1) *The total amount of assistance provided to,*
20 *or expended on behalf of, the foreign government.*

21 (2) *A description of the types of counter-drug ac-*
22 *tivities conducted using the assistance.*

23 (3) *An explanation of the legal authority under*
24 *which the assistance was provided.*

1 (c) *CESSATION OF REQUIREMENT.*—No report shall be
2 required under subsection (a) for any fiscal year quarter
3 beginning on or after October 1, 2017.

4 (d) *REPEAL OF OBSOLETE AUTHORITY.*—Section 1022
5 of the Floyd D. Spence National Defense Authorization Act
6 for Fiscal Year 2001 (as enacted into law by Public Law
7 106–398) is repealed.

8 ***Subtitle C—Naval Vessels and***
9 ***Shipyards***

10 ***SEC. 1021. RETIREMENT OF NAVAL VESSELS.***

11 (a) *REPORT REQUIRED.*—Not later than 30 days after
12 the date of the enactment of this Act, the Chief of Naval
13 Operations shall submit to the congressional defense com-
14 mittees a report that sets forth a comprehensive description
15 of the current requirements of the Navy for combatant ves-
16 sels of the Navy, including submarines.

17 (b) *ADDITIONAL REPORT ELEMENT IF LESS THAN 313*
18 *VESSELS REQUIRED.*—If the number of combatant vessels
19 for the Navy (including submarines) specified as being re-
20 quired in the report under subsection (a) is less than 313
21 combatant vessels, the report shall include a justification
22 for the number of vessels specified as being so required and
23 the rationale by which the number of vessels is considered
24 consistent with applicable strategic guidance issued by the
25 President and the Secretary of Defense in 2012.

1 **SEC. 1022. TERMINATION OF A MARITIME PREPOSITIONING**
2 **SHIP SQUADRON.**

3 (a) *REPORT REQUIRED.*—

4 (1) *IN GENERAL.*—Not later than 60 days after
5 the date of the enactment of this Act, the Chief of
6 Naval Operations and the Commandant of the Ma-
7 rine Corps shall jointly submit to the congressional
8 defense committees a report setting forth an assess-
9 ment of the Marine Corps Prepositioning Program—
10 Norway and the capability of that program to ad-
11 dress any readiness gaps that will be created by the
12 termination of Maritime Prepositioning Ship Squad-
13 ron One in the Mediterranean.

14 (2) *ELEMENTS.*—The report required by para-
15 graph (1) shall include the following:

16 (A) A detailed description of the time re-
17 quired to transfer stockpiles onto Navy vessels for
18 use in contingency operations.

19 (B) A comparison of the response time of
20 the Marine Corps Prepositioning Program—Nor-
21 way with the current response time of Maritime
22 Prepositioning Ship Squadron One.

23 (C) A description of the equipment stored in
24 the stockpiles of the Marine Corps Prepositioning
25 Program—Norway, and an assessment of the dif-
26 ferences, if any, between that equipment and the

1 (4) *The national security of the United States is*
2 *inextricably linked to the maintenance of global free-*
3 *dom of access for both the strategic and commercial*
4 *interests of the United States.*

5 (5) *To maintain that freedom of access the sea*
6 *services of the United States, composed of the Navy,*
7 *the Marine Corps, and the Coast Guard, must be suf-*
8 *ficiently positioned as rotationally globally deployable*
9 *forces with the capability to decisively defend United*
10 *States citizens, homeland, and interests abroad from*
11 *direct or asymmetric attack and must be comprised*
12 *of sufficient vessels to maintain global freedom of ac-*
13 *tion.*

14 (6) *To achieve appropriate capabilities to ensure*
15 *national security the Government of the United States*
16 *must continue to recapitalize the fleets of the Navy*
17 *and Coast Guard and must continue to conduct vital*
18 *maintenance and repair of existing vessels to ensure*
19 *such vessels meet service life goals.*

20 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
21 *that—*

22 (1) *the sea services of the United States should*
23 *be funded and maintained to provide the broad spec-*
24 *trum of capabilities required to protect the national*
25 *security of the United States;*

1 (2) *such capabilities should include—*

2 (A) *the ability to project United States*
3 *power rapidly anywhere on the globe without the*
4 *need for host nation basing permission or long*
5 *and potentially vulnerable logistics supply lines;*

6 (B) *the ability to land and recover mari-*
7 *time forces from the sea for direct combat action,*
8 *to evacuate United States citizens from hostile*
9 *situations, and to provide humanitarian assist-*
10 *ance where needed;*

11 (C) *the ability to operate from the sub-*
12 *surface with overpowering conventional combat*
13 *power, as well as strategic deterrence; and*

14 (D) *the ability to operate in collaboration*
15 *with United States maritime partners in the*
16 *common interest of preventing piracy at sea and*
17 *maintaining the commercial sea lanes available*
18 *for global commerce;*

19 (3) *the Secretary of Defense, in coordination*
20 *with the Secretary of the Navy, should maintain the*
21 *recapitalization plans for the Navy as a priority in*
22 *all future force structure decisions; and*

23 (4) *the Secretary of Homeland Security should*
24 *maintain the recapitalization plans for the Coast*

1 *Guard as a priority in all future force structure deci-*
2 *sions.*

3 **SEC. 1024. NOTICE TO CONGRESS FOR THE REVIEW OF PRO-**
4 **POSALS TO NAME NAVAL VESSELS.**

5 *(a) FINDINGS.—Congress makes the following findings:*

6 *(1) The Navy traces its ancestry to October 13,*
7 *1775, when an Act of the Continental Congress au-*
8 *thorized the first vessel of a navy for the United Colo-*
9 *nies. Vessels of the Continental Navy were named for*
10 *early patriots and military heroes, Federal institu-*
11 *tions, colonial cities, and positive character traits*
12 *representative of naval and military virtues.*

13 *(2) An Act of Congress on March 3, 1819, made*
14 *the Secretary of the Navy responsible for assigning*
15 *names to vessels of the Navy. Traditional sources for*
16 *vessel names customarily encompassed such categories*
17 *as geographic locations in the United States; historic*
18 *sites, battles, and ships; naval and military heroes*
19 *and leaders; and noted individuals who made distin-*
20 *guished contributions to United States national secu-*
21 *rity.*

22 *(3) These customs and traditions provide appro-*
23 *priate and necessary standards for the naming of ves-*
24 *sels of the Navy.*

1 (b) *NOTICE TO CONGRESS.*—Section 7292 of title 10,
 2 *United States Code*, is amended by adding at the end the
 3 *following new subsection:*

4 “(d)(1) *The Secretary of the Navy may not announce*
 5 *or implement any proposal to name a vessel of the Navy*
 6 *until 30 days after the date on which the Secretary submits*
 7 *to the Committees on Armed Services of the Senate and the*
 8 *House of Representatives a report setting forth such pro-*
 9 *posal.*

10 “(2) *Each report under this subsection shall describe*
 11 *the justification for the proposal covered by such report in*
 12 *accordance with the standards referred to in section 1024(a)*
 13 *of the National Defense Authorization Act for Fiscal Year*
 14 *2013.”.*

15 (c) *EFFECTIVE DATE.*—*This section and the amend-*
 16 *ment made by this section shall go into effect on the date*
 17 *that is 30 days after the date of the enactment of this Act.*

18 ***Subtitle D— Counterterrorism***

19 ***SEC. 1031. EXTENSION OF CERTAIN PROHIBITIONS AND RE-*** 20 ***QUIREMENTS RELATING TO DETAINEES AT*** 21 ***UNITED STATES NAVAL STATION, GUANTA-*** 22 ***NAMO BAY, CUBA.***

23 (a) *PROHIBITION ON USE OF FUNDS TO CONSTRUCT*
 24 *OR MODIFY FACILITIES IN US FOR TRANSFER OF DETAIN-*
 25 *EES.*—Section 1026(a) of the National Defense Authoriza-

1 *tion Act for Fiscal Year 2012 (Public Law 112–81; 125*
2 *Stat. 1566) is amended by inserting “or 2013” after “fiscal*
3 *year 2012”.*

4 *(b) REQUIREMENTS FOR CERTIFICATIONS ON TRANS-*
5 *FERS OF DETAINEES TO FOREIGN COUNTRIES OR ENTI-*
6 *TIES.—Section 1028(a)(1) of the National Defense Author-*
7 *ization Act for Fiscal Year 2012 (125 Stat. 1567; 10 U.S.C.*
8 *801 note) is amended by inserting “or 2013” after “fiscal*
9 *year 2012”.*

10 **SEC. 1032. PROHIBITION ON USE OF FUNDS FOR THE**
11 **TRANSFER OR RELEASE OF INDIVIDUALS**
12 **FROM UNITED STATES NAVAL STATION,**
13 **GUANTANAMO BAY, CUBA.**

14 *No authorized to be appropriated funds may be used*
15 *to transfer, release, or assist in the transfer or release to*
16 *or within the United States, its territories, or possessions*
17 *of Khalid Sheikh Mohammed or any other detainee who—*

18 *(1) is not a United States citizen or a member*
19 *of the Armed Forces of the United States; and*

20 *(2) is or was held on or after January 20, 2009,*
21 *at United States Naval Station, Guantanamo Bay,*
22 *Cuba, by the Department of Defense.*

1 **SEC. 1033. PROHIBITION ON THE INDEFINITE DETENTION**
2 **OF CITIZENS AND LAWFUL PERMANENT RESI-**
3 **DENTS.**

4 *Section 4001 of title 18, United States Code, is amend-*
5 *ed—*

6 *(1) by redesignating subsection (b) as subsection*
7 *(c); and*

8 *(2) by inserting after subsection (a) the fol-*
9 *lowing:*

10 *“(b)(1) An authorization to use military force, a dec-*
11 *laration of war, or any similar authority shall not author-*
12 *ize the detention without charge or trial of a citizen or law-*
13 *ful permanent resident of the United States apprehended*
14 *in the United States, unless an Act of Congress expressly*
15 *authorizes such detention.*

16 *“(2) Paragraph (1) applies to an authorization to use*
17 *military force, a declaration of war, or any similar author-*
18 *ity enacted before, on, or after the date of the enactment*
19 *of the National Defense Authorization Act For Fiscal Year*
20 *2013.*

21 *“(3) Paragraph (1) shall not be construed to authorize*
22 *the detention of a citizen of the United States, a lawful per-*
23 *manent resident of the United States, or any other person*
24 *who is apprehended in the United States.”.*

1 ***Subtitle E—Miscellaneous***
2 ***Authorities and Limitations***

3 **SEC. 1041. ENHANCEMENT OF RESPONSIBILITIES OF THE**
4 **CHAIRMAN OF THE JOINT CHIEFS OF STAFF**
5 **REGARDING THE NATIONAL MILITARY STRAT-**
6 **EGY.**

7 (a) *IN GENERAL.*—Subsection (b) of section 153 of title
8 10, United States Code, is amended to read as follows:

9 “(b) *NATIONAL MILITARY STRATEGY.*—

10 “(1) *NATIONAL MILITARY STRATEGY.*—(A) *The*
11 *Chairman shall determine each even-numbered year*
12 *whether to prepare a new National Military Strategy*
13 *in accordance with this subparagraph or to update a*
14 *strategy previously prepared in accordance with this*
15 *subsection. The Chairman shall complete preparation*
16 *of the National Military Strategy or update in time*
17 *for transmittal to Congress pursuant to paragraph*
18 *(3), including in time for inclusion of the report of*
19 *the Secretary of Defense, if any, under paragraph (4).*

20 “(B) *Each National Military Strategy (or up-*
21 *date) under this paragraph shall be based on a com-*
22 *prehensive review conducted by the Chairman in con-*
23 *junction with the other members of the Joint Chiefs*
24 *of Staff and the commanders of the unified and speci-*
25 *fied combatant commands.*

1 “(C) *Each National Military Strategy (or up-*
2 *date) submitted under this paragraph shall refer to*
3 *and support each of the following:*

4 “(i) *The most recent National Security*
5 *Strategy prescribed by the President pursuant to*
6 *section 108 of the National Security Act of 1947*
7 *(50 U.S.C. 404a).*

8 “(ii) *The most recent annual report of the*
9 *Secretary of Defense submitted to the President*
10 *and Congress pursuant to section 113 of this*
11 *title.*

12 “(iii) *The most recent Quadrennial Defense*
13 *Review conducted by the Secretary of Defense*
14 *pursuant to section 118 of this title.*

15 “(iv) *Any other national security or defense*
16 *strategic guidance issued by the President or the*
17 *Secretary of Defense.*

18 “(D) *Each National Military Strategy (or up-*
19 *date) submitted under this paragraph shall do the fol-*
20 *lowing:*

21 “(i) *Describe the strategic environment and*
22 *the opportunities and challenges that affect*
23 *United States national interests and United*
24 *States national security.*

1 “(ii) Describe the threats, such as inter-
2 national, regional, transnational, hybrid, ter-
3 rorism, cyber-attack, weapons of mass destruc-
4 tion, asymmetric challenges, and any other cat-
5 egories of threats identified by the Chairman, to
6 the United States national security.

7 “(iii) Identify the United States national
8 military objectives and the relationship of those
9 objectives to the strategic environment and to the
10 threats described under clause (ii).

11 “(iv) Identify the operational concepts, mis-
12 sions, tasks, or activities necessary to support the
13 achievement of the objectives identified under
14 clause (iii).

15 “(v) Identify the fiscal, budgetary, and re-
16 source environments and conditions that, in the
17 assessment of the Chairman, impact the strategy.

18 “(vi) Identify the implications of current
19 force planning and sizing constructs for the
20 strategy.

21 “(vii) Identify and assess the capacity, ca-
22 pabilities, and availability of United States
23 forces (including both the regular and reserve
24 components) to support the execution of missions
25 required by the strategy.

1 “(viii) Identify areas in which the armed
2 forces intends to engage and synchronize with
3 other departments and agencies of the United
4 States Government contributing to the execution
5 of missions required by the strategy.

6 “(ix) Identify and assess potential areas in
7 which the armed forces could be augmented by
8 contributions from alliances (such as the North
9 Atlantic Treaty Organization (NATO)), inter-
10 national allies, or other friendly nations in the
11 execution of missions required by the strategy.

12 “(x) Identify and assess the requirements
13 for contractor support to the armed forces for
14 conducting training, peacekeeping, overseas con-
15 tingency operations, and other major combat op-
16 erations under the strategy.

17 “(xi) Identify the assumptions made with
18 respect to each of clauses (i) through (x).

19 “(E) Each update to a National Military Strat-
20 egy under this paragraph shall address only those
21 parts of the most recent National Military Strategy
22 for which the Chairman determines, on the basis of a
23 comprehensive review conducted in conjunction with
24 the other members of the Joint Chiefs of Staff and the

1 *commanders of the combatant commands, that a*
2 *modification is needed.*

3 “(2) *RISK ASSESSMENT.*—(A) *The Chairman*
4 *shall prepare each year an assessment of the risks as-*
5 *sociated with the most current National Military*
6 *Strategy (or update) under paragraph (1). The risk*
7 *assessment shall be known as the ‘Risk Assessment of*
8 *the Chairman of the Joint Chiefs of Staff’. The Chair-*
9 *man shall complete preparation of the Risk Assess-*
10 *ment in time for transmittal to Congress pursuant to*
11 *paragraph (3), including in time for inclusion of the*
12 *report of the Secretary of Defense, if any, under para-*
13 *graph (4).*

14 “(B) *The Risk Assessment shall do the following:*

15 “(i) *As the Chairman considers appro-*
16 *priate, update any changes to the strategic envi-*
17 *ronment, threats, objectives, force planning and*
18 *sizing constructs, assessments, and assumptions*
19 *in the National Military Strategy.*

20 “(ii) *Identify and define the strategic risks*
21 *to United States interests and the military risks*
22 *in executing the missions of the National Mili-*
23 *tary Strategy.*

24 “(iii) *Identify and define levels of risk dis-*
25 *tinguishing between the concepts of probability*

1 *and consequences, including an identification of*
2 *what constitutes ‘significant’ risk in the judg-*
3 *ment of the Chairman.*

4 “(iv) *Identify and assess risk in the Na-*
5 *tional Military Strategy by category and level*
6 *and the ways in which risk might manifest itself,*
7 *including how risk is projected to increase, de-*
8 *crease, or remain stable over time, and, for each*
9 *category of risk, assess the extent to which cur-*
10 *rent or future risk increases, decreases, or is sta-*
11 *ble as a result of budgetary priorities, tradeoffs,*
12 *or fiscal constraints or limitations as currently*
13 *estimated and applied in the most current fu-*
14 *ture-years defense program under section 221 of*
15 *this title.*

16 “(v) *Identify and assess risk associated with*
17 *the assumptions or plans of the National Mili-*
18 *tary Strategy about the contributions or support*
19 *of—*

20 “(I) *other departments and agencies of*
21 *the United States Government (including*
22 *their capabilities and availability);*

23 “(II) *alliances, allies, and other friend-*
24 *ly nations, (including their capabilities,*
25 *availability, and interoperability); and*

1 “(III) *contractors.*

2 “(vi) *Identify and assess the critical defi-*
3 *ciencies and strengths in force capabilities (in-*
4 *cluding manpower, logistics, intelligence, and*
5 *mobility support) identified during the prepara-*
6 *tion and review of the contingency plans of each*
7 *unified combatant command, and identify and*
8 *assess the effect of such deficiencies and strengths*
9 *for the National Military Strategy.*

10 “(3) *SUBMITTAL OF NATIONAL MILITARY STRAT-*
11 *EGY AND RISK ASSESSMENT TO CONGRESS.—(A) Not*
12 *later than February 15 of each even-numbered year,*
13 *the Chairman shall, through the Secretary of Defense,*
14 *submit to the Committees on Armed Services of the*
15 *Senate and the House of Representatives the National*
16 *Military Strategy or update, if any, prepared under*
17 *paragraph (1) in such year.*

18 “(B) *Not later than February 15 each year, the*
19 *Chairman shall, through the Secretary of Defense,*
20 *submit to the Committees on Armed Services of the*
21 *Senate and the House of Representatives the Risk As-*
22 *essment prepared under paragraph (2) in such year.*

23 “(4) *SECRETARY OF DEFENSE REPORTS TO CON-*
24 *GRESS.—(A) In transmitting a National Military*
25 *Strategy (or update) or Risk Assessment to Congress*

1 pursuant to paragraph (3), the Secretary of Defense
2 shall include in the transmittal such comments of the
3 Secretary thereon, if any, as the Secretary considers
4 appropriate.

5 “(B) If the Risk Assessment transmitted under
6 paragraph (3) in a year includes an assessment that
7 a risk or risks associated with the National Military
8 Strategy (or update) are significant, or that critical
9 deficiencies in force capabilities exist for a contin-
10 gency plan described in paragraph (2)(B)(vi), the
11 Secretary shall include in the transmittal of the Risk
12 Assessment the plan of the Secretary for mitigating
13 such risk or deficiency. A plan for mitigating risk of
14 deficiency under this subparagraph shall—

15 “(i) address the risk assumed in the Na-
16 tional Military Strategy (or update) concerned,
17 and the additional actions taken or planned to
18 be taken to address such risk using only current
19 technology and force structure capabilities; and

20 “(ii) specify, for each risk addressed, the ex-
21 tent of, and a schedule for expected mitigation of,
22 such risk, and an assessment of the potential for
23 residual risk, if any, after mitigation.”.

24 (b) *CONFORMING AMENDMENT.*—Such section is fur-
25 ther amended by striking subsection (d).

1 **SEC. 1042. MODIFICATION OF AUTHORITY ON TRAINING OF**
2 **SPECIAL OPERATIONS FORCES WITH FRIEND-**
3 **LY FOREIGN FORCES.**

4 (a) *AUTHORITY TO PAY FOR MINOR MILITARY CON-*
5 *STRUCTION IN CONNECTION WITH TRAINING.*—Subsection
6 (a) of section 2011 of title 10, United States Code, is
7 amended by adding at the end the following new paragraph:

8 “(4) *Expenses of minor military construction di-*
9 *rectly related to that training with such expenses pay-*
10 *able from amounts available to the commander for*
11 *unspecified minor military construction, except*
12 *that—*

13 “(A) *the amount of any project for which*
14 *such expenses are so payable may not exceed*
15 *\$250,000; and*

16 “(B) *the total amount of such expenses so*
17 *paid in any fiscal year may not exceed*
18 *\$2,000,000.”.*

19 (b) *PURPOSES OF TRAINING.*—Subsection (b) of such
20 section is amended to read as follows:

21 “(b) *PURPOSES OF TRAINING.*—*The purposes of the*
22 *training for which payment may be made under subsection*
23 *(a) shall be as follows:*

24 “(1) *To train the special operations forces of the*
25 *combatant command.*

1 “(2) *In the case of a commander of a combatant*
2 *command having a geographic area of responsibility,*
3 *to train the military forces and other security forces*
4 *of a friendly foreign country in a manner consistent*
5 *with the Theater Campaign Plan of the commander*
6 *for that geographic area.”.*

7 (c) *PRIOR APPROVAL.*—*Subsection (c) of such section*
8 *is amended by inserting before the period at the end of the*
9 *second sentence the following: “, or, in the case of training*
10 *activities carried out after the date of the enactment of the*
11 *National Defense Authorization Act for Fiscal Year 2013,*
12 *the approval of the Secretary of Defense, in coordination*
13 *with the Secretary of State”.*

14 (d) *REPORTS.*—*Subsection (e) of such section is*
15 *amended—*

16 (1) *in paragraph (3)—*

17 (A) *by inserting “or other security” after*
18 *“foreign” the first place it appears; and*

19 (B) *by striking “foreign military personnel”*
20 *and inserting “such foreign personnel”;*

21 (2) *in paragraph (4)—*

22 (A) *by striking “and military training ac-*
23 *tivities” and inserting “military training activi-*
24 *ties”; and*

1 (2) *Ongoing access to the electronic materials*
2 *and information provided as part of the Transition*
3 *Assistance Program, including access after the end of*
4 *the one-year period of participation under subsection*
5 *(a).*

6 (c) *MEMORANDUM OF UNDERSTANDING.—The Sec-*
7 *retary of Defense and the Secretary of Veterans Affairs shall*
8 *enter into a memorandum of understanding regarding the*
9 *participation of veterans in the Transition Assistance Pro-*
10 *gram pursuant to this section. The memorandum of under-*
11 *standing shall provide for the access of veterans to military*
12 *installations for purposes of participation in the Transition*
13 *Assistance Program and such other matters as such Secre-*
14 *taries jointly consider appropriate for purposes of this sec-*
15 *tion.*

16 (d) *DEFINITIONS.—In this section:*

17 (1) *The term “Transition Assistance Program”*
18 *means the program carried out by the Department of*
19 *Defense under sections 1142 and 1144 of title 10,*
20 *United States Code.*

21 (2) *The term “veteran” has the meaning given*
22 *that term in section 101 of title 38, United States*
23 *Code.*

1 **SEC. 1045. MODIFICATION OF THE MINISTRY OF DEFENSE**

2 **ADVISOR PROGRAM.**

3 (a) *IN GENERAL.*—Subsection (a) of section 1081 of
4 the National Defense Authorization Act for Fiscal Year
5 2012 (Public Law 112–81; 125 Stat. 1599; 10 U.S.C. 168
6 note) is amended by inserting—

7 (1) in the matter preceding paragraph (1), by
8 inserting “, regional organizations with defense or se-
9 curity components, and international organizations of
10 which the United States is a member” after “foreign
11 countries”; and

12 (2) by inserting “or organization” after “min-
13 istry” both places it appears.

14 (b) *REPORTS.*—Subsection (c) of such section is
15 amended—

16 (1) by inserting “or organizations” after “de-
17 fense ministries” both places it appears; and

18 (2) by striking paragraph (7).

19 (c) *CONFORMING AMENDMENT.*—The heading of such
20 section is amended to read as follows:

1 (1) *IN GENERAL.*—*The Secretary of Defense shall*
2 *collaborate with the Administrator of the Federal*
3 *Aviation Administration and the Administrator of*
4 *the National Aeronautics and Space Administration*
5 *to conduct research and seek solutions to challenges*
6 *associated with the safe integration of unmanned air-*
7 *craft systems into the National Airspace System in*
8 *accordance with subtitle B of title III of the FAA*
9 *Modernization and Reform Act of 2012 (Public Law*
10 *112–95; 126 Stat. 72).*

11 (2) *ACTIVITIES IN SUPPORT OF PLAN ON ACCESS*
12 *TO NATIONAL AIRSPACE FOR UNMANNED AIRCRAFT*
13 *SYSTEMS.*—*Collaboration under paragraph (1) may*
14 *include research and development of scientific and*
15 *technical issues, equipment, and technology in sup-*
16 *port of the plan to safely accelerate the integration of*
17 *unmanned aircraft systems as required by subtitle B*
18 *of title III of the FAA Modernization and Reform Act*
19 *of 2012.*

20 (3) *NONDUPLICATIVE EFFORTS.*—*If the Secretary*
21 *of Defense determines it is in the interest of the De-*
22 *partment of Defense, the Secretary may use existing*
23 *aerospace-related laboratories, personnel, equipment,*
24 *research radars, and ground facilities of the Depart-*

1 *ment of Defense to avoid duplication of efforts in car-*
2 *rying out collaboration under paragraph (1).*

3 (4) *REPORTS.*—

4 (A) *REQUIREMENT.*—*The Secretary of De-*
5 *fense, on behalf of the UAS Executive Committee,*
6 *shall annually submit to the congressional de-*
7 *fense committees, the Committee on Transpor-*
8 *tation and Infrastructure, and the Committee on*
9 *Science, Space, and Technology of the House of*
10 *Representatives, and the Committee on Com-*
11 *merce, Science, and Transportation of the Senate*
12 *a report on the progress of research activity of*
13 *the Department of Defense, including—*

14 (i) *progress in accomplishing the goals*
15 *of the unmanned aircraft systems research,*
16 *development, and demonstration as related*
17 *to the Department of Defense Final Report*
18 *to Congress on Access to National Airspace*
19 *for Unmanned Aircraft Systems of October*
20 *2010, and any ongoing and collaborative re-*
21 *search and development programs with the*
22 *Federal Aviation Administration and the*
23 *National Aeronautics and Space Adminis-*
24 *tration and*

1 (1) *not later than 45 days after the submittal to*
2 *Congress of the budget for a fiscal year under section*
3 *1105(a) of title 31, United States Code, each officer*
4 *specified in paragraph (2) should, through the Chair-*
5 *man of the Joint Chiefs of Staff and the Secretary of*
6 *Defense, submit to the congressional defense commit-*
7 *tees a list of any priority military programs or ac-*
8 *tivities under the jurisdiction of such officer for*
9 *which, in the estimate of such officer additional*
10 *funds, if available, would substantially reduce oper-*
11 *ational or programmatic risk or accelerate the cre-*
12 *ation or fielding of a critical military capability;*

13 (2) *the officers specified in this paragraph are—*

14 (A) *the Chief of Staff of the Army;*

15 (B) *the Chief of Naval Operations;*

16 (C) *the Chief of Staff of the Air Force;*

17 (D) *the Commandant of the Marine Corps;*

18 *and*

19 (E) *the Commander of the United States*
20 *Special Operations Command; and*

21 (3) *each list, if any, under paragraph (1) should*
22 *set forth for each military program or activity on*
23 *such list—*

24 (A) *a description of such program or activ-*
25 *ity;*

1 (B) a summary description of the justifica-
2 tion for or objectives of additional funds, if
3 available for such program or activity; and

4 (C) the additional amount of funds rec-
5 ommended in connection with the justification or
6 objectives described for such program or activity
7 under subparagraph (B).

8 **SEC. 1048. ENHANCEMENT OF AUTHORITIES ON ADMISSION**
9 **OF DEFENSE INDUSTRY CIVILIANS TO CER-**
10 **TAIN DEPARTMENT OF DEFENSE EDU-**
11 **CATIONAL INSTITUTIONS AND PROGRAMS.**

12 (a) *NAVY DEFENSE PRODUCT DEVELOPMENT PRO-*
13 *GRAM.*—Section 7049(a) of title 10, United States Code, is
14 *amended—*

15 (1) *in the second sentence, by inserting “or pro-*
16 *fessional continuing education certificate” after “mas-*
17 *ter’s degree”;*

18 (2) *in the third sentence, by striking “125 such*
19 *defense industry employees” and inserting “250 such*
20 *defense industry employees”;* and

21 (3) *in the last sentence, by inserting before the*
22 *period at the end the following: “or an appropriate*
23 *professional continuing education certificate, as ap-*
24 *plicable”.*

1 **(b) UNITED STATES AIR FORCE INSTITUTE OF TECH-**
2 **NOLOGY.**—*Section 9314a(a) of such title is amended—*

3 *(1) in paragraph (1), by inserting “or profes-*
4 *sional continuing education certificate” after “grad-*
5 *uate degree”;*

6 *(2) in paragraph (2), by striking “125 defense*
7 *industry employees” and inserting “250 defense in-*
8 *dustry employees”;* and

9 *(3) in paragraph (3), by inserting before the pe-*
10 *riod at the end the following: “or an appropriate pro-*
11 *fessional continuing education certificate, as applica-*
12 *ble”.*

13 **SEC. 1049. MILITARY WORKING DOG MATTERS.**

14 **(a) RETIREMENT OF MILITARY WORKING DOGS.**—

15 *(1) Section 2583 of title 10, United States Code,*
16 *is amended—*

17 *(A) by redesignating subsections (f) and (g)*
18 *as subsections (g) and (h), respectively; and*

19 *(B) by inserting after subsection (e) the fol-*
20 *lowing new subsection (f):*

21 **“(f) TRANSFER OF RETIRED MILITARY WORKING**
22 **DOGS.**—*If the Secretary of the military department con-*
23 *cerned determines that a military working dog should be*
24 *retired, and no suitable adoption is available at the mili-*

1 tary facility where the dog is located, the Secretary may
2 transfer the dog—

3 “(1) to the 341st Training Squadron; or

4 “(2) to another location for adoption under this
5 section.”.

6 (b) *VETERINARY CARE FOR RETIRED MILITARY*
7 *WORKING DOGS.*—

8 (1) *IN GENERAL.*—Chapter 50 of title 10, United
9 States Code, is amended by adding at the end the fol-
10 lowing new section:

11 “§993. **Military working dogs: veterinary care for re-**
12 **tired military working dogs**

13 “(a) *IN GENERAL.*—The Secretary of Defense may es-
14 tablish and maintain a system to provide for the veterinary
15 care of retired military working dogs. No funds may be pro-
16 vided by the Federal Government for this purpose.

17 “(b) *ELIGIBLE DOGS.*—A retired military working dog
18 eligible for veterinary care under this section is any mili-
19 tary working dog adopted under section 2583 of this title.

20 “(c) *STANDARDS OF CARE.*—The veterinary care pro-
21 vided under the system authorized by this section shall meet
22 such standards as the Secretary shall establish and from
23 time to time update.”.

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
2 *tions at the beginning of chapter 50 of such title is*
3 *amended by adding at the end the following new item:*

 “993. *Military working dogs: veterinary care for retired military working dogs.*”.

4 (c) *RECOGNITION OF SERVICE OF MILITARY WORKING*
5 *DOGS.*—*The Secretary of Defense may authorize the rec-*
6 *ognition of military working dogs that are killed, wounded,*
7 *or missing in action and military working dogs that per-*
8 *form an exceptionally meritorious or courageous act in*
9 *service to the United States.*

10 **SEC. 1050. PROHIBITION ON FUNDS TO ENTER INTO CON-**
11 **TRACTS OR AGREEMENTS WITH**
12 **ROSOBORONEXPORT.**

13 (a) *PROHIBITION.*—*None of the funds authorized to be*
14 *appropriated by this Act may be used to enter into a con-*
15 *tract, memorandum of understanding, or cooperative agree-*
16 *ment with, to make a grant to, or to provide a loan or*
17 *loan guarantee to Rosoboronexport.*

18 (b) *NATIONAL SECURITY WAIVER AUTHORITY.*—*The*
19 *Secretary of Defense may waive the applicability of sub-*
20 *section (a) if the Secretary determines that such a waiver*
21 *is in the national security interests of the United States*
22 *with respect to the capacity of the Afghan National Security*
23 *Forces (ANSF).*

1 **SEC. 1051. SENSE OF CONGRESS ON THE JOINT**
2 **WARFIGHTING ANALYSIS CENTER.**

3 *It is the sense of Congress that the Joint Warfighting*
4 *Analysis Center (JWAC) should have adequate resources to*
5 *meet the continuing requirements of the combatant com-*
6 *mands.*

7 **SEC. 1052. TRANSITION ASSISTANCE ADVISOR PROGRAM.**

8 *(a) PROGRAM AUTHORIZED.—*

9 *(1) IN GENERAL.—Chapter 58 of title 10, United*
10 *States Code, is amended by inserting after section*
11 *1144 the following new section:*

12 **“§ 1144a. Transition Assistance Advisors**

13 *“(a) IN GENERAL.—The Secretary of Defense shall es-*
14 *tablish as part of the Transition Assistance Program (TAP)*
15 *a Transition Assistance Advisor (TAA) program to provide*
16 *professionals in each State to serve as statewide points of*
17 *contact to assist members of the armed forces in accessing*
18 *benefits and health care furnished under laws administered*
19 *by the Secretary of Defense and benefits and health care*
20 *furnished under laws administered by the Secretary of Vet-*
21 *erans Affairs.*

22 *“(b) NUMBER OF ADVISORS.—The Secretary of Defense*
23 *shall ensure that the minimum number of Transition As-*
24 *sistance Advisors in each State is as follows:*

25 *“(1) During the period beginning 180 days be-*
26 *fore the commencement of a contingency operation*

1 *(or, if later, as soon before as is otherwise practicable)*
2 *and ending 180 days after the conclusion of such con-*
3 *tingency operation—*

4 *“(A) in the case of a State with fewer than*
5 *1,500 members of the Army National Guard of*
6 *the United States and the Air National Guard of*
7 *the United States residing in the State, not less*
8 *than one Transition Assistance Advisor; and*

9 *“(B) in the case of a State with 1,500 or*
10 *more members of the Army National Guard of*
11 *the United States and the Air National Guard of*
12 *the United States who reside in such State, not*
13 *less than one Transition Assistance Advisor for*
14 *each 1,500 members of the Army National Guard*
15 *of the United States and the Air National Guard*
16 *of the United States who reside in such State.*

17 *“(2) At any time not covered by paragraph*
18 *(1)—*

19 *“(A) in the case of a State with fewer than*
20 *5,000 members of the Army National Guard of*
21 *the United States and the Air National Guard of*
22 *the United States residing in the State, not less*
23 *than one Transition Assistance Advisor; and*

24 *“(B) in the case of a State with 5,000 or*
25 *more members of the Army National Guard of*

1 *the United States and the Air National Guard of*
2 *the United States who reside in such State, not*
3 *less than one Transition Assistance Advisor for*
4 *each 1,500 members of the Army National Guard*
5 *of the United States and the Air National Guard*
6 *of the United States who reside in such State.*

7 “(c) *DUTIES.—The duties of a Transition Assistance*
8 *Advisor includes the following:*

9 “(1) *To assist with the creation and execution of*
10 *individual transition plans for members of the Na-*
11 *tional Guard described in subsection (d)(2) and their*
12 *families for the reintegration of such members into ci-*
13 *vilian life.*

14 “(2) *To provide employment support services to*
15 *members of the National Guard and their families,*
16 *including assistance with discovering employment op-*
17 *portunities and identifying and obtaining assistance*
18 *from programs within and outside of the Federal*
19 *Government.*

20 “(3) *Provide information on relocation, health*
21 *care, mental health care, and financial support serv-*
22 *ices available to members of the National Guard or*
23 *their families from the Department of Defense, the*
24 *Department of Veterans Affairs, and other Federal,*
25 *State, and local agencies.*

1 “(4) *Provide information on educational support*
2 *services available to members of the National Guard,*
3 *including Post-9/11 Educational Assistance under*
4 *chapter 33 of title 38.*

5 “(d) *TRANSITION PLANS.—(1) Each individual plan*
6 *created under subsection (c)(1) for a member of the National*
7 *Guard described in paragraph (2) shall include the fol-*
8 *lowing:*

9 “(A) *A plan for the transition of the member to*
10 *life in the civilian world, including with respect to*
11 *employment, education, and health care.*

12 “(B) *A description of the transition services that*
13 *the member and the member’s family will need to*
14 *achieve their transition objectives, including informa-*
15 *tion on any forms that such member will need to fill*
16 *out to be eligible for such services.*

17 “(C) *A point of contact for each agency or entity*
18 *that can provide the transition services described in*
19 *subparagraph (B).*

20 “(2) *A member of the National Guard described in this*
21 *paragraph is any member of the National Guard who has*
22 *served on active duty in the armed forces for a period of*
23 *more than 180 days.*

24 “(e) *FUNDING.—Amounts for the program established*
25 *under subsection (a) for a fiscal year shall be derived from*

1 *amounts authorized to be appropriated for operations and*
2 *maintenance for the National Guard for that fiscal year.*

3 “(f) *STATE DEFINED.*—*In this section, the term ‘State’*
4 *means each of the several States of the United States, the*
5 *District of Columbia, and any territory of the United*
6 *States.”.*

7 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
8 *tions at the beginning of chapter 58 of such title is*
9 *amended by inserting after the item relating to sec-*
10 *tion 1144 the following new item:*

“1144a. Transition Assistance Advisors.”.

11 (b) *REPORT.*—*Not later than 90 days after the date*
12 *of the enactment of this Act, the Secretary of Defense shall*
13 *submit to Congress a report setting forth a description of*
14 *the efforts of the Secretary to implement the requirements*
15 *of section 1144A of title 10, United States Code, as added*
16 *by subsection (a)(1).*

17 ***Subtitle F—Reports***

18 ***SEC. 1061. REPORT ON STRATEGIC AIRLIFT AIRCRAFT.***

19 *Not later than 90 days after the date of the enactment*
20 *of this Act, the Secretary of Defense shall submit to the con-*
21 *gressional defense committees a report that sets forth the*
22 *following:*

23 (1) *An assessment of the feasibility and advis-*
24 *ability of obtaining a Federal Aviation Administra-*

1 *tion certification for commercial use of each of the fol-*
2 *lowing:*

3 (A) *A commercial variant of the C-17 air-*
4 *craft.*

5 (B) *A retired C-17A aircraft.*

6 (C) *a retired C-5A aircraft.*

7 (2) *An assessment of the current limitations of*
8 *the aircraft of the Civil Reserve Air Fleet.*

9 (3) *An assessment of the potential for using the*
10 *aircraft referred to in paragraph (1) in the Civil Re-*
11 *serve Air Fleet.*

12 (4) *An assessment of the advantages of adding*
13 *the aircraft referred to in paragraph (1) to the Civil*
14 *Reserve Air Fleet.*

15 (5) *An update on the status of any cooperation*
16 *between the Federal Aviation Administration and the*
17 *Department of Defense on the certification of the air-*
18 *craft referred to in paragraph (1).*

19 (6) *A description of all actions required, includ-*
20 *ing any impediments to such actions, to offering re-*
21 *tired C-5A aircraft or retired C-17A aircraft as ex-*
22 *cess defense articles to United States allies or for sale*
23 *to Civil Reserve Air Fleet carriers.*

24 (7) *A description of the actions required for in-*
25 *terested allies or Civil Reserve Air Fleet carriers to*

1 *take delivery of excess C-5A aircraft or excess C-17A*
2 *aircraft, including the actions, modifications, or de-*
3 *militarization necessary for such recipients to take*
4 *delivery of such aircraft, and provisions for permit-*
5 *ting such recipients to undertake responsibility for*
6 *such actions, to the maximum extent practicable.*

7 **SEC. 1062. REPEAL OF BIENNIAL REPORT ON THE GLOBAL**
8 **POSITIONING SYSTEM.**

9 *Section 2281 of title 10, United States Code, is amend-*
10 *ed—*

- 11 (1) *by striking subsection (d); and*
12 (2) *by redesignating subsection (e) as subsection*
13 *(d).*

14 **SEC. 1063. REPEAL OF ANNUAL REPORT ON THREAT POSED**
15 **BY WEAPONS OF MASS DESTRUCTION, BAL-**
16 **LISTIC MISSILES, AND CRUISE MISSILES.**

17 *Section 234 of the National Defense Authorization Act*
18 *for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1664;*
19 *50 U.S.C. 2367) is repealed.*

20 **SEC. 1064. REPORT ON PROGRAM ON RETURN OF RARE**
21 **EARTH PHOSPHORS FROM DEPARTMENT OF**
22 **DEFENSE FLUORESCENT LIGHTING WASTE**
23 **TO THE DOMESTIC RARE EARTH SUPPLY**
24 **CHAIN.**

25 (a) *FINDINGS.—Congress makes the following findings:*

1 (1) *In its December 2011 report entitled “Critical*
2 *Materials Strategy”, the Department of Energy*
3 *states that the heavy rare earth phosphors, dysprosium,*
4 *europium, terbium, and yttrium, are particularly*
5 *important given their relative scarcity and their*
6 *importance to clean energy, energy efficiency, hybrid*
7 *and electric vehicles, and advanced defense systems,*
8 *among other key technologies.*

9 (2) *While new sources of production of rare earth*
10 *elements show promise, these are focused primarily on*
11 *the light rare earth elements.*

12 (b) *SENSE OF SENATE.—It is the sense of the Senate*
13 *that—*

14 (1) *the recycling of end-use technologies that use*
15 *rare earth elements can provide near-term opportuni-*
16 *ties to recapture, reprocess, and reuse some of the rare*
17 *earth elements contained in them;*

18 (2) *fluorescent lighting materials could prove to*
19 *be a promising recyclable source of heavy rare earth*
20 *elements;*

21 (3) *a cost-benefit analysis would be helpful in de-*
22 *termining the viability of a Department of Defense*
23 *program to recycle fluorescent lighting waste in order*
24 *to increase its supplies of heavy rare earth elements;*
25 *and*

1 (4) *the recycling of heavy rare earth elements*
2 *may be one component of a long term strategic plan*
3 *to address the global demand for such elements, with-*
4 *out which such elements could be unnecessarily lost.*

5 (c) *REPORT REQUIRED.*—

6 (1) *IN GENERAL.*—*Not later than March 1, 2013,*
7 *the Secretary of Defense shall submit to the congres-*
8 *sional defense committees a report on the results of a*
9 *cost-benefit analysis on, and on recommendations*
10 *concerning, the feasibility and advisability of estab-*
11 *lishing a program within the Department of Defense*
12 *to—*

13 (A) *recapture fluorescent lighting waste;*
14 *and*

15 (B) *make such waste available to entities*
16 *that have the ability to extract rare earth phos-*
17 *phors, reprocess and separate them in an envi-*
18 *ronmentally safe manner, and return them to the*
19 *domestic rare earth supply chain.*

20 (2) *ELEMENTS.*—*The report required by para-*
21 *graph (1) shall include analysis of measures that*
22 *could be taken to—*

23 (A) *provide for the disposal and mitigation*
24 *of residual mercury and other hazardous byprod-*
25 *ucts to be produced by the recycling process; and*

1 (B) address concerns regarding the potential
2 export of heavy rare earth materials obtained
3 from United States Government sources to non-
4 allied nations.

5 **SEC. 1065. REPORT ON ESTABLISHMENT OF JOINT ARMED**
6 **FORCES HISTORICAL STORAGE AND PRESER-**
7 **VATION FACILITY.**

8 Not later than 180 days after the date of the enactment
9 of this Act, the Secretary of Defense shall submit to the con-
10 gressional defense committees a report setting forth an as-
11 sessment of the feasibility and advisability of establishing
12 a joint Armed Forces historical storage and preservation
13 facility. The report shall include a description and assess-
14 ment of the current capacities and qualities of the historical
15 storage and preservation facilities of each of the Armed
16 Forces, including the following:

17 (1) An identification of any excess capacity at
18 any such facility.

19 (2) An identification of any shortfalls in the ca-
20 pacity or quality of such facilities of any Armed
21 Force, and a description of possible actions to address
22 such shortfalls.

1 **SEC. 1066. STUDY ON BRADLEY FIGHTING VEHICLE INDUS-**
2 **TRIAL BASE.**

3 (a) *IN GENERAL.*—Not later than 90 days after the
4 date of the enactment of this Act, the Secretary of the Army
5 shall conduct a study on the Bradley Fighting Vehicle in-
6 dustrial base.

7 (b) *CONTENT.*—The study required under subsection
8 (a) shall—

9 (1) assess the quantitative impacts of a produc-
10 tion break for the Bradley Fighting Vehicle, including
11 the cost of shutdown compared to the cost of continued
12 production; and

13 (2) assess the qualitative impacts of a production
14 break for the Bradley Fighting Vehicle, including the
15 loss of a specialized workforce and supplier base.

16 **SEC. 1067. REPORT ON MILITARY RESOURCES NECESSARY**
17 **TO EXECUTE UNITED STATES FORCE POS-**
18 **TURE STRATEGY IN THE ASIA PACIFIC RE-**
19 **GION.**

20 (a) *REVIEW REQUIRED.*—

21 (1) *IN GENERAL.*—The Secretary of Defense
22 shall, in consultation with the Chairman of the Joint
23 Chiefs of Staff, conduct a comprehensive review of the
24 national defense strategy, force structure, force mod-
25 ernization plans, infrastructure, budget plan, and
26 other elements of the defense program and policies of

1 *the United States with regard to the Asia Pacific re-*
2 *gion to determine the resources, equipment, and*
3 *transportation required to meet the strategic and*
4 *operational plans of the United States.*

5 (2) *ELEMENTS.—The review required under*
6 *paragraph (1) shall include the following elements:*

7 (A) *The force structure, force modernization*
8 *plans, infrastructure, budget plan, and other ele-*
9 *ments of the defense program of the United*
10 *States associated with the Asia Pacific region*
11 *that would be required to execute successfully the*
12 *full range of missions called for in the national*
13 *defense strategy.*

14 (B) *An estimate of the timing for initial*
15 *and final operational capability for each unit*
16 *based in, realigned within, or identified for sup-*
17 *port to the Asia Pacific region.*

18 (C) *An assessment of the strategic and tac-*
19 *tical sea, ground, and air transportation re-*
20 *quired for the forces assigned to the Asia Pacific*
21 *region to meet strategic and operational plans.*

22 (D) *The specific capabilities, including the*
23 *general number and type of specific military*
24 *platforms, their permanent station, and planned*
25 *forward operating locations needed to achieve the*

1 *strategic and warfighting objectives identified in*
2 *the review.*

3 *(E) The forward presence, phased deploy-*
4 *ments, pre-positioning, and other anticipatory*
5 *deployments of manpower or military equipment*
6 *necessary for conflict deterrence and adequate*
7 *military response to anticipated conflicts.*

8 *(F) The budget plan that would be required*
9 *to provide sufficient resources to execute success-*
10 *fully the full range of missions and phased oper-*
11 *ations in the Asia Pacific region at a low-to-*
12 *moderate level of risk and any additional re-*
13 *sources (beyond those programmed in the current*
14 *future-years defense program) required to achieve*
15 *such a level of risk.*

16 *(G) Budgetary recommendations that are*
17 *not constrained to comply with and are fully*
18 *independent of the budget submitted to Congress*
19 *by the President pursuant to section 1105 of title*
20 *31, United States Code.*

21 *(b) CJCS REVIEW.—Upon the completion of the re-*
22 *view under subsection (a), the Chairman of the Joint Chiefs*
23 *of Staff shall prepare and submit to the Secretary of Defense*
24 *the Chairman's assessment of the review, including the*

1 *Chairman's assessment of risk and a description of the ca-*
2 *pabilities needed to address such risk.*

3 (c) *REPORT.*—

4 (1) *IN GENERAL.*—*Not later than one year after*
5 *the date of the enactment of this Act, the Secretary of*
6 *Defense shall submit to the congressional defense com-*
7 *mittees a report on the results of the review required*
8 *under subsection (a).*

9 (2) *CONTENT.*—*The report required under para-*
10 *graph (1) shall include the following elements:*

11 (A) *A description of the elements set forth*
12 *under subsection (a)(1).*

13 (B) *A description of the assumptions used*
14 *in the examination, including assumptions relat-*
15 *ing to—*

16 (i) *the status of readiness of the Armed*
17 *Forces;*

18 (ii) *the cooperation of allies, mission-*
19 *sharing, and additional benefits to and bur-*
20 *dens on the Armed Forces resulting from co-*
21 *alition operations;*

22 (iii) *warning times;*

23 (iv) *levels of engagement in operations*
24 *other than war and smaller-scale contin-*

1 *gencies and withdrawal from such oper-*
2 *ations and contingencies;*

3 *(v) the intensity, duration, and mili-*
4 *tary and political end-states of conflicts and*
5 *smaller-scale contingencies; and*

6 *(vi) the roles and responsibilities that*
7 *would be discharged by contractors.*

8 *(C) Any other matters the Secretary of De-*
9 *fense considers appropriate.*

10 *(D) The assessment of the Chairman of the*
11 *Joint Chiefs of Staff under subsection (b), in-*
12 *cluding related comments of the Secretary of De-*
13 *fense.*

14 *(3) FORM.—The report required under para-*
15 *graph (1) may be submitted in classified or unclassi-*
16 *fied form.*

17 **SEC. 1068. REPORT ON PLANNED EFFICIENCY INITIATIVES**

18 **AT SPACE AND NAVAL WARFARE SYSTEMS**

19 **COMMAND.**

20 *(a) REPORT REQUIRED.—Not later than 90 days after*
21 *the date of the enactment of this Act, the Secretary of the*
22 *Navy shall submit to the congressional defense committees*
23 *a report on plans to implement efficiency initiatives to re-*
24 *duce overhead costs at the Space and Naval Warfare Sys-*
25 *tems Command (SPAWAR), including a detailed descrip-*

1 *tion of the long-term impacts on current and planned future*
2 *mission requirements.*

3 **SEC. 1069. STUDY ON ABILITY OF NATIONAL AIR AND**
4 **GROUND TEST AND EVALUATION INFRA-**
5 **STRUCTURE FACILITIES TO SUPPORT DE-**
6 **FENSE HYPERSONIC TEST AND EVALUATION**
7 **ACTIVITIES.**

8 (a) *STUDY REQUIRED.*—*The Director of the Office of*
9 *Science and Technology Policy, working with the Secretary*
10 *of Defense and the Administrator of the National Aero-*
11 *navitics and Space Administration (NASA), shall conduct*
12 *a study on the ability of Department of Defense and NASA*
13 *air and ground test and evaluation infrastructure facilities*
14 *and private ground test and evaluation infrastructure fa-*
15 *cilities, including wind tunnels and air test ranges, as well*
16 *as associated instrumentation, to support defense*
17 *hypersonic test and evaluation activities for the short and*
18 *long term.*

19 (b) *REPORT AND PLAN.*—

20 (1) *IN GENERAL.*—*Not later than one year after*
21 *the date of the enactment of this Act, the Secretary of*
22 *Defense shall submit to the appropriate congressional*
23 *committees a report containing the results of the*
24 *study required under subsection (a) together with a*

1 *plan for requirements and proposed investments to*
2 *meet Department of Defense needs through 2025.*

3 (2) *CONTENT.*—*The report required under para-*
4 *graph (1) shall include the following elements:*

5 (A) *An assessment of the current condition*
6 *and adequacy of the hypersonics test and evalua-*
7 *tion infrastructure within the Department of De-*
8 *fense, NASA, and the private sector to support*
9 *hypersonic research and development within the*
10 *Department of Defense.*

11 (B) *An identification of test and evaluation*
12 *infrastructure that could be used to support De-*
13 *partment of Defense hypersonic research and de-*
14 *velopment outside the Department and assess*
15 *means to ensure the availability of such capabili-*
16 *ties to the Department in the present and future.*

17 (C) *A time-phased plan to acquire required*
18 *hypersonics research, development, test and eval-*
19 *uation capabilities, including identification of*
20 *the resources necessary to acquire any needed ca-*
21 *pabilities that are currently not available.*

22 (3) *APPROPRIATE CONGRESSIONAL COMMITTEES*
23 *DEFINED.*—*In this subsection, the term “appropriate*
24 *congressional committees” means—*

1 (A) *the Committee on Armed Services and*
2 *the Committee on Commerce, Science, and*
3 *Transportation of the Senate; and*

4 (B) *the Committee on Armed Services and*
5 *the Committee on Science, Space, and Tech-*
6 *nology of the House of Representatives.*

7 **SEC. 1069A. REPORT ON SIMULATED TACTICAL FLIGHT**
8 **TRAINING IN A SUSTAINED GRAVITY ENVI-**
9 **RONMENT.**

10 (a) *INDEPENDENT STUDY REQUIRED.*—*The Secretary*
11 *of Defense shall provide for the conduct by an appropriate*
12 *federally funded research and development center (FFRDC)*
13 *of a study on the effectiveness of simulated tactical flight*
14 *training in a sustained gravity environment.*

15 (b) *ELEMENTS.*—*The study conducted pursuant to*
16 *subsection (a) shall include the following:*

17 (1) *An assessment of the effectiveness of high fi-*
18 *delity simulated tactical flight training in a sus-*
19 *tained gravity environment generally, and, in par-*
20 *ticular, the effectiveness of such training in preparing*
21 *pilots to withstand and tolerate the high-gravity*
22 *forces associated with the operation of high-perform-*
23 *ance combat aircraft (commonly referred to as “G*
24 *readiness” and “G tolerance”).*

1 (2) *An assessment of the cost savings to be*
2 *achieved through the use of simulated tactical flight*
3 *training in a sustained gravity environment, includ-*
4 *ing cost savings associated with operation and main-*
5 *tenance and life cycle savings associated with aircraft*
6 *and airframe usage.*

7 (3) *An assessment of the safety benefits to be*
8 *achieved through the use of simulated tactical flight*
9 *training in a sustained gravity environment.*

10 (4) *An identification and assessment of other*
11 *benefits to be achieved through the use of simulated*
12 *tactical flight training in a sustained gravity envi-*
13 *ronment, including benefits relating to physiological*
14 *research and benefits relating to reductions in carbon*
15 *emissions.*

16 (5) *An evaluation and comparison of tactical*
17 *flight simulators that could be used for simulated tac-*
18 *tical flight training in a sustained gravity environ-*
19 *ment.*

20 (6) *Such other matters relating to the use of sim-*
21 *ulated tactical flight training in a sustained gravity*
22 *environment as the Secretary shall specify for pur-*
23 *poses of the study.*

24 (c) *REPORT.*—*In providing for study pursuant to sub-*
25 *section (a), the Secretary shall require the federally funded*

1 *research and development center conducting the study to*
2 *submit to the Secretary a report on the results of the study,*
3 *including the matters specified in subsection (b), by not*
4 *later than 18 months after the date of the enactment of this*
5 *Act.*

6 (d) *TRANSMITTAL TO CONGRESS.—Not later than 90*
7 *days after the submittal to the Secretary of the report re-*
8 *quired by subsection (c), the Secretary shall transmit the*
9 *report to the congressional defense committees, together with*
10 *any comments of the Secretary in light of the report and*
11 *such recommendations for legislative or administrative ac-*
12 *tion as the Secretary considers appropriate regarding the*
13 *use of simulated tactical flight training in a sustained grav-*
14 *ity environment in light of the report.*

15 **SEC. 1069B. REPORT ON DEPARTMENT OF DEFENSE SUP-**
16 **PORT FOR UNITED STATES DIPLOMATIC SE-**
17 **CURITY.**

18 (a) *REPORT REQUIRED.—Not later than 180 days*
19 *after the date of the enactment of this Act, the Secretary*
20 *of Defense shall, in coordination with the Secretary of State,*
21 *submit to the Committees on Armed Services of the Senate*
22 *and the House of Representatives a report on the findings*
23 *of the ongoing Department of Defense review of defense sup-*
24 *port of United States diplomatic security.*

1 **(b) ELEMENTS.**—*The report required by subsection (a)*
2 *shall include, but not be limited to, such findings and rec-*
3 *ommendations as the Secretaries consider appropriate with*
4 *respect to the following:*

5 **(1)** *Department of Defense authorities, directives,*
6 *and guidelines in support of diplomatic security.*

7 **(2)** *Interagency processes and procedures to iden-*
8 *tify, validate, and resource diplomatic security sup-*
9 *port required from the Department of Defense.*

10 **(3)** *Department of Defense roles, missions, and*
11 *resources required to fulfill requirements for United*
12 *States diplomatic security, including, but not limited*
13 *to the following:*

14 **(A)** *Marine Corps Embassy Security Guard*
15 *detachments.*

16 **(B)** *Training and advising host nation se-*
17 *curity forces for diplomatic security.*

18 **(C)** *Intelligence collection to prevent and re-*
19 *spond to threats to diplomatic security.*

20 **(D)** *Security assessments of diplomatic mis-*
21 *sions.*

22 **(E)** *Support of emergency action planning.*

23 **(F)** *Rapid response forces to respond to*
24 *threats to diplomatic security.*

1 (c) *FORM.*—The report required by subsection (a) shall
2 be submitted in unclassified form, but may include a classi-
3 fied annex.

4 **SEC. 1069C. COMPTROLLER GENERAL OF THE UNITED**
5 **STATES REPORT ON DEPARTMENT OF DE-**
6 **FENSE SPENDING FOR CONFERENCES AND**
7 **CONVENTIONS.**

8 Not later than 180 days after the date of the enactment
9 of this Act, the Comptroller General of the United States
10 shall submit to the congressional defense committees a re-
11 port setting forth an assessment of Department of Defense
12 spending for conferences and conventions. The report shall
13 include, at a minimum, an assessment of the following:

14 (1) *The extent to which Department spending for*
15 *conferences and conventions has been wasteful or ex-*
16 *cessive.*

17 (2) *The actions the Department has taken to con-*
18 *trol spending for conferences and conventions, and the*
19 *efficacy of those actions.*

20 (3) *Any fees incurred for the cancellation of con-*
21 *ferences or conventions and an evaluation of the im-*
22 *act of cancelling conferences and conventions.*

23 **Subtitle G—Nuclear Matters**

24 **SEC. 1071. STRATEGIC DELIVERY SYSTEMS.**

25 (a) *FINDINGS.*—Congress makes the following findings:

1 (1) *The Nuclear Posture Review of 2010* said,
2 with respect to modernizing the triad, “for planned
3 reductions under *New START*, the United States
4 should retain a smaller Triad of SLBMs, ICBMs, and
5 heavy bombers. Retaining all three Triad legs will
6 best maintain strategic stability at reasonable cost,
7 while hedging against potential technical problems or
8 vulnerabilities”.

9 (2) *The Senate* stated in Declaration 12 of the
10 *Resolution of Advice and Consent to Ratification of*
11 *the New START Treaty* that “In accordance with
12 paragraph 1 of Article V of the *New START Treaty*,
13 which states that, ‘Subject to the provisions of this
14 Treaty, modernization and replacement of strategic
15 offensive arms may be carried out,’ it is the sense of
16 the Senate that United States deterrence and flexi-
17 bility is assured by a robust triad of strategic delivery
18 vehicles. To this end, the United States is committed
19 to accomplishing the modernization and replacement
20 of its strategic nuclear delivery vehicles, and to ensur-
21 ing the continued flexibility of United States conven-
22 tional and nuclear delivery systems”.

23 (3) *The Senate* required the President, prior to
24 the entry into force of the *New START Treaty*, to cer-
25 tify to the Senate that the President intended to mod-

1 *ernize or replace the triad of strategic nuclear deliv-*
2 *ery systems.*

3 *(4) The President made this certification in a*
4 *message to the Senate on February 2, 2011, in which*
5 *the President stated, “I intend to (a) modernize or re-*
6 *place the triad of strategic nuclear delivery systems:*
7 *a heavy bomber and air-launched cruise missile, an*
8 *ICBM, and a nuclear-powered ballistic missile sub-*
9 *marine (SSBN) and SLBM; and (b) maintain the*
10 *United States rocket motor industrial base”.*

11 *(b) REQUIREMENTS.—*

12 *(1) IN GENERAL.—Chapter 23 of title 10, United*
13 *States Code, is amended by adding at the end the fol-*
14 *lowing new section:*

15 **“§ 491. Strategic delivery systems**

16 *“(a) ANNUAL CERTIFICATION.—Beginning in fiscal*
17 *year 2013, the President shall annually certify in writing*
18 *to the congressional defense committees whether plans to*
19 *modernize or replace strategic delivery systems are fully*
20 *funded at levels equal to or more than the levels set forth*
21 *in the November 2010 update to the plan referred to in sec-*
22 *tion 1251 of the National Defense Authorization Act for Fis-*
23 *cal Year 2010 (Public Law 111–84; 123 Stat. 2549), includ-*
24 *ing plans regarding—*

1 “(1) a heavy bomber and air-launched cruise
2 *missile;*

3 “(2) an intercontinental ballistic missile;

4 “(3) a submarine-launched ballistic missile;

5 “(4) a ballistic missile submarine; and

6 “(5) maintaining the nuclear command and con-
7 *trol system (as first reported in section 1043 of the*
8 *National Defense Authorization Act for Fiscal Year*
9 *2012 (Public Law 112–81; 125 Stat. 1576)).*

10 “(b) *ADDITIONAL REPORT MATTERS FOLLOWING CER-*
11 *TAIN CERTIFICATIONS.—If the President certifies under*
12 *subsection (a) that plans to modernize or replace strategic*
13 *delivery systems are not fully funded, the President shall*
14 *include in the next annual report submitted to Congress*
15 *under section 1043 of the National Defense Authorization*
16 *Act for Fiscal Year 2012 the following:*

17 “(1) *A determination whether or not the lack of*
18 *full funding will result in a loss of military capa-*
19 *bility when compared with the November 2010 update*
20 *to the plan referred to in section 1251 of the National*
21 *Defense Authorization Act for Fiscal Year 2010.*

22 “(2) *If the determination under paragraph (1) is*
23 *that the lack of full funding will result in a loss of*
24 *military capability—*

1 “(A) a plan to preserve or retain the mili-
2 tary capability that would otherwise be lost; or

3 “(B) a report setting forth—

4 “(i) an assessment of the impact of the
5 lack of full funding on the strategic delivery
6 systems specified in subsection (a); and

7 “(ii) a description of the funding re-
8 quired to restore or maintain the capa-
9 bility.

10 “(3) A certification by the President whether or
11 not the President is committed to accomplishing the
12 modernization and replacement of strategic delivery
13 systems and will meet the obligations concerning nu-
14 clear modernization as set forth in declaration 12 of
15 the Resolution of Advice and Consent to Ratification
16 of the New START Treaty.

17 “(c) TREATMENT OF CERTAIN REDUCTIONS.—Any cer-
18 tification under subsection (a) shall not take into account
19 the following:

20 “(1) Reductions made to ensure the safety, secu-
21 rity, reliability, and credibility of the nuclear weap-
22 ons stockpile and strategic delivery systems, including
23 activities related to surveillance, assessment, certifi-
24 cation, testing, and maintenance of nuclear warheads
25 and delivery systems.

1 **SEC. 1073. CONGRESSIONAL BUDGET OFFICE ESTIMATE OF**
2 **COSTS OF NUCLEAR WEAPONS AND DELIVERY**
3 **SYSTEMS.**

4 *Not later than one year after the date of the enactment*
5 *of this Act, the Director of the Congressional Budget Office*
6 *shall submit to the congressional defense committees a re-*
7 *port setting forth the following:*

8 *(1) An estimate of the costs over the 10-year pe-*
9 *riod beginning on the date of the report associated*
10 *with fielding and maintaining the current nuclear*
11 *weapons and nuclear weapon delivery systems of the*
12 *United States.*

13 *(2) An estimate of the costs over the 10-year pe-*
14 *riod beginning on the date of the report of any life*
15 *extension, modernization, or replacement of any cur-*
16 *rent nuclear weapons or nuclear weapon delivery sys-*
17 *tems of the United States that is anticipated as of the*
18 *date of the report.*

19 **SEC. 1074. BRIEFINGS ON DIALOGUE BETWEEN THE UNITED**
20 **STATES AND THE RUSSIAN FEDERATION ON**
21 **NUCLEAR ARMS, MISSILE DEFENSE, AND**
22 **LONG-RANGE CONVENTIONAL STRIKE SYS-**
23 **TEMS.**

24 *(a) BRIEFINGS.—Not later than 60 days after the date*
25 *of the enactment of this Act, and not less than twice each*
26 *year thereafter, the President, or the President's designee,*

1 *shall brief the Committees on Foreign Relations and Armed*
 2 *Services of the Senate on the dialogue between the United*
 3 *States and the Russian Federation on issues related to lim-*
 4 *its or controls on nuclear arms, missile defense systems, or*
 5 *long-range conventional strike systems.*

6 (b) *SENSE OF THE SENATE ON CERTAIN AGREE-*
 7 *MENTS.—It is the sense of the Senate that any agreement*
 8 *between the United States and the Russian Federation re-*
 9 *lated to missile defense, nuclear weapons, or long-range con-*
 10 *ventional strike systems obligating the United States to re-*
 11 *duce or limit the Armed Forces or armaments of the United*
 12 *States in any militarily significant manner may be made*
 13 *only pursuant to the treaty-making power of the President*
 14 *as set forth in Article II, section 2, clause 2 of the Constitu-*
 15 *tion of the United States.*

16 ***Subtitle H—Other Matters***

17 ***SEC. 1081. REDESIGNATION OF THE CENTER FOR HEMI-***
 18 ***SPHERIC DEFENSE STUDIES AS THE WILLIAM***
 19 ***J. PERRY CENTER FOR HEMISPHERIC DE-***
 20 ***FENSE STUDIES.***

21 (a) *REDESIGNATION.—*

22 (1) *IN GENERAL.—The Center for Hemispheric*
 23 *Defense Studies is hereby redesignated as the “Wil-*
 24 *liam J. Perry Center for Hemispheric Defense Stud-*
 25 *ies”.*

1 (2) *REFERENCES.*—Any reference in any law,
2 *regulation, map, document, record, or other paper of*
3 *the United States to the center referred to in para-*
4 *graph (1) shall be considered to be a reference to the*
5 *William J. Perry Center for Hemispheric Defense*
6 *Studies.*

7 (b) *CONFORMING AMENDMENTS.*—Title 10, *United*
8 *States Code, is amended as follows:*

9 (1) *In section 184—*

10 (A) *in subsection (b)(2), by striking sub-*
11 *paragraph (C) and inserting the following new*
12 *subparagraph (C):*

13 “(C) *The William J. Perry Center for Hemi-*
14 *spheric Defense Studies, established in 1997 and lo-*
15 *cated in Washington, D.C.”; and*

16 (B) *in subsection (f)(5), by striking “Center*
17 *for Hemispheric Defense Studies” and inserting*
18 *“William J. Perry Center for Hemispheric De-*
19 *fense Studies”.*

20 (2) *In section 2611(a)(2), by striking subpara-*
21 *graph (C) and inserting the following new subpara-*
22 *graph (C):*

23 “(C) *The William J. Perry Center for Hemi-*
24 *spheric Defense Studies.”.*

1 **SEC. 1082. TECHNICAL AMENDMENTS TO REPEAL STATU-**
2 **TORY REFERENCES TO UNITED STATES**
3 **JOINT FORCES COMMAND.**

4 *Title 10, United States Code, is amended as follows:*

5 *(1)(A) Section 232 is repealed.*

6 *(B) The table of sections at the beginning of*
7 *chapter 9 is amended by striking the item relating to*
8 *section 232.*

9 *(2) Section 2859(d) is amended—*

10 *(A) by striking paragraph (2); and*

11 *(B) by redesignating paragraph (3) as*
12 *paragraph (2).*

13 *(3) Section 10503(13)(B) is amended—*

14 *(A) by striking clause (iii); and*

15 *(B) redesignating clause (iv) as clause (iii).*

16 **SEC. 1083. SENSE OF CONGRESS ON NON-UNITED STATES**
17 **CITIZENS WHO ARE GRADUATES OF UNITED**
18 **STATES EDUCATIONAL INSTITUTIONS WITH**
19 **ADVANCED DEGREES IN SCIENCE, TECH-**
20 **NOLOGY, ENGINEERING, AND MATHEMATICS.**

21 *(a) FINDINGS.—Congress makes the following findings:*

22 *(1) It is a national security concern that more*
23 *than half of all graduates with advanced scientific*
24 *and technical degrees from United States institutions*
25 *of higher education are non-United States citizens*
26 *who have very limited opportunities upon graduation*

1 *to contribute to the science and technology activities*
2 *of the Department of Defense and the United States*
3 *defense industrial base.*

4 *(2) The capabilities of the Armed Forces are*
5 *highly reliant upon advanced technologies that pro-*
6 *vide our forces with a technological edge on the battle-*
7 *field.*

8 *(3) In order to maintain and advance our mili-*
9 *tary technological superiority, the United States re-*
10 *quires the best and brightest scientists, mathemati-*
11 *cians, and engineers to discover, develop, and field the*
12 *next generation of weapon systems and defense tech-*
13 *nologies.*

14 *(4) The Department of Defense and the defense*
15 *industrial base compete with other sectors for a lim-*
16 *ited number of United States citizens who have ap-*
17 *propriate advanced degrees and skills.*

18 *(5) While an overarching national priority is to*
19 *increase the numbers of United States citizens who*
20 *have appropriate advanced degrees in science, tech-*
21 *nology, engineering, and mathematics (STEM), it*
22 *would be beneficial if the Department of Defense and*
23 *the defense industrial base were able to access the pool*
24 *of talent of non-United States citizens with advanced*
25 *scientific and technical degrees from United States*

1 *institutions of higher education, many of whom are*
2 *otherwise returning to their home countries.*

3 (b) *SENSE OF CONGRESS.—It is the sense of Con-*
4 *gress—*

5 (1) *that the Department of Defense should make*
6 *every reasonable and practical effort to increase the*
7 *number of United States citizens who pursue ad-*
8 *vanced degrees in science, technology, engineering,*
9 *and mathematics; and*

10 (2) *to strongly urge the Department of Defense to*
11 *investigate innovative mechanisms (subject to all ap-*
12 *propriate security requirements) to access to the pool*
13 *of talent of non-United States citizens with advanced*
14 *scientific and technical degrees from United States*
15 *institutions of higher education, especially in those*
16 *scientific and technical areas that are most vital to*
17 *the national defense (such as those identified by the*
18 *Assistant Secretary of Defense for Research and Engi-*
19 *neering and the Armed Forces).*

20 **SEC. 1084. SENSE OF SENATE ON THE MAINTENANCE BY**
21 **THE UNITED STATES OF A TRIAD OF STRA-**
22 **TEGIC NUCLEAR DELIVERY SYSTEMS.**

23 (a) *FINDINGS.—The Senate finds the following:*

24 (1) *The April 2010 Nuclear Posture Review con-*
25 *cluded that even with the reductions specified in the*

1 *New START Treaty, the United States should retain*
2 *a nuclear “Triad” of land-based intercontinental bal-*
3 *listic missiles, submarine-launched ballistic missiles*
4 *and nuclear capable heavy bombers, noting that*
5 *“[r]etaining all three Triad legs will best maintain*
6 *strategic stability at reasonable cost, while hedging*
7 *against potential technical problems or*
8 *vulnerabilities”.*

9 *(2) The resolution of ratification for the New*
10 *START Treaty, which the Senate approved on De-*
11 *cember 22, 2010, stated that “it is the sense of the*
12 *Senate that United States deterrence and flexibility is*
13 *assured by a robust triad of strategic delivery vehi-*
14 *cles. To this end, the United States is committed to*
15 *accomplishing the modernization and replacement of*
16 *its strategic nuclear delivery vehicles, and to ensuring*
17 *the continued flexibility of United States conventional*
18 *and nuclear delivery systems”.*

19 *(3) In a message to the Senate on February 2,*
20 *2011, President Obama certified that he intended to*
21 *“modernize or replace the triad of strategic nuclear*
22 *delivery systems: a heavy bomber and air-launched*
23 *cruise missile, an ICBM, and a nuclear-powered bal-*
24 *listic missile submarine (SSBN) and SLBM” and to*

1 *“maintain the United States rocket motor industrial*
2 *base”.*

3 **(b) SENSE OF SENATE.**—*It is the sense of the Senate*
4 *that—*

5 *(1) the United States should maintain a triad of*
6 *strategic nuclear delivery systems; and*

7 *(2) the United States is committed to modern-*
8 *izing the component weapons and delivery systems of*
9 *that triad.*

10 **SEC. 1085. PLAN TO PARTNER WITH STATE AND LOCAL EN-**
11 **TITIES TO ADDRESS VETERANS CLAIMS BACK-**
12 **LOG.**

13 **(a) FINDINGS.**—*Congress makes the following findings:*

14 *(1) The Department of Veterans Affairs defines*
15 *any claim for benefits under laws administered by the*
16 *Secretary of Veterans Affairs as backlogged if the*
17 *claim has been pending for 125 days or more.*

18 *(2) According to the Department, as of November*
19 *24, 2012, there were 899,540 pending claims, with*
20 *604,583 (67.2 percent) of those considered backlogged.*

21 *(3) The Department’s data further shows that, on*
22 *November 22, 2010, there were 749,934 claims pend-*
23 *ing, with only 244,129 (32.6 percent) of those consid-*
24 *ered backlogged.*

1 (4) *During the past two years, both the overall*
2 *number of backlogged claims and the percentage of all*
3 *pending claims that are backlogged have doubled.*

4 (5) *In order to reduce the claims backlog at re-*
5 *gional offices of the Department of Veterans Affairs*
6 *located in Texas, the Texas Veterans Commission an-*
7 *nounced two initiatives on July 19, 2012, to partner*
8 *with the Department of Veterans Affairs—*

9 (A) *to assist veterans whose claims are al-*
10 *ready backlogged to complete development of*
11 *those claims; and*

12 (B) *to help veterans who are filing new*
13 *claims to fully develop those claims prior to fil-*
14 *ing them, shortening the processing time re-*
15 *quired.*

16 (6) *The common goal of the two initiatives of the*
17 *Texas Veterans Commission, called the “Texas State*
18 *Strike Force Team” and the “Fully Developed Claims*
19 *Team Initiative”, is to reduce the backlog of claims*
20 *pending in Texas by 17,000 within one year.*

21 (7) *During the first two months of these new ini-*
22 *tiatives, the Texas Veterans Commission helped vet-*
23 *erans complete development of more than 2,500 back-*
24 *logged claims and assisted veterans with the submis-*
25 *sion of more than 800 fully developed claims.*

1 (8) *In testimony before the Subcommittee on*
2 *Disability Assistance and Memorial Affairs of the*
3 *Committee on Veterans' Affairs of the House of Rep-*
4 *resentatives on September 21, 2012, Diana Rubens,*
5 *Deputy Under Secretary for Field Operations of the*
6 *Veterans Benefits Administration, indicated that the*
7 *Department of Veterans Affairs has experienced posi-*
8 *tive outcomes in projects with the Texas Veterans*
9 *Commission, stating that both Veterans Service Orga-*
10 *nizations “and state and county service*
11 *officers . . . are important partners in VBA’s trans-*
12 *formation to better serve Veterans.”.*

13 (9) *At the same hearing, Mr. John Limpose, di-*
14 *rector of the regional office of the Department of Vet-*
15 *erans Affairs in Waco, Texas, testified that the “TVC*
16 *is working very, very well” with regional offices of the*
17 *Department in Texas, calling the Texas Veterans*
18 *Commission a “very positive story that we can*
19 *branch out into . . . all of our stakeholders.”.*

20 (b) *REPORT.—*

21 (1) *IN GENERAL.—Not later than 60 days after*
22 *the date of the enactment of this Act, the Secretary of*
23 *Veterans Affairs shall submit to Congress a plan to*
24 *reduce the current backlog of pending claims for bene-*
25 *fits under laws administered by the Secretary and*

1 *more efficiently process claims for such benefits in the*
2 *future.*

3 (2) *CONTENTS.—The report required by para-*
4 *graph (1) shall include the following:*

5 (A) *A summary of all steps the Secretary*
6 *has taken thus far to partner with non-Federal*
7 *entities in support of efforts to reduce the backlog*
8 *described in paragraph (1) and more efficiently*
9 *process claims described in such paragraph in*
10 *the future, including two previous initiatives by*
11 *the Texas Veterans Commission, namely the*
12 *2008–2009 Development Assistant Pilot Project*
13 *and the 2009–2011 Claims Processing Assistance*
14 *Team.*

15 (B) *A plan for the Secretary to partner*
16 *with non-Federal entities to support efforts to re-*
17 *duce such backlog and more efficiently process*
18 *such claims in the future, including the fol-*
19 *lowing:*

20 (i) *State and local agencies relating to*
21 *veterans affairs.*

22 (ii) *Organizations recognized by the*
23 *Secretary for the representation of veterans*
24 *under section 5902 of title 38, United States*
25 *Code.*

1 (iii) Such other relevant government
2 and non-government entities as the Sec-
3 retary considers appropriate.

4 (C) A description of how the Secretary in-
5 tends to leverage partnerships with non-Federal
6 entities described in subparagraph (B) to elimi-
7 nate such backlog, including through increasing
8 the percentage of claims that are fully developed
9 prior to submittal to the Secretary and ensuring
10 that new claims are fully developed prior to their
11 submittal.

12 (D) A description of what steps the Sec-
13 retary has taken and will take—

14 (i) to expedite the processing of claims
15 that are already fully developed at the time
16 of submittal; and

17 (ii) to support initiatives by non-Fed-
18 eral entities described in subparagraph (B)
19 to help claimants gather and submit nec-
20 essary evidence for claims that were pre-
21 viously filed but require further develop-
22 ment.

23 (E) A description of how partnerships with
24 non-Federal entities described in subparagraph

1 *(B) will fit into the Secretary's overall claims*
2 *processing transformation plan.*

3 **SEC. 1086. SENSE OF THE SENATE ON PROTECTION OF DE-**
4 **PARTMENT OF DEFENSE AIRFIELDS, TRAIN-**
5 **ING AIRSPACE, AND AIR TRAINING ROUTES.**

6 *It is the sense of the Senate that—*

7 (1) *Department of Defense airfields, training*
8 *airspace, and air training routes are national treas-*
9 *ures that must be protected from encroachment;*

10 (2) *placement or emplacement of obstructions*
11 *near or on Department of Defense airfields, training*
12 *airspace, or air training routes has the potential of*
13 *increasing risk to military aircraft and personnel as*
14 *well as impacting training and readiness; and*

15 (3) *the Department of Defense should develop*
16 *comprehensive rules and regulations to address con-*
17 *struction and use of land in close proximity to De-*
18 *partment of Defense airfields, training areas, or air*
19 *training routes to ensure compatibility with military*
20 *aircraft operations.*

1 **SEC. 1087. EXTENSION OF AUTHORITIES TO CARRY OUT A**
2 **PROGRAM OF REFERRAL AND COUNSELING**
3 **SERVICES TO VETERANS AT RISK OF HOME-**
4 **LESSNESS WHO ARE TRANSITIONING FROM**
5 **CERTAIN INSTITUTIONS.**

6 *Section 2023(d) of title 38, United States Code, is*
7 *amended by striking “September 30, 2012” and inserting*
8 *“September 30, 2013”.*

9 **SEC. 1088. SENSE OF CONGRESS THAT THE BUGLE CALL**
10 **COMMONLY KNOWN AS TAPS SHOULD BE DES-**
11 **IGNATED AS THE NATIONAL SONG OF MILI-**
12 **TARY REMEMBRANCE.**

13 *It is the sense of Congress that the bugle call commonly*
14 *known as “Taps” should be designated as the National Song*
15 *of Military Remembrance.*

16 **SEC. 1089. REPORTS ON THE POTENTIAL SECURITY THREAT**
17 **POSED BY BOKO HARAM.**

18 *(a) DIRECTOR OF NATIONAL INTELLIGENCE RE-*
19 *PORT.—Not later than 180 days after the date of the enact-*
20 *ment of this Act, the Director of National Intelligence shall*
21 *submit to Congress an intelligence assessment of the Nige-*
22 *rian organization known as Boko Haram. Such assessment*
23 *shall address the following:*

24 *(1) The organizational structure, operational*
25 *goals, and funding sources of Boko Haram.*

1 (2) *The extent to which Boko Haram threatens*
2 *the stability of Nigeria and surrounding countries.*

3 (3) *The extent to which Boko Haram threatens*
4 *the security of citizens of the United States or the na-*
5 *tional security or interests of the United States.*

6 (4) *Any interaction between Boko Haram and*
7 *al-Qaeda in the Islamic Maghreb or other al-Qaeda*
8 *affiliates with respect to operational planning and*
9 *execution, training, and funding.*

10 (5) *The capacity of Nigerian security forces to*
11 *counter the threat posed by Boko Haram and an as-*
12 *essment of the effectiveness of the strategy of the Ni-*
13 *gerian government to date.*

14 (6) *Any intelligence gaps with respect to the*
15 *leadership, operational goals, and capabilities of Boko*
16 *Haram.*

17 (b) *SECRETARY OF STATE REPORT.—Not later than*
18 *90 days after the date the report required by subsection (a)*
19 *is submitted to Congress, the Secretary of State shall submit*
20 *to Congress a report describing the strategy of the United*
21 *States to counter the threat posed by Boko Haram.*

1 **SEC. 1090. NATIONAL VETERANS BUSINESS DEVELOPMENT**
2 **CORPORATION.**

3 (a) *IN GENERAL.*—*The Small Business Act (15 U.S.C.*
4 *631 et seq.) is amended by striking section 33 (15 U.S.C.*
5 *657c).*

6 (b) *CORPORATION.*—*On and after the date of enact-*
7 *ment of this Act, the National Veterans Business Develop-*
8 *ment Corporation and any successor thereto may not rep-*
9 *resent that the corporation is federally chartered or in any*
10 *other manner authorized by the Federal Government.*

11 (c) *TECHNICAL AND CONFORMING AMENDMENTS.*—

12 (1) *SMALL BUSINESS ACT.*—*The Small Business*
13 *Act (15 U.S.C. 631 et seq.), as amended by this sec-*
14 *tion, is amended—*

15 (A) *by redesignating sections 34 through 45*
16 *as sections 33 through 44, respectively;*

17 (B) *in section 9(k)(1)(D) (15 U.S.C.*
18 *638(k)(1)(D)), by striking “section 34(d)” and*
19 *inserting “section 33(d)”;*

20 (C) *in section 33 (15 U.S.C. 657d), as so re-*
21 *designated—*

22 (i) *by striking “section 35” each place*
23 *it appears and inserting “section 34”;*

24 (ii) *in subsection (a)—*

1 (I) in paragraph (2), by striking
2 “section 35(c)(2)(B)” and inserting
3 “section 34(c)(2)(B)”;

4 (II) in paragraph (4), by striking
5 “section 35(c)(2)” and inserting “sec-
6 tion 34(c)(2)”;

7 (III) in paragraph (5), by strik-
8 ing “section 35(c)” and inserting “sec-
9 tion 34(c)”;

10 (iii) in subsection (h)(2), by striking
11 “section 35(d)” and inserting “section
12 34(d)”;

13 (D) in section 34 (15 U.S.C. 657e), as so re-
14 designated—

15 (i) by striking “section 34” each place
16 it appears and inserting “section 33”;

17 (ii) in subsection (c)(1), by striking
18 section “34(c)(1)(E)(ii)” and inserting sec-
19 tion “33(c)(1)(E)(ii)”;

20 (E) in section 36(d) (15 U.S.C. 657i(d)), as
21 so redesignated, by striking “section 43” and in-
22 serting “section 42”;

23 (F) in section 39(d) (15 U.S.C. 657l(d)), as
24 so redesignated, by striking “section 43” and in-
25 serting “section 42”;

1 (G) in section 40(b) (15 U.S.C. 657m(b)),
2 as so redesignated, by striking “section 43” and
3 inserting “section 42”.

4 (2) TITLE 10.—Section 1142(b)(13) of title 10,
5 United States Code, is amended by striking “and the
6 National Veterans Business Development Corpora-
7 tion”.

8 (3) TITLE 38.—Section 3452(h) of title 38,
9 United States Code, is amended by striking “any of
10 the” and all that follows and inserting “any small
11 business development center described in section 21 of
12 the Small Business Act (15 U.S.C. 648), insofar as
13 such center offers, sponsors, or cosponsors an entrepre-
14 neurship course, as that term is defined in section
15 3675(c)(2).”.

16 (4) FOOD, CONSERVATION, AND ENERGY ACT OF
17 2008.—Section 12072(c)(2) of the Food, Conservation,
18 and Energy Act of 2008 (15 U.S.C. 636g(c)(2)) is
19 amended by striking “section 43 of the Small Busi-
20 ness Act, as added by this Act” and inserting “section
21 42 of the Small Business Act (15 U.S.C. 657o)”.

22 (5) VETERANS ENTREPRENEURSHIP AND SMALL
23 BUSINESS DEVELOPMENT ACT OF 1999.—Section
24 203(c)(5) of the Veterans Entrepreneurship and Small
25 Business Development Act of 1999 (15 U.S.C. 657b

1 *note) is amended by striking “In cooperation with the*
2 *National Veterans Business Development Corporation,*
3 *develop” and inserting “Develop”.*

4 **SEC. 1091. WHITE SANDS MISSILE RANGE AND FORT BLISS.**

5 *(a) WITHDRAWAL.—*

6 *(1) IN GENERAL.—Subject to valid existing*
7 *rights and paragraph (3), the Federal land described*
8 *in paragraph (2) is withdrawn from—*

9 *(A) entry, appropriation, and disposal*
10 *under the public land laws;*

11 *(B) location, entry, and patent under the*
12 *mining laws; and*

13 *(C) operation of the mineral leasing, min-*
14 *eral materials, and geothermal leasing laws.*

15 *(2) DESCRIPTION OF FEDERAL LAND.—The Fed-*
16 *eral land referred to in paragraph (1) consists of—*

17 *(A) the approximately 5,100 acres of land*
18 *depicted as “Parcel 1” on the map entitled*
19 *“White Sands Missile Range/Fort Bliss/BLM*
20 *Land Transfer and Withdrawal” and dated*
21 *April 3, 2012 (referred to in this section as the*
22 *“map”);*

23 *(B) the approximately 37,600 acres of land*
24 *depicted as “Parcel 2”, “Parcel 3”, and “Parcel*
25 *4” on the map; and*

1 (C) any land or interest in land that is ac-
2 quired by the United States within the bound-
3 aries of the parcels described in subparagraph
4 (B).

5 (3) *LIMITATION.*—Notwithstanding paragraph
6 (1), the land depicted as “Parcel 4” on the map is
7 not withdrawn for purposes of the issuance of oil and
8 gas pipeline rights-of-way.

9 (b) *RESERVATION.*—The Federal land described in
10 subsection (a)(2)(A) is reserved for use by the Secretary of
11 the Army for military purposes in accordance with Public
12 Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822).

13 (c) *TRANSFER OF ADMINISTRATIVE JURISDICTION.*—
14 Effective on the date of enactment of this Act, administra-
15 tive jurisdiction over the approximately 2,050 acres of land
16 generally depicted as “Parcel 2” on the map—

17 (1) is transferred from the Secretary of the Army
18 to the Secretary of the Interior (acting through the
19 Director of the Bureau of Land Management); and

20 (2) shall be managed in accordance with—

21 (A) the Federal Land Policy and Manage-
22 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

23 (B) any other applicable laws.

24 (d) *LEGAL DESCRIPTION.*—

1 (1) *IN GENERAL.*—As soon as practicable after
2 the date of enactment of this Act, the Secretary of the
3 Interior shall publish in the Federal Register a legal
4 description of the Federal land withdrawn by sub-
5 section (a).

6 (2) *FORCE OF LAW.*—The legal description pub-
7 lished under paragraph (1) shall have the same force
8 and effect as if included in this Act, except that the
9 Secretary of the Interior may correct errors in the
10 legal description.

11 (3) *REIMBURSEMENT OF COSTS.*—The Secretary
12 of the Army shall reimburse the Secretary of the Inte-
13 rior for any costs incurred by the Secretary of the In-
14 terior in implementing this subsection with regard to
15 the Federal land described in subsection (a)(2)(A).

16 **SEC. 1092. TRANSPORT FOR FEMALE GENITAL MUTILATION.**

17 Section 116 of title 18, United States Code, is amended
18 by adding at the end the following:

19 “(d) Whoever knowingly transports from the United
20 States and its territories a person in foreign commerce for
21 the purpose of conduct with regard to that person that
22 would be a violation of subsection (a) if the conduct oc-
23 curred within the United States, or attempts to do so, shall
24 be fined under this title or imprisoned not more than 5
25 years, or both.”.

1 **SEC. 1093. RENEWAL OF EXPIRED PROHIBITION ON RE-**
2 **TURN OF VETERANS MEMORIAL OBJECTS**
3 **WITHOUT SPECIFIC AUTHORIZATION IN LAW.**

4 (a) *CODIFICATION OF PROHIBITION.*—Section 2572 of
5 title 10, United States Code, is amended by adding at the
6 end the following new subsection:

7 “(e)(1) *Except as provided in paragraph (3), and not-*
8 *withstanding this section or any other provision of law, the*
9 *President may not transfer a veterans memorial object to*
10 *a foreign country or an entity controlled by a foreign gov-*
11 *ernment, or otherwise transfer or convey such an object to*
12 *any person or entity for purposes of the ultimate transfer*
13 *or conveyance of the object to a foreign country or entity*
14 *controlled by a foreign government.*

15 “(2) *In this subsection:*

16 “(A) *The term ‘entity controlled by a foreign*
17 *government’ has the meaning given that term in sec-*
18 *tion 2536(c)(1) of this title.*

19 “(B) *The term ‘veterans memorial object’ means*
20 *any object, including a physical structure or portion*
21 *thereof, that—*

22 “(i) *is located at a cemetery of the National*
23 *Cemetery System, war memorial, or military in-*
24 *stallation in the United States;*

1 “(ii) is dedicated to, or otherwise memorial-
2 izes, the death in combat or combat-related du-
3 ties of members of the armed forces; and

4 “(iii) was brought to the United States from
5 abroad as a memorial of combat abroad.

6 “(3) The prohibition imposed by paragraph (1) does
7 not apply to a transfer of a veterans memorial object if—

8 “(A) the transfer of that veterans memorial ob-
9 ject is specifically authorized by law; or

10 “(B) the transfer is made after September 30,
11 2017.”.

12 (b) *REPEAL OF OBSOLETE SOURCE LAW.*—Section
13 1051 of the National Defense Authorization Act for Fiscal
14 Year 2000 (Public Law 106–65; 10 U.S.C. 2572 note) is
15 repealed.

16 **SEC. 1094. TRANSFER OF EXCESS AIRCRAFT TO OTHER DE-**
17 **PARTMENTS.**

18 (a) *TRANSFER.*—Subject to subsection (c), the Sec-
19 retary of Defense shall transfer excess aircraft specified in
20 subsection (b) to the Secretary of Agriculture and the Sec-
21 retary of Homeland Security for use by the Forest Service
22 and the United States Coast Guard. The transfer of any
23 excess aircraft under this subsection shall be without reim-
24 bursement.

25 (b) *AIRCRAFT.*—

1 (1) *IN GENERAL.*—*The aircraft transferred under*
2 *subsection (a) are aircraft of the Department of De-*
3 *fense that are—*

4 (A) *identified by the Forest Service or the*
5 *United States Coast Guard as a suitable plat-*
6 *form to carry out their respective missions;*

7 (B) *subject to paragraphs (2) and (3), ex-*
8 *cess to the needs of the Department of Defense,*
9 *as determined by the Secretary of Defense;*

10 (C) *acceptable for use by the Forest Service,*
11 *as determined by the Secretary of Agriculture;*
12 *and*

13 (D) *acceptable for use by the United States*
14 *Coast Guard, as determined by the Secretary of*
15 *Homeland Security.*

16 (2) *LIMITATION ON NUMBER.*—*The number of*
17 *aircraft that may be transferred to either the Sec-*
18 *retary of Agriculture or the Secretary of Homeland*
19 *Security may not exceed 12 aircraft.*

20 (3) *LIMITATIONS ON DETERMINATION AS EX-*
21 *CESS.*—*Aircraft may not be determined to be excess*
22 *for the purposes of this subsection, unless such air-*
23 *craft are determined to be excess in the report ref-*
24 *erenced by subsection (b) of section 1703 of title XVII*

1 of this Act, or if such aircraft are otherwise prohib-
2 ited from being determined excess by law.

3 (c) *PRIORITY IN TRANSFER.*—The Secretary of Agri-
4 culture and the Secretary of Homeland Security shall be
5 afforded equal priority in the transfer under subsection (a)
6 of excess aircraft of the Department of Defense specified in
7 subsection (b) before any other department or agency of the
8 Federal Government.

9 (d) *CONDITIONS OF TRANSFER.*—Excess aircraft
10 transferred to the Secretary of Agriculture under subsection
11 (a)—

12 (1) may be used only for wildfire suppression
13 purposes; and

14 (2) may not be flown or otherwise removed from
15 the United States unless dispatched by the National
16 Interagency Fire Center in support of an inter-
17 national agreement to assist in wildfire suppression
18 efforts or for other purposes approved by the Sec-
19 retary of Agriculture in writing in advance.

20 (e) *EXPIRATION OF AUTHORITY.*—The authority to
21 transfer excess aircraft under subsection (a) shall expire on
22 December 31, 2013.

1 **SEC. 1095. REAUTHORIZATION OF SALE OF AIRCRAFT AND**
2 **PARTS FOR WILDFIRE SUPPRESSION PUR-**
3 **POSES.**

4 *Section 2 of the Wildfire Suppression Aircraft Trans-*
5 *fer Act of 1996 (10 U.S.C. 2576 note) is amended—*

6 *(1) in subsection (a), by striking “during the pe-*
7 *riod beginning on October 1, 1996, and ending on*
8 *September 30, 2005” and inserting “during a period*
9 *specified in subsection (g)”;*

10 *(2) by redesignating subsection (g) as subsection*
11 *(h); and*

12 *(3) by inserting after subsection (f) the following*
13 *new subsection (g):*

14 *“(g) PERIODS FOR EXERCISE OF AUTHORITY.—The*
15 *periods specified in this subsection are the following:*

16 *“(1) The period beginning on October 1, 1996,*
17 *and ending on September 30, 2005.*

18 *“(2) The period beginning on October 1, 2012,*
19 *and ending on September 30, 2017.”.*

20 **SEC. 1096. PROTECTION OF VETERANS’ MEMORIALS.**

21 *(a) TRANSPORTATION OF STOLEN MEMORIALS.—Sec-*
22 *tion 2314 of title 18, United States Code, is amended by*
23 *adding at the end the following:*

24 *“In the case of an offense under the first paragraph*
25 *of this section, if the goods, wares, or merchandise consist*
26 *of or include a veterans’ memorial, the requirement of that*

1 paragraph that the goods, wares, or merchandise have a
2 value of \$5,000 or more does not apply. In this paragraph,
3 the term ‘veterans’ memorial’ means a grave marker, head-
4 stone, monument, or other object, intended to permanently
5 honor a veteran or mark a veteran’s grave, or any monu-
6 ment that signifies an event of national military historical
7 significance.”.

8 (b) SALE OR RECEIPT OF STOLEN MEMORIALS.—Sec-
9 tion 2315 of such title is amended by adding at the end
10 the following:

11 “In the case of an offense under the first paragraph
12 of this section, if the goods, wares, or merchandise consist
13 of or include a veterans’ memorial, the requirement of that
14 paragraph that the goods, wares, or merchandise have a
15 value of \$5,000 or more does not apply. In this paragraph,
16 the term ‘veterans’ memorial’ means a grave marker, head-
17 stone, monument, or other object, intended to permanently
18 honor a veteran or mark a veteran’s grave, or any monu-
19 ment that signifies an event of national military historical
20 significance.”.

1 **SEC. 1097. TRANSPORTATION OF INDIVIDUALS TO AND**
2 **FROM FACILITIES OF DEPARTMENT OF VET-**
3 **ERANS AFFAIRS.**

4 (a) *IN GENERAL.*—Chapter 1 of title 38, United States
5 Code, is amended by inserting after section 111 the fol-
6 lowing new section:

7 **“§111A. Transportation of individuals to and from**
8 **Department facilities**

9 “(a) *TRANSPORTATION BY SECRETARY.*—The Sec-
10 retary may transport any person to or from a Department
11 facility or other place in connection with vocational reha-
12 bilitation, counseling required by the Secretary pursuant
13 to chapter 34 or 35 of this title, or for the purpose of exam-
14 ination, treatment, or care.”.

15 (b) *CONFORMING AMENDMENT.*—Subsection (h) of sec-
16 tion 111 of such title is—

17 (1) transferred to section 111A of such title, as
18 added by subsection (a);

19 (2) redesignated as subsection (b);

20 (3) inserted after subsection (a) of such section;

21 and

22 (4) amended by inserting “*TRANSPORTATION BY*
23 *THIRD-PARTIES.*—” before “*The Secretary*”.

24 (c) *CLERICAL AMENDMENT.*—The table of sections at
25 the beginning of chapter 1 of such title is amended by in-

1 *serting after the item relating to section 111 the following*
2 *new item:*

“111A. Transportation of individuals to and from Department facilities.”.

3 **SEC. 1098. NATIONAL PUBLIC AWARENESS AND PARTICIPA-**
4 **TION CAMPAIGN FOR VETERANS’ HISTORY**
5 **PROJECT OF AMERICAN FOLKLIFE CENTER.**

6 *(a) IN GENERAL.—The Director of the American*
7 *Folklife Center at the Library of Congress shall carry out*
8 *a national public awareness and participation campaign*
9 *for the program required by section 3(a) of the Veterans’*
10 *Oral History Project Act (20 U.S.C. 2142(a)). Such cam-*
11 *paign shall provide for the following:*

12 *(1) Encouraging the people of the United States,*
13 *veterans organizations, community groups, and na-*
14 *tional organizations to participate in such program.*

15 *(2) Ensuring greater awareness and participa-*
16 *tion throughout the United States in such program.*

17 *(3) Providing meaningful opportunities for*
18 *learning about the experiences of veterans.*

19 *(4) Complementing the efforts supporting the re-*
20 *adjustment and successful reintegration of veterans*
21 *into civilian life after service in the Armed Forces.*

22 *(b) COORDINATION AND COOPERATION.—To the degree*
23 *practicable, the Director shall, in carrying out the cam-*
24 *paign required by subsection (a), coordinate and cooperate*
25 *with veterans service organizations.*

1 (c) *VETERANS SERVICE ORGANIZATION DEFINED.*—In
2 *this section, the term “veterans service organization” means*
3 *any organization recognized by the Secretary of Veterans*
4 *Affairs for the representation of veterans under section 5902*
5 *of title 38, United States Code.*

6 **SEC. 1099. TECHNICAL AMENDMENTS RELATING TO THE**
7 **TERMINATION OF THE ARMED FORCES INSTI-**
8 **TUTE OF PATHOLOGY UNDER DEFENSE BASE**
9 **CLOSURE AND REALIGNMENT.**

10 *Section 177 of title 10, United States Code, is amend-*
11 *ed—*

12 (1) *in subsection (a)—*

13 (A) *in paragraph (2)—*

14 (i) *by striking “those professional soci-*
15 *eties” and all that follows through “the*
16 *Armed Forces Institute of Pathology” and*
17 *inserting “the professional societies and or-*
18 *ganizations that support the activities of the*
19 *American Registry of Pathology”; and*

20 (ii) *by striking the second sentence;*

21 *and*

22 (B) *in paragraph (3), by striking “with the*
23 *concurrence of the Director of the Armed Forces*
24 *Institute of Pathology”;*

25 (2) *in subsection (b)—*

1 (A) by striking paragraph (1);

2 (B) by redesignating paragraphs (2), (3),
3 (4), and (5) as paragraphs (1), (2), (3), and (4),
4 respectively; and

5 (C) in paragraph (2), as redesignated by
6 subparagraph (B)—

7 (i) by striking “accept gifts and grants
8 from and”; and

9 (ii) by inserting “and accept gifts and
10 grants from such entities” before the semi-
11 colon; and

12 (3) in subsection (d), by striking “to the Direc-
13 tor” and all that follows through “it deems desirable,”
14 and inserting “annually to its Board and supporting
15 organizations referred to in subsection (a)(2)”.

16 **SEC. 1099A. IMPROVED ENUMERATION OF MEMBERS OF**
17 **THE ARMED FORCES IN ANY TABULATION OF**
18 **TOTAL POPULATION BY SECRETARY OF COM-**
19 **MERCE.**

20 (a) *IN GENERAL.*—Section 141 of title 13, United
21 States Code, is amended—

22 (1) by redesignating subsection (g) as subsection
23 (h); and

24 (2) by inserting after subsection (f) the following:

1 “(g) *Effective beginning with the 2020 decennial cen-*
 2 *sus of population, in taking any tabulation of total popu-*
 3 *lation by States, the Secretary shall take appropriate meas-*
 4 *ures to ensure, to the maximum extent practicable, that all*
 5 *members of the Armed Forces deployed abroad on the date*
 6 *of taking such tabulation are—*

7 “(1) *fully and accurately counted; and*

8 “(2) *properly attributed to the State in which*
 9 *their residence at their permanent duty station or*
 10 *homeport is located on such date.”.*

11 (b) *CONSTRUCTION.—The amendments made by sub-*
 12 *section (a) shall not be construed to affect the residency sta-*
 13 *tus of any member of the Armed Forces under any provision*
 14 *of law other than title 13, United States Code.*

15 **SEC. 1099B. STATE CONSIDERATION OF MILITARY TRAIN-**
 16 **ING IN GRANTING CERTAIN STATE CERTIFI-**
 17 **CATIONS AND LICENSES AS A CONDITION ON**
 18 **THE RECEIPT OF FUNDS FOR VETERANS EM-**
 19 **PLOYMENT AND TRAINING.**

20 (a) *IN GENERAL.—Section 4102A(c) of title 38, United*
 21 *States Code, is amended by adding at the end the following:*

22 “(9)(A) *As a condition of a grant or contract under*
 23 *which funds are made available to a State in order to carry*
 24 *out section 4103A or 4104 of this title for any program*
 25 *year, the Secretary may require the State—*

1 “(i) to demonstrate that when the State approves
2 or denies a certification or license described in sub-
3 paragraph (B) for a veteran the State takes into con-
4 sideration any training received or experience gained
5 by the veteran while serving on active duty in the
6 Armed Forces; and

7 “(ii) to disclose to the Secretary in writing the
8 following:

9 “(I) Criteria applicants must satisfy to re-
10 ceive a certification or license described in sub-
11 paragraph (B) by the State.

12 “(II) A description of the standard prac-
13 tices of the State for evaluating training received
14 by veterans while serving on active duty in the
15 Armed Forces and evaluating the documented
16 work experience of such veterans during such
17 service for purposes of approving or denying a
18 certification or license described in subparagraph
19 (B).

20 “(III) Identification of areas in which
21 training and experience described in subclause
22 (II) fails to meet criteria described in subclause
23 (I).”

24 “(B) A certification or license described in this sub-
25 paragraph is any of the following:

1 “(i) A license to be a State tested nursing assist-
2 ant or a certified nursing assistant.

3 “(ii) A commercial driver’s license.

4 “(iii) An emergency medical technician license
5 EMT–B or EMT–I.

6 “(iv) An emergency medical technician–para-
7 medic license.

8 “(C) The Secretary shall share the information the
9 Secretary receives under subparagraph (A)(ii) with the Sec-
10 retary of Defense to help the Secretary of Defense improve
11 training for military occupational specialties so that indi-
12 viduals who receive such training are able to receive a cer-
13 tification or license described in subparagraph (B) from a
14 State.”.

15 (b) *EFFECTIVE DATE.*—The amendment made by sub-
16 section (a) shall apply with respect to a program year be-
17 ginning on or after the date of the enactment of this Act.

18 **SECTION 1099C. AMENDMENTS TO LAW ENFORCEMENT OF-**

19 **FICER SAFETY PROVISIONS OF TITLE 18.**

20 Chapter 44 of title 18, United States Code, is amend-
21 ed—

22 (1) in section 926B—

23 (A) in subsection (c)(1), by inserting “or
24 apprehension under section 807(b) of title 10,

1 *United States Code (article 7(b) of the Uniform*
2 *Code of Military Justice)” after “arrest”;*

3 *(B) in subsection (d), by striking “as a law*
4 *enforcement officer” and inserting “that identi-*
5 *fies the employee as a police officer or law en-*
6 *forcement officer of the agency”;* and

7 *(C) in subsection (f), by inserting “or ap-*
8 *prehension under section 807(b) of title 10,*
9 *United States Code (article 7(b) of the Uniform*
10 *Code of Military Justice)” after “arrest”; and*

11 *(2) in section 926C—*

12 *(A) in subsection (c)(2), by inserting “or*
13 *apprehension under section 807(b) of title 10,*
14 *United States Code (article 7(b) of the Uniform*
15 *Code of Military Justice)” after “arrest”; and*

16 *(B) in subsection (d)—*

17 *(i) in paragraph (1), by striking “that*
18 *indicates” and inserting “that identifies the*
19 *person as having been employed as a police*
20 *officer or law enforcement officer and indi-*
21 *cates”;* and

22 *(ii) in paragraph (2)(A), by inserting*
23 *“that identifies the person as having been*
24 *employed as a police officer or law enforce-*
25 *ment officer” after “officer”.*

1 **SEC. 1099D. MODERNIZATION OF ABSENTEE BALLOT MAIL**
2 **DELIVERY SYSTEM.**

3 *It is the sense of Congress that the Department of De-*
4 *fense should partner with the United States Postal Service*
5 *(USPS) to modernize the USPS mail delivery system to*
6 *address problems with the delivery of absentee ballots and*
7 *ensure the effective and efficient delivery of such ballots, in-*
8 *cluding through the establishment of a centralized mail for-*
9 *warding system to ensure that blank ballots are properly*
10 *redirected.*

11 **SEC. 1099E. STATE TRADE AND EXPORT PROMOTION GRANT**
12 **PROGRAM.**

13 *Section 1207(a)(5) of the Small Business Jobs Act of*
14 *2010 (15 U.S.C. 649b note) is amended by inserting after*
15 *“Guam,” the following: “the Commonwealth of the Northern*
16 *Mariana Islands,”.*

17 **TITLE XI—CIVILIAN PERSONNEL**
18 **MATTERS**

19 **SEC. 1101. AUTHORITY FOR TRANSPORTATION OF FAMILY**
20 **HOUSEHOLD PETS OF CIVILIAN PERSONNEL**
21 **DURING EVACUATION OF NON-ESSENTIAL**
22 **PERSONNEL.**

23 *Section 5725 of title 5, United States Code, is amend-*
24 *ed—*

25 *(1) in subsection (a)(2), by inserting “and fam-*
26 *ily household pets,” after “personal effects,”; and*

1 (2) *by adding at the end the following new sub-*
2 *section:*

3 “(c)(1) *Authority under subsection (a) to transport*
4 *family household pets of an employee includes authority for*
5 *shipment and the payment of quarantine costs, if any.*

6 “(2) *An employee for whom transportation of family*
7 *household pets is authorized under subsection (a) may be*
8 *paid reimbursement or a monetary allowance if other com-*
9 *mercial transportation means have been used.*

10 “(3) *The provision of transportation of family house-*
11 *hold pets for an employee of the Department of Defense*
12 *under subsection (a) and the payment of reimbursement*
13 *under paragraph (2) shall be subject to the same terms and*
14 *conditions as apply under subsection 406(b)(1)(H)(iii) of*
15 *title 37 with respect to family household pets of members*
16 *of the uniformed services, including limitations on the*
17 *types, size, and number of pets for which transportation*
18 *may be provided or reimbursement paid.”.*

19 **SEC. 1102. EXPANSION OF EXPERIMENTAL PERSONNEL**
20 **PROGRAM FOR SCIENTIFIC AND TECHNICAL**
21 **PERSONNEL AT THE DEFENSE ADVANCED RE-**
22 **SEARCH PROJECTS AGENCY.**

23 (a) *EXPANSION.*—*Section 1101(b)(1)(A) of the Strom*
24 *Thurmond National Defense Authorization Act for Fiscal*

1 Year 1999 (5 U.S.C. 3104 note) is amended by striking
2 “40” and inserting “60”.

3 (b) *CONSTRUCTION.*—The amendment made by sub-
4 section (a) shall not be construed as affecting any applicable
5 authorization or delimitation of the numbers of personnel
6 that may be employed at the Defense Advanced Research
7 Projects Agency.

8 **SEC. 1103. ONE-YEAR EXTENSION OF DISCRETIONARY AU-**
9 **THORITY TO GRANT ALLOWANCES, BENEFITS,**
10 **AND GRATUITIES TO PERSONNEL ON OFFI-**
11 **CIAL DUTY IN A COMBAT ZONE.**

12 Paragraph (2) of section 1603(a) of the Emergency
13 Supplemental Appropriations Act for Defense, the Global
14 War on Terror, and Hurricane Recovery, 2006 (Public Law
15 109–234; 120 Stat. 443), as added by section 1102 of the
16 Duncan Hunter National Defense Authorization Act for
17 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)
18 and amended by section 1112 of the National Defense Au-
19 thorization Act for Fiscal Year 2012 (Public Law 112–81;
20 125 Stat. 1616), is further amended by striking “2013” and
21 inserting “2014”.

1 **SEC. 1104. FEDERAL EMPLOYEES RETIREMENT SYSTEM AGE**
2 **AND RETIREMENT TREATMENT FOR CERTAIN**
3 **RETIREES OF THE ARMED FORCES.**

4 (a) *INCREASE IN MAXIMUM AGE LIMIT FOR POSITIONS*
5 *SUBJECT TO FERS.*—

6 (1) *LAW ENFORCEMENT OFFICERS.*—*Section*
7 *3307(e) of title 5, United States Code, is amended—*

8 (A) *in paragraph (1), by inserting “or (3)”*
9 *after “paragraph (2)”*; and

10 (B) *by adding at the end the following:*

11 “(3) *The maximum age limit for an original appoint-*
12 *ment to a position as a law enforcement officer (as defined*
13 *in section 8401(17)) shall be 47 years of age, in the case*
14 *of an individual who on the effective date of such appoint-*
15 *ment is eligible to receive retired pay or retainer pay for*
16 *military service, or pension or compensation from the De-*
17 *partment of Veterans Affairs instead of such retired or re-*
18 *tainer pay.”.*

19 (2) *OTHER POSITIONS.*—*The maximum age*
20 *limit for an original appointment to a position as a*
21 *member of the Capitol Police or Supreme Court Po-*
22 *lice, nuclear materials courier (as defined under sec-*
23 *tion 8401(33) of such title), or customs and border*
24 *protection officer (as defined in section 8401(36) of*
25 *such title) shall be 47 years of age, in the case of an*
26 *individual who on the effective date of such appoint-*

1 *ment is eligible to receive retired pay or retainer pay*
2 *for military service, or pension or compensation from*
3 *the Department of Veterans Affairs instead of such re-*
4 *tired or retainer pay.*

5 *(b) ELIGIBILITY FOR ANNUITY.—Section 8412(d) of*
6 *such title is amended—*

7 *(1) in paragraph (1), by striking “or” at the*
8 *end;*

9 *(2) in paragraph (2), by adding “or” at the end;*
10 *and*

11 *(3) by inserting after paragraph (2) the fol-*
12 *lowing:*

13 *“(3) after becoming 57 years of age and com-*
14 *pleting 10 years of service as a law enforcement offi-*
15 *cer, member of the Capitol Police or Supreme Court*
16 *Police, nuclear materials courier, customs or border*
17 *protection officer, or any combination of such service*
18 *totaling 10 years, if such employee—*

19 *“(A) is originally appointed to a position*
20 *as a law enforcement officer, member of the Cap-*
21 *itol Police or Supreme Court Police, nuclear ma-*
22 *terials courier, or customs and border protection*
23 *officer on or after the effective date of this para-*
24 *graph under section 1104(e) of the National De-*

1 *fense Authorization Act for Fiscal Year 2013,*
2 *and*

3 “(B) *on the date that original appointment*
4 *met the requirements of section 3307(e)(2) of this*
5 *title or section 1104(a)(2) of the National De-*
6 *fense Authorization Act for Fiscal Year 2013,”.*

7 (c) *MANDATORY SEPARATION.—Section 8425 of such*
8 *title is amended—*

9 (1) *in subsection (b)(1), in the first sentence, by*
10 *inserting “, except that a law enforcement officer, nu-*
11 *clear materials courier, or customs and border protec-*
12 *tion officer eligible for retirement under section*
13 *8412(d)(3) shall be separated from the service on the*
14 *last day of the month in which that employee becomes*
15 *57 years of age” before the period;*

16 (2) *in subsection (c), in the first sentence, by in-*
17 *serting “, except that a member of the Capitol Police*
18 *eligible for retirement under section 8412(d)(3) shall*
19 *be separated from the service on the last day of the*
20 *month in which that employee becomes 57 years of*
21 *age” before the period; and*

22 (3) *in subsection (d), in the first sentence, by in-*
23 *serting “, except that a member of the Supreme Court*
24 *Police eligible for retirement under section 8412(d)(3)*
25 *shall be separated from the service on the last day of*

1 *the month in which that employee becomes 57 years*
2 *of age” before the period.*

3 (d) *COMPUTATION OF BASIC ANNUITY.—Section*
4 *8415(e) of such title is amended—*

5 (1) *by redesignating paragraphs (1) and (2) as*
6 *subparagraphs (A) and (B), respectively;*

7 (2) *by striking “The annuity of an employee”*
8 *and inserting “(1) Except as provided in paragraph*
9 *(2), the annuity of an employee”; and*

10 (3) *by adding at the end the following:*

11 “(2)(A) *The annuity of an employee retiring under*
12 *subsection (d) or (e) of section 8412 or under subsection*
13 *(a), (b), or (c) of section 8425 who is an employee described*
14 *in subparagraph (B) is—*

15 “(i) *1 7/10 percent of that individual’s average*
16 *pay multiplied by so much of such individual’s civil-*
17 *ian service as a law enforcement officer, member of*
18 *the Capitol Police or Supreme Court Police, nuclear*
19 *materials courier, customs and border protection offi-*
20 *cer, or air traffic controller that, in the aggregate,*
21 *does not exceed 20 years; plus*

22 “(ii) *1 percent of that individual’s average pay*
23 *multiplied by the remainder of such individual’s total*
24 *service.*

1 “(B) *An employee described in this subparagraph is*
2 *an employee who—*

3 “(i) *is originally appointed to a position as a*
4 *law enforcement officer, member of the Capitol Police*
5 *or Supreme Court Police, nuclear materials courier,*
6 *or customs and border protection officer on or after*
7 *the effective date of this paragraph under section*
8 *1104(e) of the National Defense Authorization Act for*
9 *Fiscal Year 2013; and*

10 “(ii) *on the date that original appointment met*
11 *the requirements of section 3307(e)(2) of this title or*
12 *section 1104(a)(2) of the National Defense Authoriza-*
13 *tion Act for Fiscal Year 2013.”.*

14 “(e) *EFFECTIVE DATE.—This section (including the*
15 *amendments made by this section) shall take effect 60 days*
16 *after the date of enactment of this Act and shall apply to*
17 *appointments made on or after that effective date.*

1 **TITLE XII—MATTERS RELATING**
2 **TO FOREIGN NATIONS**
3 **Subtitle A—Assistance and**
4 **Training**

5 **SEC. 1201. EXTENSION OF AUTHORITY TO BUILD THE CA-**
6 **PACITY OF FOREIGN MILITARY FORCES AND**
7 **MODIFICATION OF NOTICE IN CONNECTION**
8 **WITH INITIATION OF ACTIVITIES.**

9 (a) *EXTENSION.*—Subsection (g) of section 1206 of the
10 *National Defense Authorization Act for Fiscal Year 2006*
11 *(Public Law 109–163; 119 Stat. 3456)*, as most recent
12 amended by section 1204(c) of the *National Defense Author-*
13 *ization Act for Fiscal Year 2012 (Public Law 112–81; 125*
14 *Stat. 1622)*, is further amended—

15 (1) by striking “September 30, 2013” and insert-

16 ing “September 30, 2014”; and

17 (2) by striking “fiscal years 2006 through 2013”
18 and inserting “fiscal years 2006 through 2014”.

19 (b) *MODIFICATION OF NOTICE.*—

20 (1) *IN GENERAL.*—Subsection (e)(2) of such sec-
21 tion 1206, as amended by section 1206(a) of the *John*
22 *Warner National Defense Authorization Act for Fiscal*
23 *Year 2007 (Public Law 109–364; 120 Stat. 2418)*, is
24 further amended by adding at the end the following
25 new subparagraph:

1 “(D) Detailed information (including the
2 amount and purpose) on the assistance provided
3 the country during the three preceding fiscal
4 years under each of the following programs or
5 accounts:

6 “(i) A program under this section.

7 “(ii) The Foreign Military Financing
8 program under the Foreign Assistance Act
9 of 1961.

10 “(iii) Peacekeeping Operations.

11 “(iv) The International Narcotics Con-
12 trol and Law Enforcement (INCLE) pro-
13 gram under section 481 of the Foreign As-
14 sistance Act of 1961 (22 U.S.C. 2291).

15 “(v) Nonproliferation, Anti-Terrorism,
16 Demining, and Related Programs
17 (NADR).”.

18 (2) *APPLICABILITY.*—The amendment made by
19 paragraph (1) shall take effect on the date of the en-
20 actment of this Act, and shall apply with respect to
21 any country in which activities are initiated under
22 section 1206 of the National Defense Authorization
23 Act for Fiscal Year 2006 on or after that date.

1 **SEC. 1202. EXTENSION OF AUTHORITY FOR NON-RECIP-**
2 **ROCAL EXCHANGE OF DEFENSE PERSONNEL**
3 **BETWEEN THE UNITED STATES AND FOREIGN**
4 **COUNTRIES.**

5 *Section 1207(f) of the National Defense Authorization*
6 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
7 *2514; 10 U.S.C. 168 note) is amended by striking “Sep-*
8 *tember 30, 2012” and inserting “September 30, 2017”.*

9 **SEC. 1203. AUTHORITY TO BUILD THE CAPACITY OF CER-**
10 **TAIN COUNTERTERRORISM FORCES IN**
11 **YEMEN AND EAST AFRICA.**

12 *(a) AUTHORITY.—The Secretary of Defense may, with*
13 *the concurrence of the Secretary of State, provide assistance*
14 *as follows:*

15 *(1) To enhance the ability of the Yemen Ministry*
16 *of Interior Counter Terrorism Forces to conduct*
17 *counterterrorism operations against al Qaeda in the*
18 *Arabian Peninsula and its affiliates.*

19 *(2) To enhance the capacity of the national mili-*
20 *tary forces, security agencies serving a similar defense*
21 *function, other counterterrorism forces, and border se-*
22 *curity forces of Djibouti, Ethiopia, and Kenya to con-*
23 *duct counterterrorism operations against al Qaeda, al*
24 *Qaeda affiliates, and al Shabaab.*

25 *(3) To enhance the capacity of national military*
26 *forces participating in the African Union Mission in*

1 *Somalia to conduct counterterrorism operations*
2 *against al Qaeda, al Qaeda affiliates, and al*
3 *Shabaab.*

4 *(b) TYPES OF ASSISTANCE.—*

5 *(1) AUTHORIZED ELEMENTS.—Assistance under*
6 *subsection (a) may include the provision of equip-*
7 *ment, supplies, training, and minor military con-*
8 *struction.*

9 *(2) REQUIRED ELEMENTS.—Assistance under*
10 *subsection (a) shall be provided in a manner that*
11 *promotes—*

12 *(A) observance of and respect for human*
13 *rights and fundamental freedoms; and*

14 *(B) respect for legitimate civilian authority*
15 *in the country receiving such assistance.*

16 *(3) ASSISTANCE OTHERWISE PROHIBITED BY*
17 *LAW.—The Secretary of Defense may not use the au-*
18 *thority in subsection (a) to provide any type of assist-*
19 *ance described in this subsection that is otherwise*
20 *prohibited by any other provision of law.*

21 *(4) LIMITATIONS ON MINOR MILITARY CONSTRUC-*
22 *TION.—The total amount that may be obligated and*
23 *expended on minor military construction under sub-*
24 *section (a) in any fiscal year may not exceed*
25 *amounts as follows:*

1 (A) *In the case of minor military construc-*
2 *tion under paragraph (1) of subsection (a),*
3 *\$10,000,000.*

4 (B) *In the case of minor military construc-*
5 *tion under paragraphs (2) and (3) of subsection*
6 *(a), \$10,000,000.*

7 (c) *FUNDING.—*

8 (1) *IN GENERAL.—Of the amount authorized to*
9 *be appropriated for a fiscal year for the Department*
10 *of Defense for operation and maintenance—*

11 (A) *not more than \$75,000,000 may be used*
12 *to provide assistance under paragraph (1) of*
13 *subsection (a); and*

14 (B) *not more than \$75,000,000 may used to*
15 *provide assistance under paragraphs (2) and (3)*
16 *of subsection (a).*

17 (2) *AVAILABILITY OF FUNDS FOR ASSISTANCE*
18 *ACROSS FISCAL YEARS.—Amounts available under*
19 *this subsection for the authority in subsection (a) for*
20 *a fiscal year may be used for assistance under that*
21 *authority that begins in such fiscal year but ends in*
22 *the next fiscal year.*

23 (d) *NOTICE TO CONGRESS.—*

24 (1) *IN GENERAL.—Not later than 30 days before*
25 *providing assistance under subsection (a), the Sec-*

1 *retary of Defense shall submit to the committees of*
2 *Congress specified in paragraph (2) a notice setting*
3 *forth the assistance to be provided, including the types*
4 *of such assistance, the budget for such assistance, and*
5 *the completion date for the provision of such assist-*
6 *ance.*

7 (2) *COMMITTEES OF CONGRESS.—The commit-*
8 *tees of Congress specified in this paragraph are—*

9 (A) *the Committee on Armed Services, the*
10 *Committee on Foreign Relations, and the Com-*
11 *mittee on Appropriations of the Senate; and*

12 (B) *the Committee on Armed Services, the*
13 *Committee on Foreign Affairs, and the Com-*
14 *mittee on Appropriations of the House of Rep-*
15 *resentatives.*

16 (e) *EXPIRATION.—Except as provided in subsection*
17 *(c)(2), the authority provided under subsection (a) may not*
18 *be exercised after the earlier of—*

19 (1) *the date on which the Global Security Con-*
20 *tingency Fund achieves full operational capability; or*

21 (2) *September 30, 2014.*

22 **SEC. 1204. LIMITATION ON AVAILABILITY OF FUNDS FOR**
23 **STATE PARTNERSHIP PROGRAM.**

24 (a) *LIMITATION.—Of the amounts authorized to be ap-*
25 *propriated by this Act and available for the State Partner-*

1 *ship Program, not more than 50 percent may be obligated*
2 *or expended for that Program until the latter of the fol-*
3 *lowing:*

4 (1) *The date on which the Secretary of Defense*
5 *submits to the appropriate congressional committees*
6 *the final regulations required by subsection (a) of sec-*
7 *tion 1210 of the National Defense Authorization Act*
8 *for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
9 *2517; 32 U.S.C. 107 note).*

10 (2) *The date on which the Secretary of Defense*
11 *certifies to the appropriate congressional committees*
12 *that appropriate modifications have been made, and*
13 *appropriate controls have been instituted, to ensure*
14 *the compliance of the Program with section 1341 of*
15 *title 31, United States Code (commonly referred to as*
16 *the “Anti-Deficiency Act”), in the future.*

17 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
18 *FINED.—In this section, the term “appropriate congres-*
19 *sional committees” has the meaning given that term in sub-*
20 *section (d) of section 1210 of the National Defense Author-*
21 *ization Act for Fiscal Year 2010.*

1 ***Subtitle B—Matters Relating to***
2 ***Iraq, Afghanistan, and Pakistan***

3 **SEC. 1211. COMMANDERS' EMERGENCY RESPONSE PRO-**
4 **GRAM IN AFGHANISTAN.**

5 (a) *ONE-YEAR EXTENSION.*—

6 (1) *IN GENERAL.*—*Section 1201 of the National*
7 *Defense Authorization Act for Fiscal Year 2012 (Pub-*
8 *lic Law 112–81; 125 Stat. 1619) is amended by strik-*
9 *ing “fiscal year 2012” each place it appears and in-*
10 *serting “fiscal year 2013”.*

11 (2) *CONFORMING AMENDMENT.*—*The heading of*
12 *subsection (a) of such section is amended by striking*
13 *“FISCAL YEAR 2012” and inserting “FISCAL YEAR*
14 *2013”.*

15 (b) *AMOUNT OF FUNDS AVAILABLE DURING FISCAL*
16 *YEAR 2013.*—*Subsection (a) of such section is further*
17 *amended by striking “\$400,000,000” and inserting*
18 *“\$200,000,000”.*

19 **SEC. 1212. EXTENSION OF AUTHORITY TO SUPPORT OPER-**
20 **ATIONS AND ACTIVITIES OF THE OFFICE OF**
21 **SECURITY COOPERATION IN IRAQ.**

22 (a) *LIMITATION ON AMOUNT OF FUNDS FOR FISCAL*
23 *YEAR 2013.*—*Subsection (c) of section 1215 of the National*
24 *Defense Authorization Act for Fiscal Year 2012 (Public*
25 *Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note) is amend-*

1 *ed by striking “in fiscal year 2012” and all that follows*
2 *and inserting “may not exceed amounts as follows:*

3 *“(1) In fiscal year 2012, \$524,000,000.*

4 *“(2) In fiscal year 2013, \$508,000,000.”.*

5 *(b) SOURCE OF FUNDS.—Subsection (d) of such section*
6 *is amended by inserting “or 2013” after “fiscal year 2012”.*

7 **SEC. 1213. ONE-YEAR EXTENSION AND MODIFICATION OF**
8 **AUTHORITY TO USE FUNDS FOR REINTEGRA-**
9 **TION ACTIVITIES IN AFGHANISTAN.**

10 *(a) SENSE OF THE SENATE.—It is the sense of the Sen-*
11 *ate that—*

12 *(1) the Senate is deeply concerned with the dra-*
13 *matic rise in conflict-induced displacement in Af-*
14 *ghanistan and the corresponding increase in humani-*
15 *tarian need, especially as winter approaches;*

16 *(2) there have been several reports of children*
17 *freezing to death in various refugee settlements in Af-*
18 *ghanistan during the winter of 2011–12;*

19 *(3) the Bureau of Population, Refugees, and Mi-*
20 *gration of the Department of State and the Special*
21 *Representative for Afghanistan and Pakistan should*
22 *jointly develop a comprehensive strategy to address*
23 *the displacement and human suffering referred to in*
24 *paragraphs (1) and (2), which shall include—*

1 (A) *an assessment of the capacity of the*
2 *Government of Afghanistan—*

3 (i) *to prevent, mitigate, and respond to*
4 *forced displacement; and*

5 (ii) *to provide durable solutions for in-*
6 *ternally displaced Afghans and Afghan refu-*
7 *gees; and*

8 (B) *a coherent plan to strengthen the capac-*
9 *ity of the Government of Afghanistan to address*
10 *the causes and consequences of displacement*
11 *within Afghanistan.*

12 (b) *EXTENSION OF AUTHORITY.—Section 1216 of the*
13 *Ike Skelton National Defense Authorization Act for Fiscal*
14 *Year 2011 (Public Law 111–383; 124 Stat. 4392), as*
15 *amended by section 1216 of the National Defense Authoriza-*
16 *tion Act for Fiscal Year 2012 (Public Law 112–81; 125*
17 *Stat. 1632), is further amended—*

18 (1) *in subsection (a)—*

19 (A) *by striking “\$50,000,000” and inserting*
20 *“\$35,000,000”; and*

21 (B) *by striking “in each of fiscal years 2011*
22 *and 2012” and inserting “for fiscal year 2013”;*
23 *and*

24 (2) *in subsection (e)—*

1 (A) by striking “utilize funds” and insert-
2 ing “obligate funds”; and

3 (B) by striking “December 31, 2012” and
4 inserting “December 31, 2013”.

5 **SEC. 1214. ONE-YEAR EXTENSION AND MODIFICATION OF**
6 **AUTHORITY FOR PROGRAM TO DEVELOP AND**
7 **CARRY OUT INFRASTRUCTURE PROJECTS IN**
8 **AFGHANISTAN.**

9 Section 1217(f) of the *Ike Skelton National Defense*
10 *Authorization Act for Fiscal Year 2011 (Public Law 111–*
11 *383; 124 Stat. 4393)*, as amended by section 1217(a) of the
12 *National Defense Authorization Act for Fiscal Year 2012*
13 *(Public Law 112–81; 125 Stat. 1632)*, is further amended—

14 (1) by striking paragraph (1) and inserting the
15 following new paragraph (1):

16 “(1) *IN GENERAL.*—Subject to paragraph (2), to
17 carry out the program authorized under subsection
18 (a), the Secretary of Defense may use amounts as fol-
19 lows:

20 “(A) Up to \$400,000,000 made available to
21 the Department of Defense for operation and
22 maintenance for fiscal year 2012.

23 “(B) Up to \$350,000,000 made available to
24 the Department of Defense for operation and
25 maintenance for fiscal year 2013.”;

1 (2) *in paragraph (2)—*

2 (A) *by striking “85 percent” and inserting*
3 *“50 percent”;*

4 (B) *by inserting “for a fiscal year after fis-*
5 *cal year 2011” after “in paragraph (1)”;* and

6 (C) *by striking “fiscal year 2012.” and in-*
7 *serting “such fiscal year, including for each*
8 *project to be initiated during such fiscal year the*
9 *following:*

10 “(A) *An estimate of the financial and other*
11 *requirements necessary to sustain such project on*
12 *an annual basis after the completion of such*
13 *project.*

14 “(B) *An assessment whether the Government*
15 *of Afghanistan is committed to and has the ca-*
16 *capacity to maintain and use such project after its*
17 *completion.*

18 “(C) *A description of any arrangements for*
19 *the sustainment of such project following its com-*
20 *pletion if the Government of Afghanistan lacks*
21 *the capacity (in either financial or human re-*
22 *sources) to maintain such project.”;* and

23 (3) *in paragraph (3), by adding at the end the*
24 *following new subparagraph:*

1 “(C) *In the case of funds for fiscal year*
2 *2013, until September 30, 2014.*”.

3 **SEC. 1215. EXTENSION OF PAKISTAN COUNTERINSURGENCY**
4 **FUND.**

5 (a) *EXTENSION.*—*Section 1224(h) of the National De-*
6 *fense Authorization Act for Fiscal Year 2010 (Public Law*
7 *111–84; 123 Stat. 2521), as most recently amended by sec-*
8 *tion 1220(a) of the National Defense Authorization Act for*
9 *Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1633), is*
10 *further amended by striking “September 30, 2012” each*
11 *place it appears and inserting “September 30, 2013”.*

12 (b) *EXTENSION OF LIMITATION ON FUNDS PENDING*
13 *REPORT.*—*Section 1220(b)(1)(A) of the National Defense*
14 *Authorization Act for Fiscal Year 2012 (125 Stat. 1633)*
15 *is amended by striking “fiscal year 2013” and inserting*
16 *“fiscal year 2013”.*

17 **SEC. 1216. EXTENSION AND MODIFICATION OF AUTHORITY**
18 **FOR REIMBURSEMENT OF CERTAIN COALI-**
19 **TION NATIONS FOR SUPPORT PROVIDED TO**
20 **UNITED STATES MILITARY OPERATIONS.**

21 (a) *EXTENSION OF AUTHORITY.*—*Subsection (a) of sec-*
22 *tion 1233 of the National Defense Authorization Act for Fis-*
23 *cal Year 2008 (Public Law 110–181; 122 Stat. 393), as*
24 *most recently amended by section 1213 of the National De-*

1 *fense Authorization Act for Fiscal Year 2012 (Public Law*
2 *112–81; 125 Stat. 1630), is further amended—*

3 *(1) by striking “for fiscal year 2012” and*

4 *(2) by inserting “, during the period ending on*
5 *September 30, 2013,” after “Secretary of Defense*
6 *may”.*

7 *(b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection*
8 *(d) of such section, as so amended, is further amended—*

9 *(1) by striking “during fiscal year 2012 may not*
10 *exceed \$1,690,000,000” and inserting “may not exceed*
11 *\$1,750,000,000 during fiscal year 2013, except that*
12 *reimbursements made during fiscal year 2013 for*
13 *support provided by Pakistan before May 1, 2011,*
14 *using funds available for that purpose before fiscal*
15 *year 2013 shall not count against this limitation”;*
16 *and*

17 *(2) by adding at the end the following new para-*
18 *graph:*

19 *“(3) PROHIBITION ON REIMBURSEMENT OF PAKI-*
20 *STAN FOR SUPPORT DURING PERIODS CLOSED TO*
21 *TRANSSHIPMENT.—Effective as of the date of the en-*
22 *actment of the National Defense Authorization Act for*
23 *Fiscal Year 2013, funds (including funds from a*
24 *prior fiscal year that remain available for obligation)*
25 *may not be used for reimbursements under the au-*

1 *thority in subsection (a) for Pakistan for claims of*
2 *support provided during any period when the ground*
3 *lines of supply through Pakistan to Afghanistan were*
4 *closed to the transshipment of equipment and supplies*
5 *in support of United States military operations in*
6 *Afghanistan.”.*

7 *(c) SUPPORTED OPERATIONS.—Such section is further*
8 *amended in subsections (a)(1) and (b) by striking “Oper-*
9 *ation Iraqi Freedom or”.*

10 *(d) LIMITATION ON REIMBURSEMENT OF PAKISTAN IN*
11 *FISCAL YEAR 2013 PENDING CERTIFICATION ON PAKI-*
12 *STAN.—*

13 *(1) IN GENERAL.—Effective as of the date of the*
14 *enactment of this Act, no amounts authorized to be*
15 *appropriated by this Act, and no amounts authorized*
16 *to be appropriated for fiscal years before fiscal year*
17 *2013 that remain available for obligation, may be*
18 *used for reimbursements of Pakistan under the au-*
19 *thority in subsection (a) of section 1233 of the Na-*
20 *tional Defense Authorization Act for Fiscal Year*
21 *2008, as so amended, until the Secretary of Defense*
22 *certifies to the congressional defense committees each*
23 *of the following:*

24 *(A) That Pakistan has opened and is main-*
25 *taining security along the ground lines of supply*

1 *through Pakistan to Afghanistan for the trans-*
2 *shipment of equipment and supplies in support*
3 *of United States military operations in Afghani-*
4 *stan.*

5 *(B) That Pakistan is not providing support*
6 *to militant extremists groups (including the*
7 *Haqqani Network and the Afghan Taliban*
8 *Quetta Shura) located in Pakistan and con-*
9 *ducting cross-border attacks against United*
10 *States, coalition, or Afghanistan security forces,*
11 *and is taking actions to prevent such groups*
12 *from basing and operating in Pakistan.*

13 *(C) That Pakistan is demonstrating a con-*
14 *tinuing commitment, and is making significant*
15 *efforts toward the implementation of a strategy,*
16 *to counter improvised explosive devices, includ-*
17 *ing efforts to attack improvised explosive device*
18 *networks, monitor known precursors used in im-*
19 *provised explosive devices, and develop and im-*
20 *plement a strict protocol for the manufacture of*
21 *explosive materials (including calcium ammo-*
22 *nium nitrate) and accessories and for their sup-*
23 *ply to legitimate end users.*

24 *(D) That Pakistan is demonstrably cooper-*
25 *ating with United States counterterrorism ef-*

1 *forts, including by not detaining, prosecuting, or*
2 *imprisoning citizens of Pakistan as a result of*
3 *their cooperation with such efforts, including Dr.*
4 *Shakil Afridi.*

5 (2) *WAIVER AUTHORITY.—The Secretary may*
6 *waive the limitation in paragraph (1) if the Sec-*
7 *retary certifies to the congressional defense committees*
8 *in writing that the waiver is in the national security*
9 *interests of the United States and includes with such*
10 *certification a justification for the waiver.*

11 **SEC. 1217. EXTENSION AND MODIFICATION OF LOGISTICAL**
12 **SUPPORT FOR COALITION FORCES SUP-**
13 **PORTING CERTAIN UNITED STATES MILITARY**
14 **OPERATIONS.**

15 (a) *EXTENSION.—Section 1234 of the National Defense*
16 *Authorization Act for Fiscal Year 2008 (Public Law 111–*
17 *181; 122 Stat. 394), as most recently amended by section*
18 *1211 of the National Defense Authorization Act for Fiscal*
19 *Year 2012 (Public Law 112–81; 125 Stat. 1629)), is further*
20 *amended by striking “fiscal year 2012” each place it ap-*
21 *pears and inserting “fiscal year 2013”.*

22 (b) *REPEAL OF AUTHORITY FOR USE OF FUNDS IN*
23 *CONNECTION WITH IRAQ.—*

1 (1) *IN GENERAL.*—*Subsection (a) of such section*
2 *1234, as so amended, is further amended by striking*
3 *“Iraq and”.*

4 (2) *CONFORMING AMENDMENT.*—*The heading of*
5 *such section 1234 is amended by striking “IRAQ*
6 *AND”.*

7 **SEC. 1218. STRATEGY FOR SUPPORTING THE ACHIEVEMENT**
8 **OF A SECURE PRESIDENTIAL ELECTION IN**
9 **AFGHANISTAN IN 2014.**

10 (a) *STRATEGY REQUIRED.*—*The Secretary of Defense*
11 *shall, in consultation with the Secretary of State, develop*
12 *a strategy to support the Government of Afghanistan in its*
13 *efforts to achieve a secure presidential election in Afghani-*
14 *stan in 2014.*

15 (b) *ELEMENTS.*—*The strategy shall include support to*
16 *the Government of Afghanistan for the following:*

17 (1) *The identification and training of an ade-*
18 *quate number of personnel within the current existing*
19 *end strength of the Afghanistan National Security*
20 *Forces (ANSF) for security of polling stations, elec-*
21 *tion materials, and protection of election workers and*
22 *officials.*

23 (2) *The recruitment and training of an adequate*
24 *number of female personnel in the Afghanistan Na-*
25 *tional Security Forces to afford equitable access to*

1 *polls for women, secure polling stations, and secure*
2 *locations for counting and storing election materials.*

3 (3) *The securing of freedom of movement and*
4 *communications for candidates before and during the*
5 *election.*

6 (c) *FUNDING RESOURCES.*—*In developing the strategy,*
7 *the Secretary shall identify, from among funds currently*
8 *available to the Department of Defense for activities in Af-*
9 *ghanistan, the funds required to execute the strategy.*

10 **SEC. 1219. INDEPENDENT ASSESSMENT OF THE AFGHAN**
11 **NATIONAL SECURITY FORCES.**

12 (a) *INDEPENDENT ASSESSMENT REQUIRED.*—*The Sec-*
13 *retary of Defense shall provide for the conduct of an inde-*
14 *pendent assessment of the strength, force structure, force*
15 *posture, and capabilities required to make the Afghan Na-*
16 *tional Security Forces (ANSF) capable of providing secu-*
17 *rity for their own country so as to prevent Afghanistan*
18 *from ever again becoming a safe haven for terrorists that*
19 *threaten Afghanistan, the region, and the world.*

20 (b) *CONDUCT OF ASSESSMENT.*—*The assessment re-*
21 *quired by subsection (a) may, at the election of the Sec-*
22 *retary, be conducted by—*

23 (1) *a Federally-funded research and development*
24 *center (FFRDC); or*

1 (2) *an independent, non-governmental institute*
2 *described in section 501(c)(3) of the Internal Revenue*
3 *Code of 1986 and exempt from tax under section*
4 *501(a) of such Code that has recognized credentials*
5 *and expertise in national security and military af-*
6 *airs appropriate for the assessment.*

7 (c) *ELEMENTS.—The assessment required by sub-*
8 *section (a) shall include, but not be limited to, the following:*

9 (1) *An assessment of the likely internal and re-*
10 *gional security environment for Afghanistan over the*
11 *next decade, including challenges and threats to the*
12 *security and sovereignty of Afghanistan from state*
13 *and non-state actors.*

14 (2) *An assessment of the strength, force structure,*
15 *force posture, and capabilities required to make the*
16 *Afghan National Security Forces capable of providing*
17 *security for their own country so as to prevent Af-*
18 *ghanistan from ever again becoming a safe haven for*
19 *terrorists that threaten Afghanistan, the region, and*
20 *the world.*

21 (3) *An assessment of any capability gaps in the*
22 *Afghan National Security Forces that are likely to*
23 *persist after 2014 and that will require continued*
24 *support from the United States and its allies.*

1 (4) *An assessment whether current proposals for*
2 *the resourcing of the Afghan National Security Forces*
3 *after 2014 are adequate to establish and maintain*
4 *long-term security for the Afghanistan people, and*
5 *implications of the under-resourcing of the Afghan*
6 *National Security Forces for United States national*
7 *security interests.*

8 (d) *REPORT.—Not later than one year after the date*
9 *of the enactment of this Act, the entity selected for the con-*
10 *duct of the assessment required by subsection (a) shall pro-*
11 *vide to the Secretary and the congressional defense commit-*
12 *tees a report containing its findings as a result of the assess-*
13 *ment. The report shall be submitted in unclassified form,*
14 *but may include a classified annex.*

15 (e) *FUNDING.—Of the amounts authorized to be appro-*
16 *priated for fiscal year 2013 by section 301 and available*
17 *for operation and maintenance for Defense-wide activities*
18 *as specified in the funding table in section 4301, up to*
19 *\$1,000,000 shall be made available for the assessment re-*
20 *quired by subsection (a).*

21 (f) *AFGHAN NATIONAL SECURITY FORCES.—For pur-*
22 *poses of this section, the Afghan National Security Forces*
23 *shall include all forces under the authority of the Afghan*
24 *Ministry of Defense and Afghan Ministry of Interior, in-*
25 *cluding the Afghan National Army, the Afghan National*

1 *Police, the Afghan Border Police, the Afghan National Civil*
2 *Order Police, and the Afghan Local Police.*

3 **SEC. 1220. REPORT ON AFGHANISTAN PEACE AND RE-**
4 **INTEGRATION PROGRAM.**

5 (a) *REPORT REQUIRED.*—*Not later than 120 days*
6 *after the date of the enactment of this Act, the Secretary*
7 *of Defense shall, in consultation with the Secretary of State,*
8 *submit to the appropriate committees of Congress a report*
9 *on the Afghanistan Peace and Reintegration Program*
10 *(APRP).*

11 (b) *ELEMENTS.*—*The report required by subsection (a)*
12 *shall include the following:*

13 (1) *A description of the goals and objectives of*
14 *the Afghanistan Peace and Reintegration Program.*

15 (2) *A description of the structure of the Program*
16 *at the national and sub-national levels in Afghani-*
17 *stan, including the number and types of vocational*
18 *training and other education programs.*

19 (3) *A description of the activities of the Program*
20 *as of the date of the report.*

21 (4) *A description and assessment of the proce-*
22 *dures for vetting individuals seeking to participate in*
23 *the Program, including an assessment of the extent to*
24 *which biometric identification systems are used and*

1 *the role of provincial peace councils in such proce-*
2 *dures.*

3 (5) *The amount of funding provided by the*
4 *United States, and by the international community,*
5 *to support the Program, and the amount of funds so*
6 *provided that have been distributed as of the date of*
7 *the report.*

8 (6) *An assessment of the individuals who have*
9 *been reintegrated into the Program, set forth in terms*
10 *as follows:*

11 (A) *By geographic distribution by province.*

12 (B) *By number of each of low-level insur-*
13 *gent fighters, mid-level commanders, and senior*
14 *commanders.*

15 (C) *By number confirmed to have been part*
16 *of the insurgency.*

17 (D) *By number who are currently members*
18 *of the Afghan Local Police.*

19 (E) *By number who are participating in or*
20 *have completed vocational training or other edu-*
21 *cational programs as part of the Program.*

22 (7) *A description and assessment of the proce-*
23 *dures for monitoring the individuals participating in*
24 *the Program.*

1 (8) *A description and assessment of the role of*
2 *women and minority populations in the implementa-*
3 *tion of the Program.*

4 (9) *An assessment of the effectiveness of the ac-*
5 *tivities of the Program described under paragraph (3)*
6 *in achieving the goals and objectives of the Program.*

7 (10) *Such recommendations as the Secretary of*
8 *Defense considers appropriate for improving the im-*
9 *plementation, oversight, and effectiveness of the Pro-*
10 *gram.*

11 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
12 *FINED.*—*In this section, the term “appropriate committees*
13 *of Congress” means—*

14 (1) *the Committee on Armed Services, the Com-*
15 *mittee on Foreign Relations, and the Committee on*
16 *Appropriations of the Senate; and*

17 (2) *the Committee on Armed Services, the Com-*
18 *mittee on Foreign Affairs, and the Committee on Ap-*
19 *propriations of the House of Representatives.*

20 **SEC. 1221. COMPLETION OF ACCELERATED TRANSITION OF**
21 **UNITED STATES COMBAT AND MILITARY AND**
22 **SECURITY OPERATIONS TO THE GOVERN-**
23 **MENT OF AFGHANISTAN.**

24 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
25 *that the President should, in coordination with the Govern-*

1 *ment of Afghanistan, North Atlantic Treaty Organization*
2 *(NATO) member countries, and other allies in Afghanistan,*
3 *seek to—*

4 *(1) undertake all appropriate activities to ac-*
5 *complish the President's stated goal of transitioning*
6 *the lead responsibility for security to the Government*
7 *of Afghanistan by mid-summer 2013;*

8 *(2) as part of accomplishing this transition of*
9 *the lead responsibility for security to the Government*
10 *of Afghanistan, draw down United States troops to a*
11 *level sufficient to meet this goal;*

12 *(3) as previously announced by the President,*
13 *continue to draw down United States troop levels at*
14 *a steady pace through the end of 2014; and*

15 *(4) end all regular combat operations by United*
16 *States troops by not later than December 31, 2014,*
17 *and take all possible steps to end such operations at*
18 *the earliest date consistent with a safe and orderly*
19 *draw down of United States troops in Afghanistan.*

20 *(b) RULE OF CONSTRUCTION.—Nothing in this section*
21 *shall be construed to recommend or support any limitation*
22 *or prohibition on any authority of the President—*

23 *(1) to modify the military strategy, tactics, and*
24 *operations of United States Armed Forces as such*
25 *Armed Forces redeploy from Afghanistan;*

1 (2) to authorize United States forces in Afghani-
2 stan to defend themselves whenever they may be
3 threatened;

4 (3) to attack Al Qaeda forces wherever such
5 forces are located;

6 (4) to provide financial support and equipment
7 to the Government of Afghanistan for the training
8 and supply of Afghanistan military and security
9 forces; or

10 (5) to gather, provide, and share intelligence
11 with United States allies operating in Afghanistan
12 and Pakistan.

13 **SEC. 1222. SENSE OF CONGRESS COMMENDING THE ENDUR-**
14 **ING STRATEGIC PARTNERSHIP AGREEMENT**
15 **BETWEEN THE UNITED STATES AND AFGHAN-**
16 **ISTAN.**

17 (a) *FINDINGS.*—Congress makes the following findings:

18 (1) *The United States and Afghanistan have*
19 *been allies in the conflict against al Qaeda and its af-*
20 *filiates for over a decade, with the shared goal of en-*
21 *sureing that Afghanistan is never again a sanctuary*
22 *for al Qaeda.*

23 (2) *The United States and Afghanistan are com-*
24 *mitted to the framework agreed to at the North Atlan-*
25 *tic Treaty Organization (NATO) Summit in Lisbon*

1 *in 2010, and reaffirmed at the NATO Summit in*
2 *Chicago in 2012, for the transition from coalition*
3 *forces to the Afghan National Security Forces of lead*
4 *responsibility for security throughout Afghanistan by*
5 *the end of 2014.*

6 (3) *In June 2011, President Barack Obama said,*
7 *“What we can do, and will do, is build a partnership*
8 *with the Afghan people that endures—one that en-*
9 *sures that we will be able to continue targeting terror-*
10 *ists and supporting a sovereign Afghan government.”*

11 (4) *In November 2011, a traditional loya jirga*
12 *in Kabul declared that “strategic cooperation with the*
13 *United States of America, which is a strategic ally of*
14 *the people and government of Afghanistan, is consid-*
15 *ered important in order to ensure political, economic,*
16 *and military security” and also stated, “Signing a*
17 *strategic cooperation document with the United States*
18 *conforms with the national interest of Afghanistan*
19 *and is of significant importance.”*

20 (5) *On May 2, 2012, President Obama and*
21 *President Hamid Karzai signed the Enduring Stra-*
22 *tegic Partnership Agreement Between the United*
23 *States of America and the Islamic Republic of Af-*
24 *ghanistan.*

1 (6) *At the signing of the Enduring Strategic*
2 *Partnership Agreement, President Obama said,*
3 *“Today we’re agreeing to be long-term partners in*
4 *combating terrorism, and training Afghan security*
5 *forces, strengthening democratic institutions and sup-*
6 *porting development, and protecting human rights of*
7 *all Afghans. With this agreement, the Afghan people,*
8 *and the world, should know that Afghanistan has a*
9 *friend and a partner in the United States.”*

10 (7) *At a May 20, 2012, bilateral meeting with*
11 *President Karzai at the NATO Summit in Chicago,*
12 *President Obama said that the Enduring Strategic*
13 *Partnership Agreement “reflects a future in which*
14 *two sovereign nations—the United States and Af-*
15 *ghanistan—are operating as partners, to the benefit*
16 *of our countries’ citizens, but also for the benefit of*
17 *peace and security and stability in the region and*
18 *around the world”.*

19 (8) *President Karzai said at the May 20, 2012,*
20 *bilateral meeting with President Obama, “Mr. Presi-*
21 *dent, the partnership that we signed a few weeks ago*
22 *in Kabul has turned a new page in our relations.*
23 *And the new page is a page of two sovereign countries*
24 *working together for the mutual interests—peace and*
25 *security and in all other areas.”*

1 (9) *On May 26, 2012, the Wolesi Jirga, the lower*
2 *house of the Afghan parliament, approved the Agree-*
3 *ment by a vote of 191–7 with 2 abstentions.*

4 (10) *On June 3, 2012, the Meshrano Jirga, the*
5 *upper house of the Afghan parliament, approved the*
6 *Agreement by a vote of 67–13.*

7 (11) *On July 8, 2012, at the Tokyo Conference*
8 *on Afghanistan, the international community and the*
9 *Government of Afghanistan reaffirmed their partner-*
10 *ship in the economic growth and development of Af-*
11 *ghanistan through a process of mutual commitments*
12 *and accountability.*

13 (12) *On July 4, 2012, the Enduring Strategic*
14 *Partnership Agreement entered into force.*

15 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
16 *that—*

17 (1) *the members of the United States Armed*
18 *Forces, intelligence community, and diplomatic and*
19 *development community of the United States are to be*
20 *commended for their dedicated efforts and sacrifices*
21 *in support of military and stability operations in Af-*
22 *ghanistan that have helped strengthen security in Af-*
23 *ghanistan, laid the foundation for transition to a*
24 *long-term partnership between the United States and*
25 *a sovereign Afghanistan, and supported the Govern-*

1 *ment and people of Afghanistan as they continue to*
2 *build their capacity to effectively and justly govern;*

3 *(2) the United States negotiating team for the*
4 *Enduring Strategic Partnership Agreement, including*
5 *the United States Embassy personnel in Kabul under*
6 *the leadership of Ambassador Ryan Crocker, is to be*
7 *commended for its committed diplomatic efforts;*

8 *(3) the Governments of the United States and Af-*
9 *ghanistan are to be commended for concluding the*
10 *Enduring Strategic Partnership Agreement;*

11 *(4) Congress supports the objectives and prin-*
12 *ciples of the Enduring Strategic Partnership Agree-*
13 *ment, including protecting and promoting shared*
14 *democratic values, advancing long-term security, re-*
15 *inforcing regional security and cooperation, fostering*
16 *social and economic development, upholding the rights*
17 *of women and minorities, and strengthening institu-*
18 *tions and governance in Afghanistan;*

19 *(5) it is essential that the Government and peo-*
20 *ple of Afghanistan fulfill Afghanistan's international*
21 *commitments as agreed at the Tokyo Conference of*
22 *July 2012, the Bonn Conference of December 2011,*
23 *the Kabul Conference of July 2011, and other venues*
24 *to combat corruption, protect the equal rights of all*
25 *citizens of Afghanistan and enforce the rule of law,*

1 *hold free and fair elections in 2014, and build inclu-*
2 *sive and effective institutions of democratic govern-*
3 *ance;*

4 *(6) a key national security interest of the United*
5 *States is to maintain a long-term political, economic,*
6 *and military relationship with Afghanistan, includ-*
7 *ing a limited presence of United States Armed Forces*
8 *for the purpose of training, advising, and supporting*
9 *Afghan National Security Forces and cooperating on*
10 *shared counterterrorism objectives;*

11 *(7) the negotiation and conclusion of a Bilateral*
12 *Security Agreement, as called for in the Enduring*
13 *Strategic Partnership Agreement, will provide a fun-*
14 *damental framework for the long-term security rela-*
15 *tionship between the United States and Afghanistan;*
16 *and*

17 *(8) Congress has a critical role in continuing to*
18 *provide the support and assistance necessary to*
19 *achieve the goals of the Enduring Strategic Partner-*
20 *ship Agreement.*

21 **SEC. 1223. CONGRESSIONAL REVIEW OF BILATERAL SECU-**
22 **RITY AGREEMENT WITH AFGHANISTAN.**

23 *(a) FINDINGS.—Congress makes the following findings:*

24 *(1) The Authorization for the Use of Military*
25 *Force (Public Law 107–40; 115 Stat. 224) authorizes*

1 *the President to use all necessary and appropriate*
2 *force against those nations, organizations, or persons*
3 *the President determines planned, authorized, com-*
4 *mitted, or aided the terrorist attacks that occurred on*
5 *September 11, 2001, or harbored such organizations*
6 *or persons, in order to prevent any future acts of*
7 *international terrorism against the United States by*
8 *such nations, organizations, or persons.*

9 *(2) President Barack Obama and Secretary of*
10 *Defense Leon Panetta have stated that the United*
11 *States continues to fight in Afghanistan to defeat the*
12 *al Qaeda threat and the Taliban, which harbored al*
13 *Qaeda in Afghanistan, where the attacks of September*
14 *11, 2001, were planned and where the attackers re-*
15 *ceived training.*

16 *(3) On May 1, 2012, the United States entered*
17 *into the “Enduring Strategic Partnership Agreement*
18 *Between the United States of America and the Is-*
19 *lamic Republic of Afghanistan”, which establishes an*
20 *enduring strategic partnership between the United*
21 *States and the Islamic Republic of Afghanistan.*

22 *(4) The Agreement reaffirms the presence and*
23 *operations of United States Armed Forces in Afghani-*
24 *stan, and establishes long-term commitments between*
25 *the two countries, including the continued commit-*

1 *ment of United States forces and political and finan-*
2 *cial support to the Government of Afghanistan.*

3 (5) *The Agreement also commits the United*
4 *States to establishing a long-term Bilateral Security*
5 *Agreement, with the goal of concluding a Bilateral*
6 *Security Agreement within one year to supersede the*
7 *present Status of Forces agreements with the Islamic*
8 *Republic of Afghanistan.*

9 (6) *Congress was not consulted regarding the*
10 *framework or substance of the Agreement.*

11 (7) *In the past, Congress has been consulted,*
12 *and, in some cases, has provided its advice and con-*
13 *sent to ratification of such agreements, including*
14 *those where the use of force was not authorized nor re-*
15 *quired in the country.*

16 (b) *NOTIFICATION REQUIREMENT.—Not later than 30*
17 *days before entering into any Bilateral Security Agreement*
18 *or other agreement with the Islamic Republic of Afghani-*
19 *stan that will affect the Status of Forces agreements and*
20 *long-term commitments between the United States and the*
21 *Islamic Republic of Afghanistan, the President shall submit*
22 *the agreement to the appropriate congressional committees*
23 *for review. If the President fails to comply with such re-*
24 *quirement, 50 percent of the unobligated balance of the*

1 amounts appropriated or otherwise made available for the
2 Executive Office of the President shall be withheld.

3 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
4 *FINED.*—*In this section, the term “appropriate congres-*
5 *sional committees” means—*

6 (1) *the Committee on Armed Services and the*
7 *Committee on Foreign Relations of the Senate; and*

8 (2) *the Committee on Armed Services and the*
9 *Committee on Foreign Affairs of the House of Rep-*
10 *resentatives.*

11 **SEC. 1224. AUTHORITY TO TRANSFER DEFENSE ARTICLES**
12 **AND PROVIDE DEFENSE SERVICES TO THE**
13 **MILITARY AND SECURITY FORCES OF AF-**
14 **GHANISTAN AND CERTAIN OTHER COUN-**
15 **TRIES.**

16 (a) *NONEXCESS ARTICLES AND RELATED SERVICES.*—
17 *The Secretary of Defense may, with the concurrence of the*
18 *Secretary of State, transfer nonexcess defense articles from*
19 *the stocks of the Department of Defense, without reimburse-*
20 *ment from the government of the recipient country, and*
21 *provide defense services in connection with the transfer of*
22 *such defense articles, as follows:*

23 (1) *To the military and security forces of Af-*
24 *ghanistan to support the efforts of those forces to re-*

1 *store and maintain peace and security in that coun-*
2 *try.*

3 *(2) To the military and security forces of Yemen*
4 *to support the efforts of those forces to conduct*
5 *counterterrorism operations and counter al Qaeda in*
6 *the Arabian Peninsula.*

7 *(3) To the military and security forces of Soma-*
8 *lia and other countries in the East Africa region to*
9 *support the efforts of those forces to conduct counter-*
10 *terrorism and postconflict stability operations in So-*
11 *malia.*

12 *(b) LIMITATIONS.—*

13 *(1) VALUE.—The aggregate replacement value of*
14 *all defense articles transferred and defense services*
15 *provided in connection with such defense articles*
16 *under subsection (a) in any fiscal year may not ex-*
17 *ceed \$250,000,000.*

18 *(2) SOURCE OF TRANSFERRED ARTICLES.—The*
19 *authority under subsection (a) may only be used for*
20 *defense articles that—*

21 *(A) were present in Afghanistan as of the*
22 *date of the enactment of this Act;*

23 *(B) immediately before transfer were in use*
24 *to support operations in Afghanistan; and*

1 (C) are no longer required by United States
2 forces in Afghanistan.

3 (c) *APPLICABLE LAW.*—Any defense articles trans-
4 ferred or defense services provided under the authority of
5 subsection (a) shall be subject to the authorities and limita-
6 tions applicable to excess defense articles under section 516
7 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j),
8 other than the authorities and limitations in subsections
9 (b)(1)(B), (e), (f), and (g) of such section.

10 (d) *REPORT REQUIRED BEFORE EXERCISE OF AU-*
11 *THORITY.*—

12 (1) *IN GENERAL.*—The Secretary of Defense may
13 not exercise the authority under subsection (a) until
14 15 days after the Secretary submits to the appro-
15 priate committees of Congress a report on the equip-
16 ment and other property of the Department of Defense
17 in Afghanistan.

18 (2) *ELEMENTS.*—The report required under
19 paragraph (1) shall include the following:

20 (A) A description of the process for
21 inventorying equipment and property, including
22 defense articles, in Afghanistan owned by the De-
23 partment of Defense, including equipment and
24 property owned by the Department and under
25 the control of contractors in Afghanistan.

1 (B) *An estimate of the types and quantities*
2 *of equipment and property of the Department of*
3 *Defense, including defense articles, anticipated to*
4 *be withdrawn from Afghanistan in connection*
5 *with the drawdown of United States military*
6 *forces from Afghanistan between the date of the*
7 *enactment of this Act and December 31, 2014,*
8 *including equipment and property owned by the*
9 *Department and under the control of contractors*
10 *in Afghanistan.*

11 (e) *NOTICE ON EXERCISE OF AUTHORITY.—*

12 (1) *IN GENERAL.—The Secretary of Defense may*
13 *not transfer defense articles or provide defense services*
14 *under subsection (a) until 15 days after the date on*
15 *which the Secretary of Defense, with the concurrence*
16 *of the Secretary of State, submits to the appropriate*
17 *committees of Congress notice of the proposed transfer*
18 *of defense articles and provision of defense services.*

19 (2) *ELEMENTS.—A notice under paragraph (1)*
20 *shall include the following:*

21 (A) *A description of the amount and types*
22 *of defense articles to be transferred and defense*
23 *services to be provided.*

1 (B) *A statement describing the current*
2 *value of the defense articles to be transferred and*
3 *the estimated replacement value of such articles.*

4 (C) *An identification of the element of the*
5 *military or security force that is the proposed re-*
6 *cipient of the defense articles to be transferred*
7 *and defense service to be provided.*

8 (D) *An identification of the military de-*
9 *partment from which the defense articles to be*
10 *transferred are to be drawn.*

11 (E) *An assessment of the impact, if any, of*
12 *the transfer of defense articles on the readiness of*
13 *units from which the defense articles are to be*
14 *transferred, and the plan, if any, for mitigating*
15 *such impact or reimbursing the military depart-*
16 *ment of such units for such defense articles.*

17 (F) *An assessment of the ability of the re-*
18 *cipient government to sustain the costs associated*
19 *with receiving, possessing, and using the defense*
20 *articles to be transferred.*

21 (G) *A determination and certification by*
22 *the Secretary of Defense that—*

23 (i) *the proposed transfer of the defense*
24 *articles to be transferred and the provision*
25 *of defense services to be provided in connec-*

1 *tion with such transfer is in the national*
2 *interest of the United States;*

3 *(ii) for the transfer of defense articles*
4 *under the authority in subsection (a)(1),*
5 *such defense articles are required by the*
6 *military and security forces of Afghanistan*
7 *to build their capacity to restore and main-*
8 *tain peace and security in that country;*

9 *(iii) for the transfer of defense articles*
10 *and provision of defense services under the*
11 *authority in subsection (a)(2), the transfer*
12 *of such defense articles and provision of*
13 *such defense services will contribute signifi-*
14 *cantly to building key capacities of the*
15 *military and security forces of Yemen re-*
16 *quired to conduct counterterrorism oper-*
17 *ations and counter al Qaeda in the Arabian*
18 *Peninsula; and*

19 *(iv) for the transfer of defense articles*
20 *and provision of defense services under the*
21 *authority in subsection (a)(3), the transfer*
22 *of such defense articles and provision of*
23 *such defense services will contribute signifi-*
24 *cantly to building key capabilities of the*
25 *military and security forces of the recipient*

1 *country to conduct counterterrorism and*
2 *postconflict stability operations in Somalia.*

3 (f) *QUARTERLY REPORTS.—*

4 (1) *IN GENERAL.—Not later than 90 days after*
5 *the date of the first transfer of defense articles and*
6 *provision of defense services under the authority in*
7 *subsection (a), and at the end of each calendar quar-*
8 *ter, if any, thereafter through March 31, 2015, in*
9 *which the authority in subsection (a) is exercised, the*
10 *Secretary of Defense shall submit to the appropriate*
11 *committees of Congress a report on the implementa-*
12 *tion of the authority in subsection (a). Each report*
13 *shall include the replacement value of the defense arti-*
14 *cles transferred pursuant to subsection (a), both in the*
15 *aggregate and by military department, and defense*
16 *services provided to recipient countries, during the*
17 *90-day period ending on the date of such report.*

18 (2) *INCLUSION IN OTHER REPORT.—A report re-*
19 *quired under paragraph (1) may be included in the*
20 *report required under section 9204 of the Supple-*
21 *mental Appropriations Act, 2008 (Public Law 110–*
22 *252; 122 Stat. 2410) or any follow on report to such*
23 *other report.*

24 (g) *DEFINITIONS.—In this section:*

1 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—
2 The term “appropriate committees of Congress”
3 means—

4 (A) *the Committee on Armed Services, the*
5 *Committee on Foreign Relations, and the Com-*
6 *mittee on Appropriations of the Senate; and*

7 (B) *the Committee on Armed Services, the*
8 *Committee on Foreign Affairs, and the Com-*
9 *mittee on Appropriations of the House of Rep-*
10 *resentatives.*

11 (2) *DEFENSE ARTICLES.*—*The term “defense ar-*
12 *ticles” has the meaning given the term in section*
13 *644(d) of the Foreign Assistance Act of 1961 (22*
14 *U.S.C. 2403(d)).*

15 (3) *DEFENSE SERVICES.*—*The term “defense*
16 *services” has the meaning given the term in section*
17 *644(f) of the Foreign Assistance Act of 1961 (22*
18 *U.S.C. 2403(f)).*

19 (4) *MILITARY AND SECURITY FORCES.*—*The term*
20 *“military and security forces” means national ar-*
21 *mies, national air forces, national navies, national*
22 *guard forces, police forces, and border security forces,*
23 *but does not include nongovernmental or irregular*
24 *forces (such as private militias).*

1 (5) *EAST AFRICA REGION.*—*The term “East Africa*
2 *region” means Burundi, Djibouti, Ethiopia,*
3 *Kenya, Somalia, and Uganda.*

4 (h) *EXPIRATION.*—*The authority provided in sub-*
5 *section (a) may not be exercised after December 31, 2014.*

6 (i) *EXCESS DEFENSE ARTICLES.*—

7 (1) *ADDITIONAL AUTHORITY.*—*The authority*
8 *provided by subsection (a) is in addition to the au-*
9 *thority provided by section 516 of the Foreign Assist-*
10 *ance Act of 1961.*

11 (2) *EXEMPTIONS.*—(A) *During fiscal years 2013*
12 *and 2014, the value of excess defense articles trans-*
13 *ferred from the stocks of the Department of Defense in*
14 *Afghanistan to Afghanistan, Yemen, Somalia, or*
15 *other countries in the East Africa region pursuant to*
16 *section 516 of the Foreign Assistance Act of 1961*
17 *shall not be counted against the limitation on the ag-*
18 *gregate value of excess defense articles transferred con-*
19 *tained in subsection (g) of such section.*

20 (B) *During fiscal years 2013 and 2014, any ex-*
21 *cess defense articles specified in subparagraph (A)*
22 *shall not be subject to the authorities and limitations*
23 *applicable to excess defense articles under section 516*
24 *of the Foreign Assistance Act of 1961 contained in*
25 *subsections (b)(1)(B) and (e) of such section.*

1 (3) *CONSTRUCTION EQUIPMENT.*—*Notwith-*
 2 *standing section 644(g) of the Foreign Assistance Act*
 3 *of 1961 (22 U.S.C. 2403(g)) and section 2562 of title*
 4 *10, United States Code, construction equipment from*
 5 *the stocks of the Department of Defense in Afghani-*
 6 *stan may be transferred as excess defense articles*
 7 *under section 516 of the Foreign Assistance Act of*
 8 *1961 and subject to the provisions of this subsection.*

9 ***Subtitle C—Reports***

10 ***SEC. 1231. REVIEW AND REPORTS ON DEPARTMENT OF DE-***
 11 ***FENSE EFFORTS TO BUILD THE CAPACITY OF***
 12 ***AND PARTNER WITH FOREIGN SECURITY***
 13 ***FORCES.***

14 (a) *REVIEW.*—

15 (1) *IN GENERAL.*—*Not later than 180 days after*
 16 *the date of the enactment of this Act, the Defense Pol-*
 17 *icy Board shall conduct a review of the efforts of the*
 18 *Department of Defense to build the capacity of, or*
 19 *partner with, foreign security forces in support of na-*
 20 *tional defense and security strategies.*

21 (2) *ELEMENTS.*—*The review required by this*
 22 *subsection shall include the following:*

23 (A) *An examination of the ways in which*
 24 *the efforts of the Department to build the capac-*
 25 *ity of, or partner with, foreign security forces di-*

1 *rectly support implementation of current na-*
2 *tional defense and security strategies.*

3 *(B) An assessment of the range of effects*
4 *that efforts of the Department to build the capac-*
5 *ity of, or partner with, foreign security forces are*
6 *designed to achieve in support of current na-*
7 *tional defense and security strategies.*

8 *(C) An assessment of the criteria used for*
9 *prioritizing such efforts in support of national*
10 *defense and security strategies.*

11 *(D) An identification of the authorities the*
12 *Department currently uses to implement such ef-*
13 *forts, together with an assessment of the ade-*
14 *quacy of such authorities.*

15 *(E) An assessment of the capabilities re-*
16 *quired by the Department to implement such ef-*
17 *forts.*

18 *(F) An assessment of the most effective dis-*
19 *tribution of the roles and responsibilities for such*
20 *efforts within the Department, together with an*
21 *assessment whether the Department military and*
22 *civilian workforce is appropriately sized and*
23 *shaped to meet the requirements of such efforts.*

24 *(G) An evaluation of current measures of*
25 *the Department for assessing activities of the De-*

1 *partment designed to build the capacity of, or*
2 *partner with, foreign security forces, including*
3 *an assessment whether such measures address the*
4 *extent to which such activities directly support*
5 *the priorities of national defense and security*
6 *strategies.*

7 *(H) An identification of recommendations*
8 *for clarifying or improving the guidance and as-*
9 *essment measures of the Department relating to*
10 *its efforts to build the capacity of, or partner*
11 *with, foreign security forces in support of na-*
12 *tional defense and security strategies.*

13 *(3) REPORT.—Not later than 90 days after the*
14 *completion of the review required by this subsection,*
15 *the Secretary of Defense shall submit to the congres-*
16 *sional defense committees a report containing the re-*
17 *sult of the review.*

18 *(b) STRATEGIC GUIDANCE ON DEPARTMENT OF DE-*
19 *FENSE EFFORTS TO BUILD PARTNER CAPACITY AND*
20 *OTHER PARTNERSHIP INITIATIVES.—Not later than 120*
21 *days after the completion of the review required by sub-*
22 *section (a), the Secretary of Defense shall, in coordination*
23 *with the Chairman of the Joint Chiefs of Staff, submit to*
24 *the congressional defense committees a report setting forth*
25 *the following:*

1 (1) *An assessment, taking into account the rec-*
2 *ommendations of the Defense Policy Board in the re-*
3 *view required by subsection (a), of the efforts of the*
4 *Department of Defense to build the capacity of, and*
5 *partner with, foreign military forces in support of*
6 *national defense and security strategies.*

7 (2) *Strategic guidance for the Department for its*
8 *efforts to build the capacity of, and partner with, for-*
9 *foreign military forces in support of national defense*
10 *and security strategies, which guidance shall ad-*
11 *dress—*

12 (A) *the ways such efforts directly support*
13 *the goals and objectives of national defense and*
14 *security strategies;*

15 (B) *the criteria to be used for prioritizing*
16 *activities to implement such efforts in support of*
17 *national defense and security strategies;*

18 (C) *the measures to be used to assess the ef-*
19 *fects achieved by such efforts and the extent to*
20 *which such effects support the objectives of na-*
21 *tional defense and security strategies;*

22 (D) *the appropriate roles and responsibil-*
23 *ities of the Armed Forces, the Defense Agencies,*
24 *and other components of the Department in con-*
25 *ducting such efforts; and*

1 (E) the relationship of Department work-
2 force planning with the requirements for such ef-
3 forts.

4 **SEC. 1232. ADDITIONAL ELEMENTS IN ANNUAL REPORT ON**
5 **MILITARY AND SECURITY DEVELOPMENTS IN-**
6 **VOLVING THE PEOPLE'S REPUBLIC OF CHINA.**

7 Section 1202 of the National Defense Authorization
8 Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended—

9 (1) in subsection (b)—

10 (A) by amending paragraph (9) to read as
11 follows:

12 “(9) Developments in China’s asymmetric capa-
13 bilities, including efforts to develop and deploy
14 cyberwarfare and electronic warfare capabilities, and
15 associated activities originating or suspected of origi-
16 nating from China. This discussion of these develop-
17 ments shall include—

18 “(A) the nature of China’s cyber activities
19 directed against the Department of Defense and
20 an assessment of the damage inflicted on the De-
21 partment of Defense by reason thereof, and the
22 potential harms;

23 “(B) a description of China’s strategy for
24 use and potential targets of offensive
25 cyberwarfare and electronic warfare capabilities;

1 “(C) details on the number of malicious
2 cyber incidents emanating from Internet Pro-
3 tocol addresses in China, including a comparison
4 of the number of incidents during the reporting
5 period to previous years; and

6 “(D) details regarding the specific People’s
7 Liberation Army; state security; research and
8 academic; state-owned, associated, or other com-
9 mercial enterprises; and other relevant actors in-
10 volved in supporting or conducting cyberwarfare
11 and electronic warfare activities and capabili-
12 ties.”;

13 (B) by redesignating paragraphs (10), (11),
14 and (12) as paragraphs (15), (16), and (17) re-
15 spectively;

16 (C) by inserting after paragraph (9) the fol-
17 lowing new paragraphs:

18 “(10) The strategy and capabilities of Chinese
19 space programs, including trends, global and regional
20 activities, the involvement of military and civilian
21 organizations, including state-owned enterprises, aca-
22 demic institutions, and commercial entities, and ef-
23 forts to develop, acquire, or gain access to advanced
24 technologies that would enhance Chinese military ca-
25 pabilities.

1 “(11) *Developments in China’s nuclear capabilities,*
2 *which shall include the following:*

3 “(A) *The size and state of China’s nuclear*
4 *stockpile.*

5 “(B) *A description of China’s nuclear strategy and associated doctrines.*

6 “(C) *A description of the quantity, range, payload features, and location of China’s nuclear*
7 *missiles and the quantity and operational status*
8 *of their associated launchers or platforms.*

9 “(D) *An analysis of China’s efforts to use*
10 *electromagnetic pulse.*

11 “(E) *Projections of possible future Chinese*
12 *nuclear arsenals, their capabilities, and associated*
13 *doctrines.*

14 “(F) *A description of China’s fissile material stockpile and civil and military production*
15 *capabilities and capacities.*

16 “(G) *A discussion of any significant uncertainties or knowledge gaps surrounding China’s*
17 *nuclear weapons program and the potential implications of any such knowledge gaps for the*
18 *security of the United States and its allies.*

19 “(12) *A description of China’s anti-access and*
20 *area denial capabilities.*
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1 “(13) *A description of China’s command, con-*
2 *trol, communications, computers, intelligence, surveil-*
3 *lance, and reconnaissance modernization program*
4 *and its applications for China’s precision guided*
5 *weapons.*

6 “(14) *A description of China’s maritime activi-*
7 *ties, including—*

8 “(A) *China’s response to Freedom of Navi-*
9 *gation activities conducted by the Department of*
10 *Defense;*

11 “(B) *an account of each time People’s Lib-*
12 *eration Army Navy vessels have transited outside*
13 *the First Island Chain, including the type of ves-*
14 *sels that were involved; and*

15 “(C) *the role of China’s maritime law en-*
16 *forcement vessels in maritime incidents, includ-*
17 *ing details regarding any collaboration between*
18 *China’s law enforcement vessels and the People’s*
19 *Liberation Army Navy.”; and*

20 “(D) *by adding after paragraph (17), as re-*
21 *designated by subparagraph (B), the following*
22 *new paragraphs:*

23 “(18) *A description of Chinese military-to-mili-*
24 *tary relationships with other countries, including the*
25 *size and activity of military attache offices around*

1 *the world and military education programs conducted*
2 *in China for other countries or in other countries for*
3 *the Chinese.*

4 “(19) *A description of any significant sale or*
5 *transfer of military hardware, expertise, and tech-*
6 *nology to or from the People’s Republic of China, in-*
7 *cluding a forecast of possible future sales and trans-*
8 *fers, and a description of the implications of those*
9 *sales and transfers for the security of the United*
10 *States and its friends and allies in Asia. The infor-*
11 *mation under this paragraph shall include—*

12 “(A) *the extent of the People’s Republic of*
13 *China’s knowledge, cooperation, or condoning of*
14 *sales or transfers of military hardware, expertise,*
15 *or technology to receiving states;*

16 “(B) *the extent in each selling state of gov-*
17 *ernment knowledge, cooperation, or condoning of*
18 *sales or transfers of military hardware, expertise,*
19 *or technology to the People’s Republic of China;*

20 “(C) *an itemization of significant sales and*
21 *transfers of military hardware, expertise, or tech-*
22 *nology that have taken place during the report-*
23 *ing period;*

24 “(D) *significant assistance by any selling*
25 *state to key research and development programs*

1 *in China, including programs for development of*
2 *weapons of mass destruction and delivery vehi-*
3 *cles for such weapons, programs for development*
4 *of advanced conventional weapons, and pro-*
5 *grams for development of unconventional weap-*
6 *ons;*

7 “(E) *significant assistance by the People’s*
8 *Republic of China to the research and develop-*
9 *ment programs of purchasing or receiving states,*
10 *including programs for development of weapons*
11 *of mass destruction and delivery vehicles for such*
12 *weapons, programs for development of advanced*
13 *conventional weapons, and programs for develop-*
14 *ment of unconventional weapons;*

15 “(F) *the extent to which arms sales to or*
16 *from the People’s Republic of China are a source*
17 *of funds for military research and development*
18 *or procurement programs in China or the selling*
19 *state;*

20 “(G) *a discussion of the ability of the Peo-*
21 *ple’s Liberation Army to assimilate such sales or*
22 *transfers, mass produce new equipment, and de-*
23 *velop doctrine for use; and*

24 “(H) *a discussion of the potential threat of*
25 *developments related to such sales on the security*

1 *interests of the United States and its friends and*
2 *allies in Asia.”; and*

3 (2) *by amending subsection (d) to read as fol-*
4 *lows:*

5 “(d) *COMBATANT COMMANDER ASSESSMENT.—The re-*
6 *port required under subsection (a) shall include an annex,*
7 *in classified or unclassified form, that includes an assess-*
8 *ment of the Commander of the United States Pacific Com-*
9 *mand on the following matters:*

10 “(1) *Any gaps in intelligence that limit the abil-*
11 *ity of the Commander to address challenges posed by*
12 *the People’s Republic of China.*

13 “(2) *Any gaps in the capabilities, capacity, and*
14 *authorities of the Commander to address challenges*
15 *posed by the People’s Republic of China to the United*
16 *States Armed Forces and United States interests in*
17 *the region.*

18 “(3) *Any other matters the Commander considers*
19 *to be relevant.”.*

20 **SEC. 1233. REPORT ON IMPLEMENTATION BY GOVERNMENT**
21 **OF BAHRAIN OF RECOMMENDATIONS IN RE-**
22 **PORT OF THE BAHRAIN INDEPENDENT COM-**
23 **MISSION OF INQUIRY.**

24 (a) *IN GENERAL.—Not later than 90 days after the*
25 *date of the enactment of this Act, the Secretary of State*

1 *shall submit to the Committee on Foreign Relations of the*
2 *Senate and the Committee on Foreign Affairs of the House*
3 *of Representatives a report on the implementation by the*
4 *Government of Bahrain of the recommendations contained*
5 *in the Report of the Bahrain Independent Commission of*
6 *Inquiry.*

7 (b) *CONTENT.*—*The report required under subsection*
8 *(a) shall include the following elements:*

9 (1) *A description of the specific steps taken by*
10 *the Government of Bahrain to implement each of the*
11 *26 recommendations contained in the Report of the*
12 *Bahrain Independent Commission of Inquiry.*

13 (2) *An assessment of whether each recommenda-*
14 *tion has been fully complied with by the Government*
15 *of Bahrain.*

16 (3) *An assessment of the impact of the findings*
17 *of the Report of the Bahrain Independent Commission*
18 *of Inquiry on progress toward democracy and respect*
19 *for human rights in Bahrain.*

20 **SEC. 1234. REPORTS ON SYRIA.**

21 (a) *REPORT ON OPPOSITION GROUPS.*—

22 (1) *IN GENERAL.*—*Not later than 90 days after*
23 *the date of the enactment of this Act, the Director of*
24 *National Intelligence and Secretary of State shall*
25 *submit to Congress a report describing in detail all*

1 *the known opposition groups, both independent and*
2 *state-sponsored, inside and outside of Syria, oper-*
3 *ating directly or indirectly to oppose the Government*
4 *of Syria.*

5 (2) *CONTENT.*—*The report required under para-*
6 *graph (1) shall include the following elements:*

7 (A) *An assessment of the current military*
8 *capacity of opposition forces.*

9 (B) *An assessment of the ability of opposi-*
10 *tion forces inside and outside of Syria to estab-*
11 *lish military and political activities impacting*
12 *Syria, together with a practicable timetable for*
13 *accomplishing these objectives.*

14 (C) *An assessment of the ability of any of*
15 *the opposition groups to establish effective mili-*
16 *tary and political control in Syria.*

17 (D) *A description of the composition and*
18 *political agenda of each of the known opposition*
19 *groups inside and outside of Syria, and an as-*
20 *essment of the degree to which such groups rep-*
21 *resent the views of the people of Syria as a*
22 *whole.*

23 (E) *A description of the financial resources*
24 *currently available to opposition groups and*
25 *known potential sources of continued financing.*

1 (F) *An assessment of the relationship be-*
2 *tween each of the Syrian opposition groups and*
3 *the Muslim Brotherhood, al Qaeda, Hezbollah,*
4 *Hamas, and any other groups that have pro-*
5 *moted an agenda that would negatively impact*
6 *United States national interests.*

7 (G) *An assessment of the impact of support*
8 *from the United States and challenges to pro-*
9 *viding such additional support to opposition*
10 *forces on the factors discussed in subparagraphs*
11 *(A) through (F).*

12 (b) *REPORT ON WEAPONS STOCKPILES.—*

13 (1) *IN GENERAL.—Not later than 90 days after*
14 *the date of the enactment of this Act, the Director of*
15 *National Intelligence and Secretary of Defense shall*
16 *submit to Congress an assessment of the size and secu-*
17 *rity of conventional and non-conventional weapons*
18 *stockpiles in Syria.*

19 (2) *CONTENT.—The report required under para-*
20 *graph (1) shall include the following elements:*

21 (A) *A description of who has or may have*
22 *access to the stockpiles.*

23 (B) *A description of the sources and types*
24 *of weapons flowing from outside Syria to both*
25 *government and opposition forces.*

1 (C) *A description of U.S. and international*
2 *efforts to prevent the proliferation of conven-*
3 *tional, biological, chemical, and other types of*
4 *weapons in Syria.*

5 (c) *REPORT ON CURRENT ACTIVITIES AND FUTURE*
6 *PLANS TO PROVIDE ASSISTANCE TO SYRIA'S POLITICAL*
7 *OPPOSITION.—*

8 (1) *IN GENERAL.—Not later than 90 days after*
9 *the date of the enactment of this Act, the Secretary of*
10 *State shall submit to Congress a report on all the sup-*
11 *port provided to opposition political forces in Syria.*

12 (2) *CONTENT.—The report required under para-*
13 *graph (1) shall include the following elements:*

14 (A) *A full description of the current tech-*
15 *nical assistance democracy programs conducted*
16 *by the Department of State and United States*
17 *Agency for International Development to support*
18 *the political opposition in Syria.*

19 (B) *A full summary of the communications*
20 *equipment that is currently being provided to the*
21 *political opposition in Syria, including a de-*
22 *scription of the entities that have received and*
23 *that will continue to receive such equipment.*

1 (C) A description of any additional activi-
2 ties the United States plans to undertake in sup-
3 port of the political opposition in Syria.

4 (D) A description of the funding levels cur-
5 rently dedicated to support the political opposi-
6 tion in Syria.

7 (E) A description of obstacles and chal-
8 lenges to providing additional support to Syria's
9 political opposition.

10 (d) *FORM.*—The reports required by this section may
11 be submitted in a classified form.

12 **SEC. 1235. REPORT ON MILITARY ACTIVITIES TO DENY OR**
13 **SIGNIFICANTLY DEGRADE THE USE OF AIR**
14 **POWER AGAINST CIVILIAN AND OPPOSITION**
15 **GROUPS IN SYRIA.**

16 (a) *REPORT REQUIRED.*—Not later than 90 days after
17 the date of the enactment of this Act, the Secretary of De-
18 fense shall, in consultation with the Chairman of the Joint
19 Chiefs of Staff, submit to the congressional defense commit-
20 tees a report identifying the limited military activities that
21 could deny or significantly degrade the ability of President
22 Bashar al-Assad of Syria, and forces loyal to him, to use
23 air power against civilians and opposition groups in Syria.

24 (b) *NATURE OF MILITARY ACTIVITIES.*—

1 (1) *PRINCIPAL PURPOSE.*—*The principal pur-*
2 *pose of the military activities identified for purposes*
3 *of the report required by subsection (a) shall be to ad-*
4 *vance the goals of President Obama of stopping the*
5 *killing of civilians in Syria and creating conditions*
6 *for a transition to a democratic, pluralistic political*
7 *system in Syria.*

8 (2) *ADDITIONAL GOALS.*—*The military activities*
9 *identified for purposes of the report shall also meet*
10 *the goals as follows:*

11 (A) *That the United States Armed Forces*
12 *conduct such activities with foreign allies or*
13 *partners.*

14 (B) *That United States ground troops not*
15 *be deployed onto Syrian territory.*

16 (C) *That the risk to civilians on the ground*
17 *in Syria be limited.*

18 (D) *That the risks to United States mili-*
19 *tary personnel be limited.*

20 (E) *That the financial costs to the United*
21 *States be limited.*

22 (c) *ELEMENTS ON POTENTIAL MILITARY ACTIVI-*
23 *TIES.*—*The report required by subsection (a) shall include*
24 *a comprehensive description, evaluation, and assessment of*

1 *the potential effectiveness of the following military activi-*
2 *ties, as required by subsection (a):*

3 (1) *The deployment of air defense systems, such*
4 *as Patriot missile batteries, to neighboring countries*
5 *for the purpose of denying or significantly degrading*
6 *the operational capability of Syria aircraft.*

7 (2) *The establishment of one or more no-fly zones*
8 *over key population centers in Syria.*

9 (3) *Limited air strikes to destroy or significantly*
10 *degrade Syria aircraft.*

11 (4) *Such other military activities as the Sec-*
12 *retary considers appropriate to achieve the goals stat-*
13 *ed in subsection (b).*

14 (d) *ELEMENTS IN DESCRIPTION OF POTENTIAL MILI-*
15 *TARY ACTIVITIES.—For each military activity that the Sec-*
16 *retary identifies in subsection (c), the comprehensive de-*
17 *scription of such activities under that subsection shall in-*
18 *clude, but not be limited to, the type and the number of*
19 *United States military personnel and assets to be involved*
20 *in such activities, the anticipated duration of such activi-*
21 *ties, and the anticipated cost of such activities. The report*
22 *shall also identify what elements would be required to maxi-*
23 *mize the effectiveness of such military activities.*

1 (e) *NO AUTHORIZATION FOR USE OF MILITARY*
2 *FORCE.*—*Nothing in this section shall be construed as a*
3 *declaration of war or an authorization for the use of force.*

4 (f) *The report required in subsection (a) shall be deliv-*
5 *ered in classified form.*

6 ***Subtitle D—Other Matters***

7 ***SEC. 1241. IMPROVED ADMINISTRATION OF THE AMERICAN,*** 8 ***BRITISH, CANADIAN, AND AUSTRALIAN AR-*** 9 ***MIES' PROGRAM.***

10 (a) *AUTHORITY.*—

11 (1) *IN GENERAL.*—*Chapter 6 of title 10, United*
12 *States Code, is amended by adding at the end the fol-*
13 *lowing new section:*

14 ***“§ 168a. American, British, Canadian, and Australian***
15 ***Armies' Program: administration; agree-***
16 ***ments with other participating countries***

17 “*(a) AUTHORITY.*—*As part of the participation by the*
18 *United States in the land-force program known as the*
19 *American, British, Canadian, and Australian Armies' Pro-*
20 *gram (in this section referred to as the ‘Program’), the Sec-*
21 *retary of Defense may, with the concurrence of the Secretary*
22 *of State, enter into agreements with the other participating*
23 *countries in accordance with this section, and the Program*
24 *shall be managed pursuant to a joint agreement among the*
25 *participating countries.*”

1 “(b) *PARTICIPATING COUNTRIES.*—*In addition to the*
2 *United States, the countries participating in the Program*
3 *are the following:*

4 “(1) *Australia.*

5 “(2) *Canada.*

6 “(3) *New Zealand.*

7 “(4) *The United Kingdom.*

8 “(c) *CONTRIBUTIONS BY PARTICIPANTS.*—(1) *An*
9 *agreement under subsection (a) shall provide that each par-*
10 *ticipating country shall contribute to the Program—*

11 “(A) *its equitable share of the full cost for the*
12 *Program, including the full cost of overhead and ad-*
13 *ministrative costs related to the Program; and*

14 “(B) *any amount allocated to it in accordance*
15 *with the agreement for the cost for monetary claims*
16 *asserted against any participating country as a result*
17 *of participation in the Program.*

18 “(2) *Such an agreement shall also provide that each*
19 *participating country (including the United States) may*
20 *provide its contribution for its equitable share under the*
21 *agreement in funds, in personal property, or in services re-*
22 *quired for the Program (or in any combination thereof).*

23 “(3) *Any contribution by the United States to the Pro-*
24 *gram that is provided in funds shall be made from funds*

1 *available to the Department of Defense for operation and*
2 *maintenance.*

3 “(4) *Any contribution received by the United States*
4 *from another participating country to meet that country’s*
5 *share of the costs of the Program shall be credited to appro-*
6 *priations available to the Department of Defense, as deter-*
7 *mined by the Secretary of Defense. The amount of a con-*
8 *tribution credited to an appropriation account in connec-*
9 *tion with the Program shall be available only for payment*
10 *of the share of the Program expenses allocated to the partici-*
11 *parting country making the contribution. Amounts so cred-*
12 *ited shall be available for the following purposes:*

13 “(A) *Payments to contractors and other sup-*
14 *pliers (including the Department of Defense and par-*
15 *ticipating countries acting as suppliers) for necessary*
16 *goods and services of the Program.*

17 “(B) *Payments for any damages and costs re-*
18 *sulting from the performance or cancellation of any*
19 *contract or other obligation in support of the Pro-*
20 *gram.*

21 “(C) *Payments for any monetary claim against*
22 *a participating country as a result of the participa-*
23 *tion of that country in the Program.*

24 “(D) *Payments or reimbursements of other Pro-*
25 *gram expenses, including overhead and administra-*

1 *tive costs for any administrative office for the Pro-*
2 *gram.*

3 *“(E) Refunds to other participating countries.*

4 *“(5) Costs for the operation of any office established*
5 *to carry out the Program shall be borne jointly by the par-*
6 *ticipating countries as provided for in an agreement re-*
7 *ferred to in subsection (a).*

8 *“(d) AUTHORITY TO CONTRACT FOR PROGRAM ACTIVI-*
9 *TIES.—As part of the participation by the United States*
10 *in the Program, the Secretary of Defense may enter into*
11 *contracts or incur other obligations on behalf of the other*
12 *participating countries for activities under the Program.*
13 *Any payment for such a contract or other obligation under*
14 *this subsection may be paid only from contributions cred-*
15 *ited to an appropriation under subsection (c)(4).*

16 *“(e) DISPOSAL OF PROPERTY.—As part of the partici-*
17 *pation by the United States in the Program, the Secretary*
18 *of Defense may, with respect to any property that is jointly*
19 *acquired by the countries participating in the Program,*
20 *agree to the disposal of the property without regard to any*
21 *law of the United States that is otherwise applicable to the*
22 *disposal of property owned by the United States. Such dis-*
23 *posal may include the transfer of the interest of the United*
24 *States in the property to one or more of the other partici-*
25 *pating countries or the sale of the property. Reimbursement*

1 *for the value of the property disposed of (including the value*
2 *of the interest of the United States in the property) shall*
3 *be made in accordance with an agreement under subsection*
4 *(a).*

5 “(f) *SUNSET.*—*Any agreement entered into by the*
6 *United States with another country under subsection (a),*
7 *and United States participation in the joint agreement de-*
8 *scribed in that subsection, shall expire not later than five*
9 *years after the date of the enactment of the National Defense*
10 *Authorization Act for Fiscal Year 2013.”.*

11 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
12 *tions at the beginning of chapter 6 of such title is*
13 *amended by adding at the end the following new item:*

“168a. American, British, Canadian, and Australian Armies’ Program: adminis-
tration; agreements with other participating countries.”.

14 (b) *REPORT.*—*Not later than 60 days before the expi-*
15 *ration date for agreements under subsection (a) of section*
16 *168a of title 10, United States Code (as added by subsection*
17 *(a) of this section), pursuant to subsection (f) of such sec-*
18 *tion, the Secretary of Defense shall submit to the Commit-*
19 *tees on Armed Services of the Senate and the House of Rep-*
20 *resentatives a report on the activities, costs, and accom-*
21 *plishments of the American, British, Canadian, and Aus-*
22 *tralian Armies’ Program during the five-year period ending*
23 *on the date of such report.*

1 **SEC. 1242. UNITED STATES PARTICIPATION IN HEAD-**
2 **QUARTERS EUROCORPS.**

3 (a) *PARTICIPATION AUTHORIZED.*—The Secretary of
4 Defense may, with the concurrence of the Secretary of State,
5 authorize the participation of members of the Armed Forces
6 as members of the staff of Headquarters Eurocorps for the
7 purpose of supporting the North Atlantic Treaty Organiza-
8 tion (NATO) activities of the NATO Rapid Deployable
9 Corps Eurocorps.

10 (b) *MEMORANDUM OF UNDERSTANDING.*—

11 (1) *REQUIREMENT.*—The participation of mem-
12 bers of the Armed Forces as members of the staff of
13 Headquarters Eurocorps shall be in accordance with
14 the terms of one or more memoranda of under-
15 standing entered into by the Secretary of Defense,
16 with the concurrence of the Secretary of State, and
17 Headquarters Eurocorps.

18 (2) *COST-SHARING ARRANGEMENTS.*—If Depart-
19 ment of Defense facilities, equipment, or funds are
20 used to support Headquarters Eurocorps, the memo-
21 randa of understanding under paragraph (1) shall
22 provide details of any cost-sharing arrangement or
23 other funding arrangement.

24 (c) *LIMITATION ON NUMBER OF MEMBERS PARTICI-*
25 *PATING AS STAFF.*—Not more than two members of the
26 Armed Forces may participate as members of the staff of

1 *Headquarters Eurocorps, until the Secretary of Defense sub-*
2 *mits to the Committees on Armed Services of the Senate*
3 *and the House of Representatives a report setting forth the*
4 *following:*

5 (1) *A certification by the Secretary of Defense*
6 *that the participation of more than two members of*
7 *the Armed Forces in Headquarters Eurocorps is in*
8 *the national interests of the United States.*

9 (2) *A description of the benefits of the participa-*
10 *tion of the additional members proposed by the Sec-*
11 *retary.*

12 (3) *A description of the plans for the participa-*
13 *tion of the additional members proposed by the Sec-*
14 *retary, including the grades and posts to be filled.*

15 (4) *A description of the costs associated with the*
16 *participation of the additional members proposed by*
17 *the Secretary.*

18 *(d) AVAILABILITY OF APPROPRIATED FUNDS.—*

19 (1) *AVAILABILITY.—Funds appropriated to the*
20 *Department of Defense for operation and mainte-*
21 *nance are available as follows:*

22 (A) *To pay the United States' share of the*
23 *operating expenses of Headquarters Eurocorps.*

24 (B) *To pay the costs of the participation of*
25 *members of the Armed Forces participating as*

1 *members of the staff of Headquarters Eurocorps,*
 2 *including the costs of expenses of such partici-*
 3 *pants.*

4 (2) *LIMITATION.*—*No funds may be used under*
 5 *this section to fund the pay or salaries of members of*
 6 *the Armed Forces who participate as members of the*
 7 *staff of the Headquarters, North Atlantic Treaty Or-*
 8 *ganization (NATO) Rapid Deployable Corps under*
 9 *this section.*

10 (e) *HEADQUARTERS EUROCORPS DEFINED.*—*In this*
 11 *section, the term “Headquarters Eurocorps” refers to the*
 12 *multinational military headquarters, established on October*
 13 *1, 1993, which is one of the High Readiness Forces (Land)*
 14 *associated with the Allied Rapid Reaction Corps of NATO.*

15 **SEC. 1243. DEPARTMENT OF DEFENSE PARTICIPATION IN**
 16 **EUROPEAN PROGRAM ON MULTILATERAL EX-**
 17 **CHANGE OF AIR TRANSPORTATION AND AIR**
 18 **REFUELING SERVICES.**

19 (a) *PARTICIPATION AUTHORIZED.*—

20 (1) *IN GENERAL.*—*The Secretary of Defense may,*
 21 *with the concurrence of the Secretary of State, author-*
 22 *ize the participation of the United States in the Air*
 23 *Transport, Air-to-Air Refueling and other Exchanges*
 24 *of Services program (in this section referred to as the*

1 “ATARES program”) of the Movement Coordination
2 Centre Europe.

3 (2) *SCOPE OF PARTICIPATION.*—Participation in
4 the ATARES program under paragraph (1) shall be
5 limited to the reciprocal exchange or transfer of air
6 transportation and air refueling services on a reim-
7 bursable basis or by replacement-in-kind or the ex-
8 change of air transportation or air refueling services
9 of an equal value.

10 (3) *LIMITATIONS.*—The United States’ balance of
11 executed flight hours, whether as credits or debits, in
12 participation in the ATARES program under para-
13 graph (1) may not exceed 500 hours. The United
14 States’ balanced of executed flight hours for air refuel-
15 ing in the ATARES program under paragraph (1)
16 may not exceed 200 hours.

17 (b) *WRITTEN ARRANGEMENT OR AGREEMENT.*—

18 (1) *ARRANGEMENT OR AGREEMENT REQUIRED.*—
19 The participation of the United States in the
20 ATARES program under subsection (a) shall be in
21 accordance with a written arrangement or agreement
22 entered into by the Secretary of Defense, with the con-
23 currence of the Secretary of State, and the Movement
24 Coordination Centre Europe.

1 (2) *FUNDING ARRANGEMENTS.*—*If Department of*
2 *Defense facilities, equipment, or funds are used to*
3 *support the ATARES program, the written arrange-*
4 *ment or agreement under paragraph (1) shall specify*
5 *the details of any equitable cost sharing or other fund-*
6 *ing arrangement.*

7 (3) *OTHER ELEMENTS.*—*Any written arrange-*
8 *ment or agreement entered into under paragraph (1)*
9 *shall require that any accrued credits and liabilities*
10 *resulting from an unequal exchange or transfer of air*
11 *transportation or air refueling services shall be liq-*
12 *uidated, not less than once every five years, through*
13 *the ATARES program.*

14 (c) *IMPLEMENTATION.*—*In carrying out any written*
15 *arrangement or agreement entered into under subsection*
16 *(b), the Secretary of Defense may—*

17 (1) *pay the United States' equitable share of the*
18 *operating expenses of the Movement Coordination*
19 *Centre Europe and the ATARES consortium from*
20 *funds available to the Department of Defense for oper-*
21 *ation and maintenance; and*

22 (2) *assign members of the Armed Forces or De-*
23 *partment of Defense civilian personnel, from among*
24 *members and personnel within billets authorized for*
25 *the United States European Command, to duty at the*

1 *Movement Coordination Centre Europe as necessary*
2 *to fulfill the United States' obligations under that ar-*
3 *angement or agreement.*

4 *(d) CREDITING OF RECEIPTS.—Any amount received*
5 *by the United States in carrying out a written arrangement*
6 *or agreement entered into under subsection (b) shall be cred-*
7 *ited, as elected by the Secretary of Defense, to the following:*

8 *(1) The appropriation, fund, or account used in*
9 *incurring the obligation for which such amount is re-*
10 *ceived.*

11 *(2) An appropriation, fund, or account currently*
12 *available for the purposes for which such obligation*
13 *was made.*

14 *(e) ANNUAL SECRETARY OF DEFENSE REPORTS.—Not*
15 *later than 30 days after the end of each fiscal year in which*
16 *the authority provided by this section is in effect, the Sec-*
17 *retary of Defense shall submit to Congress a report on*
18 *United States participation in the ATARES program dur-*
19 *ing such fiscal year. Each report shall include the following:*

20 *(1) The United States balance of executed flight*
21 *hours at the end of the fiscal year covered by such re-*
22 *port.*

23 *(2) The types of services exchanged or transferred*
24 *during the fiscal year covered by such report.*

1 (3) *A description of any United States costs*
2 *under the written arrangement or agreement under*
3 *subsection (b)(1) in connection with the use of De-*
4 *partment of Defense facilities, equipment, or funds to*
5 *support the ATARES program under that subsection*
6 *as provided by subsection (b)(2).*

7 (4) *A description of the United States' equitable*
8 *share of the operating expenses of the Movement Co-*
9 *ordination Centre Europe and the ATARES consor-*
10 *tium paid under subsection (c)(1).*

11 (5) *A description of any amounts received by the*
12 *United States in carrying out a written arrangement*
13 *or agreement entered into under subsection (b).*

14 (f) *COMPTROLLER GENERAL OF UNITED STATES RE-*
15 *PORT.—Not later than one year after the date of the enact-*
16 *ment of this Act, the Comptroller General of the United*
17 *States shall submit to the congressional defense committees*
18 *a report on the ATARES program. The report shall set*
19 *forth the assessment of the Comptroller General of the pro-*
20 *gram, including the types of services available under the*
21 *program, whether the program is achieving its intended*
22 *purposes, and, on the basis of actual cost data from the per-*
23 *formance of the program, the cost-effectiveness of the pro-*
24 *gram.*

1 (g) *EXPIRATION.*—*The authority provided by this sec-*
2 *tion to participate in the ATARES program shall expire*
3 *five years after the date on which the Secretary of Defense*
4 *first enters into a written arrangement or agreement under*
5 *subsection (b). The Secretary shall publish notice of such*
6 *date on a public website of the Department of Defense.*

7 **SEC. 1244. AUTHORITY TO ESTABLISH PROGRAM TO PRO-**
8 **VIDE ASSISTANCE TO FOREIGN CIVILIANS**
9 **FOR HARM INCIDENT TO COMBAT OPER-**
10 **ATIONS OF THE ARMED FORCES IN FOREIGN**
11 **COUNTRIES.**

12 (a) *AUTHORITY TO ESTABLISH PROGRAM.*—*The Sec-*
13 *retary of Defense may establish a program, under such reg-*
14 *ulations as the Secretary may prescribe, to enable military*
15 *commanders at their discretion to provide assistance to for-*
16 *ign civilians for damage, personal injury, or death that*
17 *is incident to combat operations of the Armed Forces in*
18 *a foreign country.*

19 (b) *ELEMENTS.*—

20 (1) *NATURE OF ASSISTANCE.*—*Any assistance*
21 *provided under a program under subsection (a) may*
22 *be provided only ex gratia, and shall not be consid-*
23 *ered an admission or acknowledgment of any legal ob-*
24 *ligation to compensate for any damage, personal in-*
25 *jury, or death.*

1 (2) *TREATMENT WITH OTHER COMPENSATION.*—
2 *In the event compensation for damage, personal in-*
3 *jury, or death covered by this section is received*
4 *through a separate program operated by the United*
5 *States Government, receipt of compensation in such*
6 *amount should be considered by the commander or*
7 *legal advisor determining appropriate assistance*
8 *under a program under subsection (a).*

9 (3) *AMOUNT OF ASSISTANCE.*—*If the Secretary of*
10 *Defense determines a program under subsection (a) to*
11 *be fitting in a particular setting, the amount of as-*
12 *sistance, if any, to be provided to civilians deter-*
13 *mined to have suffered harm incident to combat oper-*
14 *ations of the Armed Forces under the program should*
15 *be determined pursuant to regulations prescribed by*
16 *the Secretary and based on an assessment of cultural*
17 *appropriateness and prevailing economic conditions.*

18 (c) *RECORDS.*—

19 (1) *IN GENERAL.*—*The regulations prescribed by*
20 *the Secretary of Defense for purposes of any program*
21 *under subsection (a) shall include requirements as fol-*
22 *lows:*

23 (A) *That local military commanders main-*
24 *tain a written record of any assistance offered or*
25 *denied under such program.*

1 (B) That local military commanders submit
2 on a timely basis a report summarizing such
3 written records to the appropriate office in the
4 Department of Defense as specified by the Sec-
5 retary in such regulations.

6 **SEC. 1245. SUSTAINABILITY REQUIREMENTS FOR CERTAIN**
7 **CAPITAL PROJECTS IN CONNECTION WITH**
8 **OVERSEAS CONTINGENCY OPERATIONS.**

9 (a) *LIMITATION.*—

10 (1) *IN GENERAL.*—Commencing 60 days after
11 the date of the enactment of this Act—

12 (A) amounts authorized to be appropriated
13 for the Department of Defense may not be obli-
14 gated or expended for a capital project described
15 in subsection (b) unless the Secretary of Defense,
16 in consultation with the United States com-
17 mander of military operations in the country in
18 which the project will be carried out, completes
19 an assessment on the necessity and sustainability
20 of the project;

21 (B) amounts authorized to be appropriated
22 for the Department of State may not be obligated
23 or expended for a capital project described in
24 subsection (b) unless the Secretary of State, in
25 consultation with the Chief of Mission in the

1 country in which the project will be carried out,
2 completes an assessment on the necessity and
3 sustainability of the project; and

4 (C) amounts authorized to be appropriated
5 for the United States Agency for International
6 Development may not be obligated or expended
7 for a capital project described in subsection (b)
8 unless the Administrator of the United States
9 Agency for International Development, in con-
10 sultation with the Mission Director and the
11 Chief of Mission in the country in which the
12 project will be carried out, completes an assess-
13 ment on the necessity and sustainability of the
14 project.

15 (2) *ELEMENTS.*—Each assessment on a capital
16 project under this subsection shall include, but not be
17 limited to, the following:

18 (A) An estimate of the total cost of the com-
19 pleted project to the United States.

20 (B) An estimate of the financial and other
21 requirements necessary for the host government
22 to sustain the project on an annual basis after
23 completion of the project.

24 (C) An assessment whether the host govern-
25 ment has the capacity (in both financial and

1 *human resources) to maintain and use the*
2 *project after completion.*

3 *(D) A description of any arrangements for*
4 *the sustainment of the project following its com-*
5 *pletion if the host government lacks the capacity*
6 *(in financial or human resources) to maintain*
7 *the project.*

8 *(E) An assessment whether the host govern-*
9 *ment has requested or expressed its need for the*
10 *project, and an explanation of the decision to*
11 *proceed with the project absent such request or*
12 *need.*

13 *(F) An assessment by the Secretary of De-*
14 *fense, where applicable, of the effect of the project*
15 *on the military mission of the United States in*
16 *the country concerned*

17 ***(b) COVERED CAPITAL PROJECTS.—***

18 ***(1) IN GENERAL.—****Except as provided in para-*
19 *graph (2), a capital project described in this sub-*
20 *section is any capital project overseas for an overseas*
21 *contingency operation for the benefit of a host country*
22 *and funded by the Department of Defense, the Depart-*
23 *ment of State, or the United States Agency for Inter-*
24 *national Development, as applicable, if the capital*
25 *project—*

1 (A) *in the case of a project that directly*
2 *supports building the capacity of indigenous se-*
3 *curity forces in the host country, has an esti-*
4 *mated value in excess of \$10,000,000;*

5 (B) *in the case of any project not covered*
6 *by subparagraph (A) that is to be funded by the*
7 *Department of State or the United States Agency*
8 *for International Development, has an estimated*
9 *value in excess of \$5,000,000; or*

10 (C) *in the case of any other project, has an*
11 *estimated value in excess of \$2,000,000.*

12 (2) *EXCLUSION.—A capital project described in*
13 *this subsection does not include any project for mili-*
14 *tary construction (as that term is defined in section*
15 *114(b) of title 10, United States Code) or a military*
16 *family housing project under section 2821 of such*
17 *title.*

18 (c) *WAIVER.—The Secretary of Defense, the Secretary*
19 *of State, or the Administrator of the United States Agency*
20 *for International Development, as applicable, may waive*
21 *the limitation in subsection (a) in order to initiate a cap-*
22 *ital project if such Secretary or the Administrator, as the*
23 *case may be, determines that the project is in the national*
24 *security, diplomatic, or humanitarian interests of the*
25 *United States. In the first report submitted under sub-*

1 *section (d) after any waiver under this subsection, such Sec-*
2 *retary or the Administrator shall include a detailed jus-*
3 *tification of such waiver. Not later than 45 days after*
4 *issuing a waiver under this subsection, such Secretary or*
5 *the Administrator shall submit to Congress the assessment*
6 *described in subsection (a) with respect to the capital*
7 *project concerned.*

8 *(d) SEMI-ANNUAL REPORTS.—*

9 *(1) IN GENERAL.—Not later than 30 days after*
10 *the end of each fiscal-year half-year the Secretary of*
11 *Defense, the Secretary of State, and the Adminis-*
12 *trator of the United States Agency for International*
13 *Development shall each submit to the appropriate*
14 *committees of Congress a report setting forth each as-*
15 *essment conducted under subsection (a) by such Sec-*
16 *retary or the Administrator, as the case may be, dur-*
17 *ing such fiscal-year half-year, including the elements*
18 *of each capital project assessed specified in subsection*
19 *(a)(2).*

20 *(2) ADDITIONAL ELEMENTS.—In addition to the*
21 *matters provided for in paragraph (1), each report*
22 *under that paragraph shall include the following:*

23 *(A) For each capital project covered by such*
24 *report, an evaluation (other than by amount of*

1 *funds expended) of the effectiveness of such*
2 *project, including, at a minimum, the following:*

3 *(i) The stated goals of the project.*

4 *(ii) The actions taken to assess and*
5 *verify whether the project has met the stated*
6 *goals of the project or is on track to meet*
7 *such goals when completed.*

8 *(iii) The current and anticipated levels*
9 *of involvement of local governments, com-*
10 *munities, and individuals in the project.*

11 *(B) For each country or region in which a*
12 *capital project covered by such report is being*
13 *carried out, an assessment of the following:*

14 *(i) The current and anticipated effects*
15 *of violence in the country or region on all*
16 *the projects in the country or region covered*
17 *by such report.*

18 *(ii) The current and anticipated levels*
19 *of corruption or fraud in the country or re-*
20 *gion in the connection with all the projects*
21 *in the country or region covered by such re-*
22 *port, and the current and anticipated risks*
23 *of corruption or fraud in connection with*
24 *such projects.*

1 (3) *FORM.*—Each report shall be submitted in
2 unclassified form, but may include a classified annex.

3 (e) *DEFINITIONS.*—In this section:

4 (1) The term “appropriate committees of Con-
5 gress” means—

6 (A) the Committee on Armed Services, the
7 Committee on Foreign Relations, the Committee
8 on Homeland Security and Governmental Af-
9 fairs, and the Committee on Appropriations of
10 the Senate; and

11 (B) the Committee on Armed Services, the
12 Committee on Foreign Affairs, the Committee on
13 Oversight and Government Reform, and the
14 Committee on Appropriations of the House of
15 Representatives.

16 (2) The term “capital project” has the meaning
17 given that term in section 308 of the Aid, Trade, and
18 Competitiveness Act of 1992 (22 U.S.C. 2421e).

19 (3) The term “overseas contingency operation”
20 means a military operation outside the United States
21 and its territories and possessions that is a contin-
22 gency operation (as that term is defined in section
23 101(a)(13) of title 10, United States Code).

1 **SEC. 1246. EFFORTS TO REMOVE JOSEPH KONY FROM**
2 **POWER AND END ATROCITIES COMMITTED BY**
3 **THE LORD’S RESISTANCE ARMY.**

4 *Consistent with the Lord’s Resistance Army Disar-*
5 *mament and Northern Uganda Recovery Act of 2009 (Pub-*
6 *lic Law 111–172), it is the sense of the Senate that—*

7 *(1) the ongoing United States advise and assist*
8 *operation to support the regional governments in Af-*
9 *rica in their ongoing efforts to apprehend or remove*
10 *Joseph Kony and his top commanders from the battle-*
11 *field and end atrocities perpetuated by his Lord’s Re-*
12 *sistance Army should continue;*

13 *(2) using amounts authorized to be appropriated*
14 *by section 301 and specified in the funding table in*
15 *section 4301 for Operation and Maintenance, Defense-*
16 *wide for “Additional ISR Support to Operation Ob-*
17 *servant Compass”, the Secretary of Defense should*
18 *provide increased intelligence, surveillance, and re-*
19 *connaissance assets to support the ongoing efforts of*
20 *United States Special Operations Forces to advise*
21 *and assist regional partners as they conduct oper-*
22 *ations against the Lord’s Resistance Army in Central*
23 *Africa;*

24 *(3) United States and regional African forces*
25 *should increase their operational coordination; and*

1 (4) *the regional governments should recommit*
2 *themselves to the operations sanctioned by the African*
3 *Union Peace and Security Council resolution.*

4 **SEC. 1247. IMPOSITION OF SANCTIONS WITH RESPECT TO**
5 **SUPPORT FOR THE REBEL GROUP KNOWN AS**
6 **M23.**

7 (a) *BLOCKING OF ASSETS.*—*The Secretary of the*
8 *Treasury shall, pursuant to the International Emergency*
9 *Economic Powers Act (50 U.S.C. 1701 et seq.) or Executive*
10 *Order 13413 (74 Fed. Reg. 64105; relating to blocking prop-*
11 *erty of certain persons contributing to the conflict in the*
12 *Democratic Republic of the Congo), block and prohibit all*
13 *transactions in all property and interests in property of*
14 *a person described in subsection (c) if such property and*
15 *interests in property are in the United States, come within*
16 *the United States, or are or come within the possession or*
17 *control of a United States person.*

18 (b) *VISA BAN.*—*The Secretary of State shall deny a*
19 *visa to, and the Secretary of Homeland Security shall ex-*
20 *clude from the United States, any alien who is a person*
21 *described in subsection (c).*

22 (c) *PERSONS DESCRIBED.*—*A person described in this*
23 *subsection is a person that the President determines pro-*
24 *vides, on or after the date of the enactment of this Act, sig-*

1 *nificant financial, material, or technological support to*
2 *M23.*

3 (d) *WAIVER.*—*The President may waive the applica-*
4 *tion of this section with respect to a person if the President*
5 *determines and reports to the appropriate congressional*
6 *committees that the waiver is in the national interest of*
7 *the United States.*

8 (e) *TERMINATION OF SANCTIONS.*—*The President may*
9 *terminate sanctions imposed under this section with respect*
10 *to a person on and after the date on which the President*
11 *determines and reports to the appropriate congressional*
12 *committees that the person has terminated the provision of*
13 *significant financial, material, and technological support*
14 *to M23.*

15 (f) *TERMINATION OF SECTION.*—*This section shall ter-*
16 *minate on the date on which the President determines that*
17 *M23 is no longer a significant threat to peace and security*
18 *in the Democratic Republic of the Congo.*

19 (g) *DEFINITIONS.*—*In this section:*

20 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
21 *TEES.*—*The term “appropriate congressional commit-*
22 *tees” means—*

23 (A) *the Committee on Banking, Housing,*
24 *and Urban Affairs and the Committee on For-*
25 *ign Relations of the Senate; and*

1 (B) *the Committee on Financial Services*
2 *and the Committee on Foreign Affairs of the*
3 *House of Representatives.*

4 (2) *M₂₃.—The term “M₂₃” refers to the rebel*
5 *group known as M₂₃ operating in the Democratic Re-*
6 *public of the Congo that derives its name from the*
7 *March 23, 2009, agreement between the Government*
8 *of the Democratic Republic of the Congo and the Na-*
9 *tional Congress for the Defense of the People (or any*
10 *successor group).*

11 (3) *UNITED STATES PERSON.—The term “United*
12 *States person” means—*

13 (A) *an individual who is a United States*
14 *citizen or an alien lawfully admitted for perma-*
15 *nent residence to the United States; or*

16 (B) *an entity organized under the laws of*
17 *the United States or of any jurisdiction within*
18 *the United States.*

19 **SEC. 1248. PROGRAM ON REPAIR, OVERHAUL, AND REFUR-**
20 **BISHMENT OF DEFENSE ARTICLES FOR SALE**
21 **OR TRANSFER TO ELIGIBLE FOREIGN COUN-**
22 **TRIES AND ENTITIES.**

23 (a) *PROGRAM AUTHORIZED.—The Secretary of De-*
24 *fense may carry out a program to repair, overhaul, or re-*
25 *furish in-stock defense articles in anticipation of the sale*

1 *or transfer of such defense articles to eligible foreign coun-*
2 *tries or international organizations under law.*

3 (b) *FUND FOR SUPPORT OF PROGRAM AUTHORIZED.*—

4 *The Secretary of Defense may establish and administer a*
5 *fund to be known as the “Special Defense Repair Fund”*
6 *(in this section referred to as the “Fund”) to support the*
7 *program authorized by subsection (a).*

8 (c) *CREDITS TO FUND.*—

9 (1) *IN GENERAL.*—*Subject to paragraphs (2) and*
10 *(3), the following shall be credited to the Fund:*

11 (A) *Subject to applicable provisions of ap-*
12 *propriations Acts, such amounts, not to exceed*
13 *\$48,400,000 per fiscal year, from amounts au-*
14 *thorized to be appropriated for the Department*
15 *of Defense for operation and maintenance for the*
16 *Army as the Secretary of Defense considers ap-*
17 *propriate.*

18 (B) *Notwithstanding section 114(c) of title*
19 *10, United States Code, any collection from the*
20 *sale or transfer of defense articles from Depart-*
21 *ment of Defense stocks repaired, overhauled, or*
22 *refurbished with amounts from the Fund that*
23 *are not intended to be replaced which sale or*
24 *transfer is made pursuant to section 21(a)(1)(A)*
25 *of the Arms Export Control Act (22 U.S.C.*

1 2761(a)(1)(A)), the *Foreign Assistance Act of*
2 *1961 (22 U.S.C. 2151 et seq.)*, or another provi-
3 *sion of law.*

4 (C) *Notwithstanding section 37(a) of the*
5 *Arms Export Control Act (22 U.S.C. 2777(a))*,
6 *any cash payment from the sale or transfer of*
7 *defense articles from Department of Defense*
8 *stocks repaired, overhauled, or refurbished with*
9 *amounts from the Fund that are intended to be*
10 *replaced.*

11 (2) *LIMITATION ON AMOUNTS CREDITABLE FROM*
12 *SALE OR TRANSFER OF ARTICLES.—*

13 (A) *CREDITS IN CONNECTION WITH ARTI-*
14 *CLES NOT TO BE REPLACED.—The amount cred-*
15 *ited to the Fund under paragraph (1)(B) in con-*
16 *nection with a collection from the sale or transfer*
17 *of defense articles may not exceed the cost in-*
18 *curring by the Department of Defense in repair-*
19 *ing, overhauling, or refurbishing such defense ar-*
20 *ticles under the program authorized by sub-*
21 *section (a).*

22 (B) *CREDITS IN CONNECTION WITH ARTI-*
23 *CLES TO BE REPLACED.—The amount credited to*
24 *the Fund under paragraph (1)(C) in connection*
25 *with a sale or transfer of defense articles may*

1 *not exceed the amounts from the Fund used to*
2 *repair, overhaul, or refurbish such defense arti-*
3 *cles.*

4 (3) *LIMITATION ON SIZE OF FUND.*—*The total*
5 *amount in the Fund at any time may not exceed*
6 *\$50,000,000.*

7 (4) *TREATMENT OF AMOUNTS CREDITED.*—
8 *Amounts credited to the Fund under this subsection*
9 *shall be merged with amounts in the Fund, and shall*
10 *remain available until expended.*

11 (d) *NONAVAILABILITY OF AMOUNTS IN FUND FOR*
12 *STORAGE, MAINTENANCE, AND RELATED COSTS.*—*Fol-*
13 *lowing the repair, overhaul, or refurbishment of defense ar-*
14 *ticles under the program authorized by subsection (a),*
15 *amounts in the Fund may not be used to pay costs of stor-*
16 *age and maintenance of such defense articles or any other*
17 *costs associated with the preservation or preparation for*
18 *sale or transfer of such defense articles.*

19 (e) *SALES OR TRANSFERS OF DEFENSE ARTICLES.*—

20 (1) *IN GENERAL.*—*Any sale or transfer of defense*
21 *articles repaired, overhauled, or refurbished under the*
22 *program authorized by subsection (a) shall be in ac-*
23 *cordance with—*

24 (A) *the Arms Export Control Act (22*
25 *U.S.C. 2751 et seq.);*

1 (B) *the Foreign Assistance Act of 1961; or*
2 (C) *another provision of law authorizing*
3 *such sale or transfer.*

4 (2) *SECRETARY OF STATE CONCURRENCE RE-*
5 *QUIRED FOR CERTAIN SALES OR TRANSFERS TO FOR-*
6 *EIGN COUNTRIES.—If the sale or transfer of defense*
7 *articles occurs in accordance with a provision of law*
8 *referred to in paragraph (1)(C) that does not other-*
9 *wise require the concurrence of the Secretary of State*
10 *for the sale or transfer, the sale or transfer may be*
11 *made only with the concurrence of the Secretary of*
12 *State.*

13 (f) *TRANSFERS OF AMOUNTS.—*

14 (1) *TRANSFER TO OTHER DEPARTMENT OF DE-*
15 *FENSE ACCOUNTS.—Amounts in the Fund may be*
16 *transferred to any Department of Defense account*
17 *used to carry out the program authorized by sub-*
18 *section (a). Any amount so transferred shall be*
19 *merged with amounts in the account to which trans-*
20 *ferred, and shall be available for the same purposes*
21 *and the same time period as amounts in the account*
22 *to which transferred.*

23 (2) *TRANSFER FROM OTHER DEPARTMENT OF*
24 *DEFENSE ACCOUNTS.—Upon a determination by the*
25 *Secretary of Defense with respect to an amount trans-*

1 ferred under paragraph (1) that all or part of such
2 transfer is not necessary for the purposes transferred,
3 such amount may be transferred back to the Fund.
4 Any amount so transferred shall be merged with
5 amounts in the Fund, and shall remain available
6 until expended.

7 (g) *CERTAIN EXCESS PROCEEDS TO BE CREDITED TO*
8 *SPECIAL DEFENSE ACQUISITION FUND.*—Any collection
9 from the sale or transfer of defense articles that are not in-
10 tended to be replaced in excess of the amount creditable to
11 the Fund under subsection (c)(2)(A) shall be credited to the
12 Special Defense Acquisition Fund established pursuant to
13 chapter 5 of the Arms Export Control Act (22 U.S.C. 2795
14 et seq.).

15 (h) *REPORTS.*—

16 (1) *ANNUAL REPORT.*—Not later than 45 days
17 after the end of each fiscal year through the date of
18 expiration specified in subsection (j), the Secretary of
19 Defense shall submit to the congressional defense com-
20 mittees a report on the authorities under this section
21 during such fiscal year. Each report shall include, for
22 the fiscal year covered by such report, the following:

23 (A) *The types and quantities of defense ar-*
24 *ticles repaired, overhauled, or refurbished under*
25 *the program authorized by subsection (a).*

1 (B) *The value of the repair, overhaul, or re-*
2 *refurbishment performed under the program.*

3 (C) *The amount of operation and mainte-*
4 *nance funds credited to the Fund under sub-*
5 *section (c)(1)(A).*

6 (D) *The amount of any collections from the*
7 *sale or transfer of defense articles repaired, over-*
8 *hauled, or refurbished under the program that*
9 *was credited to the Fund under subsection*
10 *(c)(1)(B).*

11 (E) *The amount of any cash payments from*
12 *the sale or transfer of defense articles repaired,*
13 *overhauled, or refurbished under the program*
14 *that was credited to the Fund under subsection*
15 *(c)(1)(C).*

16 (2) *ASSESSMENT REPORT.*—*Not later than Feb-*
17 *ruary 1, 2015, the Secretary of Defense shall submit*
18 *to the congressional defense committees a report on*
19 *the operation of the authorities in this section. The re-*
20 *port shall include an assessment of the effectiveness of*
21 *the authorities in meeting the objectives of the pro-*
22 *gram authorized by subsection (a).*

23 (i) *DEFENSE ARTICLE DEFINED.*—*In this section, the*
24 *term “defense article” has the meaning given that term in*

1 *section 47(3) of the Arms Export Control Act (22 U.S.C.*
2 *2794(3)).*

3 (j) *EXPIRATION OF AUTHORITY.*—*The authority to*
4 *carry out the program authorized by subsection (a), and*
5 *to use amounts in the Fund in support of the program,*
6 *shall expire on September 30, 2015.*

7 (k) *FUNDING FOR FISCAL YEAR 2013.*—*Of the*
8 *amounts authorized to be appropriated for fiscal year 2013*
9 *by section 1504 for Overseas Contingency Operations and*
10 *available for operation and maintenance for the Army as*
11 *specified in funding table in section 4302, \$48,400,000 shall*
12 *be available for deposit in the Fund pursuant to subsection*
13 *(c)(1)(A), with the amount of the deposit to be attributable*
14 *to amounts otherwise so available for the YMQ–18A un-*
15 *manned aerial vehicle, which has been cancelled.*

16 **SEC. 1249. PLAN FOR PROMOTING THE SECURITY OF AF-**
17 **GHAN WOMEN AND GIRLS DURING THE SECU-**
18 **RITY TRANSITION PROCESS.**

19 (a) *FINDINGS.*—*Congress makes the following findings:*

20 (1) *According to the Department of Defense’s*
21 *April 2012 Report on Progress Toward Security and*
22 *Stability in Afghanistan:*

23 (A) *“U.S. and coalition forces will continue*
24 *to degrade the Taliban-led insurgency in order to*
25 *provide time and space to increase the capacity*

1 *of the Afghan National Security Forces and the*
2 *Afghan Government so they can assume full re-*
3 *ponsibility for Afghanistan’s security by the end*
4 *of 2014.”*

5 (B) *“Transition to Afghan security lead*
6 *began in July 2011 and transition to full Af-*
7 *ghan security responsibility will be complete*
8 *country-wide by the end of 2014.”*

9 (C) *“The security of the Afghan people and*
10 *the stability of the government are used to judge*
11 *provincial readiness to move to each successive*
12 *stage of transition implementation.”*

13 (D) *For each area designated for transition,*
14 *a transition implementation plan is developed*
15 *by the Government of Afghanistan, NATO, and*
16 *ISAF and approved by the Joint Afghan-NATO*
17 *Integral Board (JANIB). JANIB is also respon-*
18 *sible for recommending areas to enter and exit*
19 *the transition process.*

20 (2) *According to a 2002 study on Women, Peace*
21 *and Security submitted by the Secretary-General of*
22 *the United Nations pursuant to Security Council res-*
23 *olution 1325 (2000), “the suspension of or restriction*
24 *on women’s enjoyment of their human rights” can act*
25 *as an early-warning indicator of impending or re-*

1 *newed conflict. In Afghanistan, restrictions on wom-*
2 *en's mobility and rights can signal the presence of ex-*
3 *tremist or insurgent elements in a community.*

4 (3) *The security of Afghan women and girls in*
5 *areas undergoing security transitions will be an im-*
6 *portant gauge of the transition strategy's success. In-*
7 *dicators by which to measure women's security in-*
8 *clude the mobility of women and girls, the participa-*
9 *tion of women in local government bodies, the rate of*
10 *school attendance for girls, women's access to govern-*
11 *ment services, and the prevalence of violence against*
12 *women.*

13 (4) *Maintaining and improving physical secu-*
14 *rity for Afghan women and girls throughout the coun-*
15 *try is critical in order for women and girls to take*
16 *advantage of opportunities in education, commerce,*
17 *politics, and other areas of public life, which in turn*
18 *is essential for the future stability and prosperity of*
19 *Afghanistan.*

20 (5) *Women who serve as public officials at all*
21 *levels of the Government of Afghanistan face serious*
22 *threats to their personal security and that of their*
23 *families. Many female officials have been the victims*
24 *of violent crimes, but they are generally not afforded*

1 *official protection by the Government of Afghanistan*
2 *or security forces.*

3 *(6) Protecting the security and human rights of*
4 *Afghan women and girls requires the involvement of*
5 *Afghan men and boys through education about the*
6 *important benefits of women’s full participation in*
7 *social, economic, and political life. Male officials and*
8 *security personnel can play a particularly important*
9 *role in supporting and protecting women and girls.*

10 *(7) The Chicago Summit Declaration issued by*
11 *NATO in May 2012 states: “As the Afghan National*
12 *Police further develop and professionalize, they will*
13 *evolve towards a sustainable, credible, and account-*
14 *able civilian law enforcement force that will shoulder*
15 *the main responsibility for domestic security. This*
16 *force should be capable of providing policing services*
17 *to the Afghan population as part of the broader Af-*
18 *ghan rule of law system.”*

19 *(8) Women face significant barriers to full par-*
20 *ticipation in the ANA and ANP, including a dis-*
21 *criminatory or hostile work environment and the lack*
22 *of separate facilities designed for female personnel.*

23 *(9) As of September 2012, female recruitment*
24 *and retention rates for the Afghan National Security*
25 *Forces are far below published targets, as follows:*

1 (A) *Approximately 1,700 women serve in*
2 *the Afghan National Security Forces, or less*
3 *than half of one percent of the total force.*

4 (B) *In 2010, President Hamid Karzai an-*
5 *nounced plans to recruit and train 5,000 women*
6 *in the Afghan National Police, or approximately*
7 *3 percent of the force, by 2014. Currently, there*
8 *are approximately 1,370 women in the ANP, or*
9 *0.87 percent of the police force.*

10 (C) *Approximately 350 women currently*
11 *serve in the Afghan National Army, representing*
12 *only 0.17 percent of the force. The Government*
13 *of Afghanistan has said that its goal is to*
14 *achieve a force that is 10 percent female. As of*
15 *May 2012, approximately 3 percent of new ANA*
16 *recruits were women.*

17 (10) *Male security personnel often do not re-*
18 *spond to threats or incidences of violence against*
19 *women, particularly at the local level. They largely*
20 *lack the training and understanding needed to re-*
21 *spond appropriately and effectively to situations in-*
22 *volving women. According to the Department of De-*
23 *fense's April 2012 Report on Progress Toward Secu-*
24 *rity and Stability in Afghanistan:*

1 (A) *The Afghan Ministry of Defense “lacks*
2 *the combination of policies, procedures, and exe-*
3 *cution to promote opportunity and fair and re-*
4 *spectful treatment of women in the force”.*

5 (B) *The Afghan Ministry of Interior “faces*
6 *significant challenges in fully integrating and*
7 *protecting women in the ANP workforce, espe-*
8 *cially among operational units at the provincial*
9 *and district levels”.*

10 (C) *In the Afghan National Police, “Many*
11 *Provincial Headquarters Commanders do not ac-*
12 *cept policewomen, as they prefer male candidates*
13 *and lack adequate facilities to support females.”*

14 (D) *“While women are greatly needed to*
15 *support police operations, a combination of cul-*
16 *tural impediments, weak recruitment, and un-*
17 *even application of policies hinder significant*
18 *progress.”*

19 (E) *“Although stronger documentation, im-*
20 *plementation, and enforcement of policies, proce-*
21 *dures, and guidance to better integrate women*
22 *will help, time will be needed to change the cul-*
23 *tural mores that form the basis of many of the*
24 *current impediments.”*

1 (11) *The United States, the North American*
2 *Treaty Organization, and United States coalition*
3 *partners have made firm commitments to support the*
4 *human rights of the women and girls of Afghanistan,*
5 *as evidenced by the following actions:*

6 (A) *According to the United States National*
7 *Action Plan on Women, Peace and Security,*
8 *“integrating women and gender considerations*
9 *into peace-building processes helps promote*
10 *democratic governance and long-term stability,”*
11 *which are key United States strategic goals in*
12 *Afghanistan.*

13 (B) *The National Action Plan also states*
14 *that “the engagement and protection of women*
15 *as agents of peace and stability will be central*
16 *to United States efforts to promote security, pre-*
17 *vent, respond to, and resolve conflict, and rebuild*
18 *societies.” This policy applies to United States*
19 *Government efforts in Afghanistan, where ad-*
20 *dressing the security vulnerabilities of Afghan*
21 *women and girls during the period of security*
22 *transition is an essential step toward long-term*
23 *stability.*

24 (C) *The Chicago Summit Declaration*
25 *issued by NATO in May 2012 states: “We em-*

1 *phasize the importance of full participation of*
2 *all Afghan women in the reconstruction, polit-*
3 *ical, peace and reconciliation processes in Af-*
4 *ghanistan and the need to respect the institu-*
5 *tional arrangements protecting their rights. We*
6 *remain committed to the implementation of*
7 *United Nations Security Council Resolution*
8 *(UNSCR) 1325 on women, peace and security.*
9 *We recognize also the need for the protection of*
10 *children from the damaging effects of armed con-*
11 *flict as required in relevant UNSCRs.”*

12 *(12) The Strategic Partnership Agreement signed*
13 *between the United States and Afghanistan by Presi-*
14 *dent Obama and President Karzai in June 2012*
15 *states, “Consistent with its Constitution and inter-*
16 *national obligations, Afghanistan shall ensure and*
17 *advance the essential role of women in society, so that*
18 *they may fully enjoy their economic, social, political,*
19 *civil and cultural rights.”*

20 **(b) PLAN TO PROMOTE SECURITY OF AFGHAN**
21 **WOMEN.—**

22 *(1) IN GENERAL.—Not later than 120 days after*
23 *the date of the enactment of this Act, the Secretary of*
24 *Defense, in concurrence with the Secretary of State,*
25 *shall submit to the appropriate congressional commit-*

1 *tees a plan to promote the security of Afghan women*
2 *during the security transition process.*

3 (2) *ELEMENTS.*—*The plan required under para-*
4 *graph (1) shall include the following elements:*

5 (A) *A plan to monitor and respond to*
6 *changes in women’s security conditions in areas*
7 *undergoing transition, including the following*
8 *actions:*

9 (i) *Seeking to designate a Civilian Im-*
10 *part Advisor on the Joint Afghan-NATO*
11 *Integral Board (JANIB) to assess the impact*
12 *of transition on male and female civilians*
13 *and ensure that efforts to protect women’s*
14 *rights and security are included in each*
15 *area’s transition implementation plan.*

16 (ii) *Reviewing existing indicators*
17 *against which sex-disaggregated data is col-*
18 *lected and, if necessary, developing addi-*
19 *tional indicators, to ensure the availability*
20 *of data that can be used to measure wom-*
21 *en’s security, such as—*

22 (I) *the mobility of women and*
23 *girls;*

24 (II) *the participation of women*
25 *in local government bodies;*

1 (III) *the rate of school attendance*
2 *for girls;*

3 (IV) *women's access to govern-*
4 *ment services; and*

5 (V) *the prevalence of violence*
6 *against women; and incorporating*
7 *those indicators into ongoing efforts to*
8 *assess overall security conditions dur-*
9 *ing the transition period.*

10 (iii) *Integrating assessments of wom-*
11 *en's security into current procedures used to*
12 *determine an area's readiness to proceed*
13 *through the transition process.*

14 (iv) *Working with Afghan partners, co-*
15 *alition partners, and relevant United States*
16 *Government departments and agencies to*
17 *take concrete action to support women's*
18 *rights and security in cases of deterioration*
19 *in women's security conditions during the*
20 *transition period.*

21 (B) *A plan to increase gender awareness*
22 *and responsiveness among Afghan National*
23 *Army and Afghan National Police personnel, in-*
24 *cluding the following actions:*

1 (i) Working with Afghan and coalition
2 partners to utilize training curricula and
3 programming that addresses the human
4 rights of women and girls, appropriate re-
5 sponses to threats against women and girls,
6 and appropriate behavior toward female
7 colleagues and members of the community;
8 assessing the quality and consistency of this
9 training across regional commands; and as-
10 ssuming the impact of this training on train-
11 ee behavior.

12 (ii) Working with national and local
13 ANA and ANP leaders to develop and uti-
14 lize enforcement and accountability mecha-
15 nisms for ANA and ANP personnel who vio-
16 late codes of conduct related to the human
17 rights of women and girls.

18 (iii) Working with Afghan and coali-
19 tion partners to implement the above tools
20 and develop uniform methods and standards
21 for training and enforcement among coali-
22 tion partners and across regions.

23 (C) A plan to increase the number of female
24 members of the ANA and ANP, including the fol-
25 lowing actions:

1 (i) *Providing, through consultation*
2 *with Afghan partners, realistic and achiev-*
3 *able objectives for the recruitment and re-*
4 *tion of women to the ANA and ANP by*
5 *the end of the security transition period in*
6 *2014.*

7 (ii) *Working with national and local*
8 *ANA and ANP leaders and coalition part-*
9 *ners to address physical and cultural chal-*
10 *lenges to the recruitment and retention of*
11 *female ANA and ANP personnel, including*
12 *through targeted recruitment campaigns, ex-*
13 *anded training and mentorship opportuni-*
14 *ties, parity in pay and promotion rates*
15 *with male counterparts, and availability of*
16 *facilities for female personnel.*

17 (iii) *Working with national and local*
18 *ANA and ANP leaders to increase under-*
19 *standing about the unique ways in which*
20 *women members of the security forces im-*
21 *prove the force's overall effectiveness.*

22 (iv) *Working with national and local*
23 *ANA and ANP leaders to develop a plan for*
24 *maintaining and increasing the recruitment*
25 *and retention of women in the ANA and*

1 *ANP following the completion of the secu-*
2 *rity transition.*

3 (3) *REPORT.*—*The Secretary of Defense shall in-*
4 *clude in each report on progress toward security and*
5 *stability in Afghanistan that is submitted to Congress*
6 *under sections 1230 and 1231 of the National Defense*
7 *Authorization Act for Fiscal Year 2008 (Public Law*
8 *110–181; 122 Stat. 385, 390) a section describing ac-*
9 *tions taken to implement the plan required under this*
10 *subsection.*

11 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
12 *FINED.*—*In this section, the term “appropriate congres-*
13 *sional committees” means—*

14 (1) *the Committee on Armed Services and the*
15 *Committee on Foreign Relations of the Senate; and*

16 (2) *the Committee on Armed Services and the*
17 *Committee on Foreign Affairs of the House of Rep-*
18 *resentatives.*

19 **SEC. 1250. SENSE OF CONGRESS ON THE ISRAELI IRON**
20 **DOME DEFENSIVE WEAPON SYSTEM.**

21 (a) *FINDINGS.*—*Congress makes the following findings:*

22 (1) *The citizens of Israel have suffered under a*
23 *continual barrage of missiles, rockets, and mortar*
24 *shells from the Hamas-controlled Gaza Strip.*

1 (2) *Hamas has been designated by the Secretary*
2 *of State as a Foreign Terrorist Organization.*

3 (3) *Hamas and other terrorist groups in Gaza*
4 *have routinely used human shields and launched rock-*
5 *ets from civilian areas.*

6 (4) *Israel has gone to extraordinary lengths to*
7 *avoid Palestinian civilian casualties, including*
8 *aborting attacks on military targets because of the*
9 *presence of civilians, alerting civilians to leave areas*
10 *of potential conflict, and allowing the importation of*
11 *medical and other supplies into Gaza.*

12 (5) *Israel faces additional rocket and missile*
13 *threats from Lebanon and Syria.*

14 (6) *The Government of Iran has supplied Hamas*
15 *with advanced longer range missiles such as the*
16 *Fajar-5.*

17 (7) *Hamas has deployed these weapons to be*
18 *fired from within their own civilian population.*

19 (8) *The Government of Israel, taking seriously*
20 *the threat of short range rockets and mortars, de-*
21 *signed, developed, and produced the Iron Dome sys-*
22 *tem to address those threats.*

23 (9) *The Iron Dome system has successfully inter-*
24 *cepted hundreds of rockets targeting population cen-*
25 *ters in Israel.*

1 (10) *The Iron Dome system has maintained a*
2 *success rate of close to 90 percent.*

3 (11) *The Government of Israel currently main-*
4 *tains 5 Iron Dome batteries, a number insufficient to*
5 *protect all of Israel.*

6 (12) *It appears that approximately 10 addi-*
7 *tional Iron Dome batteries are needed to protect all*
8 *of Israel.*

9 (13) *The United States Government, recognizing*
10 *the threat to Israeli citizens and desirous of pro-*
11 *moting peace, approved funding to assist the Govern-*
12 *ment of Israel in procuring Iron Dome batteries.*

13 (14) *Israel maintains a significant inventory of*
14 *Iron Dome interceptors which has been reduced due to*
15 *attacks from Gaza.*

16 (15) *Israel used a significant number of preci-*
17 *sion-guided munitions in order to destroy military*
18 *targets while minimizing civilian casualties in its re-*
19 *cent defensive effort in Gaza.*

20 (16) *President Barack Obama has expressed his*
21 *intention to seek additional funding for Iron Dome*
22 *and other United States-Israel missile defense sys-*
23 *tems.*

24 (b) *SENSE OF CONGRESS.—Congress—*

1 (1) reaffirms its commitment to the security of
2 our ally and strategic partner, Israel;

3 (2) fully supports Israel's right to defend itself
4 against acts of terrorism;

5 (3) sympathizes with the families of Israelis who
6 have come under the indiscriminate rocket fire from
7 Hamas-controlled Gaza;

8 (4) recognizes the exceptional success of the Iron
9 Dome Missile Defense system in defending the popu-
10 lation of Israel;

11 (5) desires to help ensure that Israel has the
12 means to defend itself against terrorist attacks, in-
13 cluding through the acquisition of additional Iron
14 Dome batteries and interceptors; and

15 (6) urges the Departments of Defense and State
16 to explore with their Israeli counterparts and alert
17 Congress of any needs the Israeli Defense Force may
18 have for additional Iron Dome batteries, interceptors,
19 or other equipment depleted during the current con-
20 flict.

21 **SEC. 1251. SENSE OF THE SENATE ON THE SITUATION IN**

22 **THE SENKAKU ISLANDS.**

23 *It is the sense of the Senate that—*

24 (1) the East China Sea is a vital part of the
25 maritime commons of Asia, including critical sea

1 *lanes of communication and commerce that benefit all*
2 *nations of the Asia-Pacific region;*

3 *(2) the peaceful settlement of territorial and ju-*
4 *risdictional disputes in the East China Sea requires*
5 *the exercise of self-restraint by all parties in the con-*
6 *duct of activities that would complicate or escalate*
7 *disputes and destabilize the region, and differences*
8 *should be handled in a constructive manner consistent*
9 *with universally recognized principles of customary*
10 *international law;*

11 *(3) while the United States takes no position on*
12 *the ultimate sovereignty of the Senkaku islands, the*
13 *United States acknowledges the administration of*
14 *Japan over the Senkaku Islands;*

15 *(4) The unilateral action of a third party will*
16 *not affect the United States' acknowledgment of the*
17 *administration of Japan over the Senkaku Islands;*

18 *(5) the United States has national interests in*
19 *freedom of navigation, the maintenance of peace and*
20 *stability, respect for international law, and*
21 *unimpeded lawful commerce;*

22 *(6) the United States supports a collaborative*
23 *diplomatic process by claimants to resolve territorial*
24 *disputes without coercion, and opposes efforts at coer-*
25 *cion, the threat of use of force, or use of force by any*

1 *claimant in seeking to resolve sovereignty and terri-*
2 *torial issues in the East China Sea; and*

3 *(7) the United States reaffirms its commitment*
4 *to the Government of Japan under Article V of the*
5 *Treaty of Mutual Cooperation and Security that*
6 *“[e]ach Party recognizes that an armed attack*
7 *against either Party in the territories under the ad-*
8 *ministration of Japan would be dangerous to its own*
9 *peace and safety and declares that it would act to*
10 *meet the common danger in accordance with its con-*
11 *stitutional provisions and processes”.*

12 **SEC. 1252. BILATERAL DEFENSE TRADE RELATIONSHIP**
13 **WITH INDIA.**

14 *(a) REPORT.—*

15 *(1) IN GENERAL.—Not later than 180 days after*
16 *the date of the enactment of this Act, the Secretary of*
17 *Defense shall submit to the congressional defense com-*
18 *mittees a report that articulates the vision of the De-*
19 *partment of Defense for defense trade relations be-*
20 *tween the United States and India within the context*
21 *of the overall bilateral defense relationship.*

22 *(2) CONTENT.—The report required under para-*
23 *graph (1) shall include the following elements:*

24 *(A) A description of the Department’s ap-*
25 *proach for normalizing defense trade.*

1 (B) *An assessment of the defense capabili-*
2 *ties that could enhance cooperation and coordi-*
3 *nation between the Governments of the United*
4 *States and India on matters of shared security*
5 *interests.*

6 (b) *COMPREHENSIVE POLICY REVIEW.—*

7 (1) *IN GENERAL.—The Secretary of Defense shall*
8 *lead a comprehensive policy review to examine the*
9 *feasibility of engaging in co-production and co-devel-*
10 *opment defense projects with India.*

11 (2) *SCOPE.—The policy review should—*

12 (A) *examine the parameters and require-*
13 *ments for United States-India cooperation as*
14 *well as the terms and conditions India must ful-*
15 *fill to broach such cooperation; and*

16 (B) *consider potential areas of cooperation,*
17 *including the possibility of co-producing a train-*
18 *ing aircraft and co-developing counter-IED tech-*
19 *nology or individual soldier capabilities.*

20 (c) *SENSE OF CONGRESS ON INTERNATIONAL INITIA-*
21 *TIVES.—It is the sense of Congress that the Department of*
22 *Defense, in coordination with the Department State,*
23 *should—*

24 (1) *conduct a review of all United States–India*
25 *bilateral working groups dealing with high technology*

1 *transfers, including technology security and licensing*
2 *for dual-use and munitions licenses, and determine*
3 *the feasibility of establishing a single United States*
4 *Government working group dedicated to strategic*
5 *technology trade;*

6 *(2) engage counterparts in the Government of*
7 *India in an intensified dialogue on the current chal-*
8 *lenges related to the compatibility of the Foreign*
9 *Military Sales and direct commercial sales programs*
10 *with the Indian Defense Procurement Procedure*
11 *(DPP), and steps to improve compatibility;*

12 *(3) engage counterparts in the Government of*
13 *India in a dialogue about the elements of an effective*
14 *defense industrial base, including personnel training,*
15 *quality assurance, and manufacturing procedures;*

16 *(4) consider the establishment of orientation pro-*
17 *grams for new defense officials in the Government of*
18 *India about the procedures for United States defense*
19 *sales, including licensing processes; and*

20 *(5) continue and deepen ongoing efforts to assist*
21 *the Government of India in developing its defense ac-*
22 *quisition expertise by assisting with the development*
23 *of training institutions and human capital.*

1 **Subtitle E—Iran Sanctions**

2 **SEC. 1261. SHORT TITLE.**

3 *This subtitle may be cited as the “Iran Freedom and*
4 *Counter-Proliferation Act of 2012”.*

5 **SEC. 1262. DEFINITIONS.**

6 *(a) IN GENERAL.—In this subtitle:*

7 (1) *AGRICULTURAL COMMODITY.—The term “ag-*
8 *ricultural commodity” has the meaning given that*
9 *term in section 102 of the Agricultural Trade Act of*
10 *1978 (7 U.S.C. 5602).*

11 (2) *APPROPRIATE CONGRESSIONAL COMMIT-*
12 *TEES.—The term “appropriate congressional commit-*
13 *tees” has the meaning given that term in section 14*
14 *of the Iran Sanctions Act of 1996 (Public Law 104-*
15 *172; 50 U.S.C. 1701 note).*

16 (3) *COAL.—The term “coal” means metallurgical*
17 *coal, coking coal, or fuel coke.*

18 (4) *CORRESPONDENT ACCOUNT; PAYABLE-*
19 *THROUGH ACCOUNT.—The terms “correspondent ac-*
20 *count” and “payable-through account” have the*
21 *meanings given those terms in section 5318A of title*
22 *31, United States Code.*

23 (5) *FOREIGN FINANCIAL INSTITUTION.—The term*
24 *“foreign financial institution” has the meaning of*
25 *that term as determined by the Secretary of the*

1 *Treasury pursuant to section 104(i) of the Com-*
2 *prehensive Iran Sanctions, Accountability, and Di-*
3 *vestment Act of 2010 (22 U.S.C. 8513(i)).*

4 (6) *IRANIAN FINANCIAL INSTITUTION.*—*The term*
5 *“Iranian financial institution” has the meaning*
6 *given that term in section 104A(d) of the Comprehen-*
7 *sive Iran Sanctions, Accountability, and Divestment*
8 *Act of 2010 (22 U.S.C. 8513b(d)).*

9 (7) *IRANIAN PERSON.*—*The term “Iranian per-*
10 *son” means—*

11 (A) *an individual who is a citizen or na-*
12 *tional of Iran; and*

13 (B) *an entity organized under the laws of*
14 *Iran or otherwise subject to the jurisdiction of*
15 *the Government of Iran.*

16 (8) *KNOWINGLY.*—*The term “knowingly”, with*
17 *respect to conduct, a circumstance, or a result, means*
18 *that a person has actual knowledge, or should have*
19 *known, of the conduct, the circumstance, or the result.*

20 (9) *MEDICAL DEVICE.*—*The term “medical de-*
21 *vice” has the meaning given the term “device” in sec-*
22 *tion 201 of the Federal Food, Drug, and Cosmetic Act*
23 *(21 U.S.C. 321).*

24 (10) *MEDICINE.*—*The term “medicine” has the*
25 *meaning given the term “drug” in section 201 of the*

1 *Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
2 *321).*

3 (11) *SHIPPING.*—*The term “shipping” refers to*
4 *the transportation of goods by a vessel and related ac-*
5 *tivities.*

6 (12) *UNITED STATES PERSON.*—*The term*
7 *“United States person” has the meaning given that*
8 *term in section 101 of the Comprehensive Iran Sanc-*
9 *tions, Accountability, and Divestment Act of 2010 (22*
10 *U.S.C. 8511).*

11 (13) *VESSEL.*—*The term “vessel” has the mean-*
12 *ing given that term in section 3 of title 1, United*
13 *States Code.*

14 (b) *DETERMINATIONS OF SIGNIFICANCE.*—*For pur-*
15 *poses of this subtitle, in determining if financial trans-*
16 *actions or financial services are significant, the President*
17 *may consider the totality of the facts and circumstances,*
18 *including factors similar to the factors set forth in section*
19 *561.404 of title 31, Code of Federal Regulations (or any*
20 *corresponding similar regulation or ruling).*

21 **SEC. 1263. DECLARATION OF POLICY ON HUMAN RIGHTS.**

22 (a) *FINDING.*—*Congress finds that the interests of the*
23 *United States and international peace are threatened by*
24 *the ongoing and destabilizing actions of the Government of*

1 *Iran, including its massive, systematic, and extraordinary*
2 *violations of the human rights of its own citizens.*

3 (b) *DECLARATION OF POLICY.—It shall be the policy*
4 *of the United States—*

5 (1) *to deny the Government of Iran the ability*
6 *to continue to oppress the people of Iran and to use*
7 *violence and executions against pro-democracy*
8 *protestors and regime opponents;*

9 (2) *to fully and publicly support efforts made by*
10 *the people of Iran to promote the establishment of*
11 *basic freedoms that build the foundation for the emer-*
12 *gence of a freely elected, open, and democratic polit-*
13 *ical system;*

14 (3) *to help the people of Iran produce, access,*
15 *and share information freely and safely via the Inter-*
16 *net and through other media; and*

17 (4) *to defeat all attempts by the Government of*
18 *Iran to jam or otherwise obstruct international sat-*
19 *ellite broadcast signals.*

20 **SEC. 1264. IMPOSITION OF SANCTIONS WITH RESPECT TO**
21 **THE ENERGY, SHIPPING, AND SHIPBUILDING**
22 **SECTORS OF IRAN.**

23 (a) *FINDINGS.—Congress makes the following findings:*

24 (1) *Iran's energy, shipping, and shipbuilding*
25 *sectors and Iran's ports are facilitating the Govern-*

1 *ment of Iran’s nuclear proliferation activities by pro-*
2 *viding revenue to support proliferation activities.*

3 *(2) The United Nations Security Council and the*
4 *United States Government have expressed concern*
5 *about the proliferation risks presented by the Iranian*
6 *nuclear program.*

7 *(3) The Director General of the International*
8 *Atomic Energy Agency (in this section referred to as*
9 *the “IAEA”) has in successive reports (GOV/2012/37*
10 *and GOV/2011/65) identified possible military dimen-*
11 *sions of Iran’s nuclear program.*

12 *(4) The Government of Iran continues to defy the*
13 *requirements and obligations contained in relevant*
14 *IAEA Board of Governors and United Nations Secu-*
15 *rity Council resolutions, including by continuing and*
16 *expanding uranium enrichment activities in Iran, as*
17 *reported in IAEA Report GOV/2012/37.*

18 *(5) United Nations Security Council Resolution*
19 *1929 (2010) recognizes the “potential connection be-*
20 *tween Iran’s revenues derived from its energy sector*
21 *and the funding of Iran’s proliferation sensitive nu-*
22 *clear activities”.*

23 *(6) The National Iranian Tanker Company is*
24 *the main carrier for the Iranian Revolutionary*
25 *Guard Corps-designated National Iranian Oil Com-*

1 pany and a key element in the petroleum supply
2 chain responsible for generating energy revenues that
3 support the illicit nuclear proliferation activities of
4 the Government of Iran.

5 (b) *DESIGNATION OF PORTS AND ENTITIES IN THE*
6 *ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN*
7 *AS ENTITIES OF PROLIFERATION CONCERN.*—Entities that
8 operate ports in Iran and entities in the energy, shipping,
9 and shipbuilding sectors of Iran, including the National
10 Iranian Oil Company, the National Iranian Tanker Com-
11 pany, the Islamic Republic of Iran Shipping Lines, and
12 their affiliates, play an important role in Iran’s nuclear
13 proliferation efforts and all such entities are hereby des-
14 igned as entities of proliferation concern.

15 (c) *BLOCKING OF PROPERTY OF ENTITIES IN ENERGY,*
16 *SHIPPING, AND SHIPBUILDING SECTORS.*—

17 (1) *IN GENERAL.*—On and after the date that is
18 90 days after the date of the enactment of this Act,
19 the President shall block and prohibit all transactions
20 in all property and interests in property of any per-
21 son described in paragraph (2) if such property and
22 interests in property are in the United States, come
23 within the United States, or are or come within the
24 possession or control of a United States person.

1 (2) *PERSONS DESCRIBED.*—A person is described
2 in this paragraph if the President determines that the
3 person, on or after the date that is 90 days after the
4 date of the enactment of this Act—

5 (A) is part of the energy, shipping, or ship-
6 building sectors of Iran;

7 (B) operates a port in Iran; or

8 (C) knowingly provides significant finan-
9 cial, material, technological, or other support to,
10 or goods or services in support of any activity or
11 transaction on behalf of or for the benefit of—

12 (i) a person determined under sub-
13 paragraph (A) to be a part of the energy,
14 shipping, or shipbuilding sectors of Iran;

15 (ii) a person determined under sub-
16 paragraph (B) to operate a port in Iran; or

17 (iii) an Iranian person included on the
18 list of specially designated nationals and
19 blocked persons maintained by the Office of
20 Foreign Assets Control of the Department of
21 the Treasury (other than an Iranian finan-
22 cial institution described in paragraph (3)).

23 (3) *IRANIAN FINANCIAL INSTITUTIONS DE-*
24 *SCRIBED.*—An Iranian financial institution described
25 in this paragraph is an Iranian financial institution

1 *that has not been designated for the imposition of*
2 *sanctions in connection with—*

3 *(A) Iran’s proliferation of weapons of mass*
4 *destruction or delivery systems for weapons of*
5 *mass destruction;*

6 *(B) Iran’s support for international ter-*
7 *rorism; or*

8 *(C) Iran’s abuses of human rights.*

9 *(d) ADDITIONAL SANCTIONS WITH RESPECT TO THE*
10 *ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF*
11 *IRAN.—*

12 *(1) SALE, SUPPLY, OR TRANSFER OF CERTAIN*
13 *GOODS AND SERVICES.—Except as provided in this*
14 *section, the President shall impose 5 or more of the*
15 *sanctions described in section 6(a) of the Iran Sanc-*
16 *tions Act of 1996 (Public Law 104–172; 50 U.S.C.*
17 *1701 note) with respect to a person if the President*
18 *determines that the person knowingly, on or after the*
19 *date that is 90 days after the date of the enactment*
20 *of this Act, sells, supplies, or transfers to or from Iran*
21 *significant goods or services described in paragraph*
22 *(3).*

23 *(2) FACILITATION OF CERTAIN TRANSACTIONS.—*
24 *Except as provided in this section, the President shall*
25 *prohibit the opening, and prohibit or impose strict*

1 *conditions on the maintaining, in the United States*
2 *of a correspondent account or a payable-through ac-*
3 *count by a foreign financial institution that the*
4 *President determines knowingly, on or after the date*
5 *that is 90 days after the date of the enactment of this*
6 *Act, conducts or facilitates a significant financial*
7 *transaction for the sale, supply, or transfer to or from*
8 *Iran of goods or services described in paragraph (3).*

9 (3) *GOODS AND SERVICES DESCRIBED.*—*Goods*
10 *or services described in this paragraph are goods or*
11 *services used in connection with the energy, shipping,*
12 *or shipbuilding sectors of Iran, including the Na-*
13 *tional Iranian Oil Company, the National Iranian*
14 *Tanker Company, and the Islamic Republic of Iran*
15 *Shipping Lines.*

16 (4) *APPLICATION OF CERTAIN PROVISIONS OF*
17 *IRAN SANCTIONS ACT OF 1996.*—*The following provi-*
18 *sions of the Iran Sanctions Act of 1996 (Public Law*
19 *104–172; 50 U.S.C. 1701 note) shall apply with re-*
20 *spect to the imposition of sanctions under paragraph*
21 *(1) to the same extent that such provisions apply with*
22 *respect to the imposition of sanctions under section*
23 *5(a) of that Act:*

1 (A) Subsections (c), (d), and (f) of section
2 5 (except for paragraphs (3) and (4)(C) of such
3 subsection (f)).

4 (B) Sections 8, 11, and 12.

5 (e) *HUMANITARIAN EXCEPTION.*—*The President may*
6 *not impose sanctions under this section with respect to any*
7 *person for conducting or facilitating a transaction for the*
8 *sale of agricultural commodities, food, medicine, or medical*
9 *devices to Iran or for the provision of humanitarian assist-*
10 *ance to the people of Iran.*

11 (f) *APPLICABILITY OF SANCTIONS TO PETROLEUM AND*
12 *PETROLEUM PRODUCTS.*—

13 (1) *IN GENERAL.*—*Except as provided in para-*
14 *graph (2), this section shall apply with respect to the*
15 *purchase of petroleum or petroleum products from*
16 *Iran only if, at the time of the purchase, a determina-*
17 *tion of the President under section 1245(d)(4)(B) of*
18 *the National Defense Authorization Act for Fiscal*
19 *Year 2012 (22 U.S.C. 8513a(d)(4)(B)) that the price*
20 *and supply of petroleum and petroleum products pro-*
21 *duced in countries other than Iran is sufficient to*
22 *permit purchasers of petroleum and petroleum prod-*
23 *ucts from Iran to reduce significantly their purchases*
24 *from Iran is in effect.*

25 (2) *EXCEPTION FOR CERTAIN COUNTRIES.*—

1 (A) *EXPORTATION.*—*This section shall not*
2 *apply with respect to the exportation of petro-*
3 *leum or petroleum products from Iran to a coun-*
4 *try to which the exception under section*
5 *1245(d)(4)(D)(i) of the National Defense Author-*
6 *ization Act for Fiscal Year 2012 (22 U.S.C.*
7 *8513a(d)(4)(D)(i)) applies at the time of the ex-*
8 *portation of the petroleum or petroleum prod-*
9 *ucts.*

10 (B) *FINANCIAL TRANSACTIONS.*—

11 (i) *IN GENERAL.*—*This section shall*
12 *not apply with respect to a financial trans-*
13 *action described in clause (ii) conducted or*
14 *facilitated by a foreign financial institution*
15 *if, at the time of the transaction, the excep-*
16 *tion under section 1245(d)(4)(D)(i) of the*
17 *National Defense Authorization Act for Fis-*
18 *cal Year 2012 (22 U.S.C.*
19 *8513a(d)(4)(D)(i)) applies to the country*
20 *with primary jurisdiction over the foreign*
21 *financial institution.*

22 (ii) *FINANCIAL TRANSACTIONS DE-*
23 *SCRIBED.*—*A financial transaction con-*
24 *ducted or facilitated by a foreign financial*
25 *institution is described in this clause if—*

1 (I) *the financial transaction is for*
2 *the purchase of purchase of petroleum*
3 *or petroleum products from Iran;*

4 (II) *the financial transaction is*
5 *only for trade in goods or services—*

6 (aa) *not otherwise subject to*
7 *sanctions under the law of the*
8 *United States; and*

9 (bb) *between the country with*
10 *primary jurisdiction over the for-*
11 *ign financial institution and*
12 *Iran; and*

13 (III) *any funds owed to Iran as a*
14 *result of such trade are credited to an*
15 *account located in the country with*
16 *primary jurisdiction over the foreign*
17 *financial institution.*

18 (g) *APPLICABILITY OF SANCTIONS TO NATURAL*
19 *GAS.—*

20 (1) *SALE, SUPPLY, OR TRANSFER.—Except as*
21 *provided in paragraph (2), this section shall not*
22 *apply to the sale, supply, or transfer to or from Iran*
23 *of natural gas.*

24 (2) *FINANCIAL TRANSACTIONS.—This section*
25 *shall apply to a foreign financial institution that*

1 *conducts or facilitates a financial transaction for the*
2 *sale, supply, or transfer to or from Iran of natural*
3 *gas unless—*

4 *(A) the financial transaction is only for*
5 *trade in goods or services—*

6 *(i) not otherwise subject to sanctions*
7 *under the law of the United States; and*

8 *(ii) between the country with primary*
9 *jurisdiction over the foreign financial insti-*
10 *tution and Iran; and*

11 *(B) any funds owed to Iran as a result of*
12 *such trade are credited to an account located in*
13 *the country with primary jurisdiction over the*
14 *foreign financial institution.*

15 *(h) WAIVER.—*

16 *(1) IN GENERAL.—The President may waive the*
17 *imposition of sanctions under this section for a period*
18 *of not more than 120 days, and may renew that*
19 *waiver for additional periods of not more than 120*
20 *days, if the President—*

21 *(A) determines that such a waiver is vital*
22 *to the national security of the United States; and*

23 *(B) submits to the appropriate congres-*
24 *sional committees a report providing a justifica-*
25 *tion for the waiver.*

1 (2) *FORM OF REPORT.*—Each report submitted
2 under paragraph (1)(B) shall be submitted in unclas-
3 sified form, but may include a classified annex.

4 **SEC. 1265. IMPOSITION OF SANCTIONS WITH RESPECT TO**
5 **THE SALE, SUPPLY, OR TRANSFER OF CER-**
6 **TAIN MATERIALS TO OR FROM IRAN.**

7 (a) *SALE, SUPPLY, OR TRANSFER OF CERTAIN MATE-*
8 *RIALS.*—The President shall impose 5 or more of the sanc-
9 tions described in section 6(a) of the Iran Sanctions Act
10 of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) with
11 respect to a person if the President determines that the per-
12 son knowingly, on or after the date that is 90 days after
13 the date of the enactment of this Act, sells, supplies, or
14 transfers, directly or indirectly, to or from Iran—

15 (1) a precious metal;

16 (2) a material described in subsection (c) deter-
17 mined pursuant to subsection (d)(1) to be used by
18 Iran as described in that subsection;

19 (3) any other material described in subsection
20 (c) if—

21 (A) the material is—

22 (i) to be used in connection with the
23 energy, shipping, or shipbuilding sectors of
24 Iran or any sector of the economy of Iran

1 *controlled directly or indirectly by Iran's*
2 *Revolutionary Guard Corps;*

3 *(ii) sold, supplied, or transferred to or*
4 *from an Iranian person included on the list*
5 *of specially designated nationals and*
6 *blocked persons maintained by the Office of*
7 *Foreign Assets Control of the Department of*
8 *the Treasury; or*

9 *(iii) relevant to the nuclear, military,*
10 *or ballistic missile programs of Iran; or*

11 *(B) the material is resold, retransferred, or*
12 *otherwise supplied—*

13 *(i) to an end-user in a sector described*
14 *in clause (i) of subparagraph (A);*

15 *(ii) to a person described in clause (ii)*
16 *of that subparagraph; or*

17 *(iii) for a program described in clause*
18 *(iii) of that subparagraph.*

19 ***(b) FACILITATION OF CERTAIN TRANSACTIONS.—The***
20 *President shall prohibit the opening, and prohibit or impose*
21 *strict conditions on the maintaining, in the United States*
22 *of a correspondent account or a payable-through account*
23 *by a foreign financial institution that the President deter-*
24 *mines knowingly, on or after the date that is 90 days after*
25 *the date of the enactment of this Act, conducts or facilitates*

1 *a significant financial transaction for the sale, supply, or*
2 *transfer to or from Iran of materials the sale, supply, or*
3 *transfer of which would subject a person to sanctions under*
4 *subsection (a).*

5 *(c) MATERIALS DESCRIBED.—Materials described in*
6 *this subsection are graphite, raw or semi-finished metals*
7 *such as aluminum and steel, coal, and software for inte-*
8 *grating industrial processes.*

9 *(d) DETERMINATION WITH RESPECT TO USE OF MA-*
10 *TERIALS.—Not later than 90 days after the date of the en-*
11 *actment of this Act, and every 90 days thereafter, the Presi-*
12 *dent shall submit to the appropriate congressional commit-*
13 *tees and publish in the Federal Register a report that con-*
14 *tains the determination of the President with respect to—*

15 *(1) whether Iran is—*

16 *(A) using any of the materials described in*
17 *subsection (c) as a medium for barter, swap, or*
18 *any other exchange or transaction; or*

19 *(B) listing any of such materials as assets*
20 *of the Government of Iran for purposes of the na-*
21 *tional balance sheet of Iran;*

22 *(2) which sectors of the economy of Iran are con-*
23 *trolled directly or indirectly by Iran’s Revolutionary*
24 *Guard Corps; and*

1 (3) *which of the materials described in subsection*
2 *(c) are relevant to the nuclear, military, or ballistic*
3 *missile programs of Iran.*

4 (e) *EXCEPTION FOR PERSONS EXERCISING DUE DILI-*
5 *GENCE.—The President may not impose sanctions under*
6 *subsection (a) or (b) with respect to a person if the Presi-*
7 *dent determines that the person has exercised due diligence*
8 *in establishing and enforcing official policies, procedures,*
9 *and controls to ensure that the person does not sell, supply,*
10 *or transfer to or from Iran materials the sale, supply, or*
11 *transfer of which would subject a person to sanctions under*
12 *subsection (a) or conduct or facilitate a financial trans-*
13 *action for such a sale, supply, or transfer.*

14 (f) *WAIVER.—*

15 (1) *IN GENERAL.—The President may waive the*
16 *imposition of sanctions under this section for a period*
17 *of not more than 120 days, and may renew that*
18 *waiver for additional periods of not more than 120*
19 *days, if the President—*

20 (A) *determines that such a waiver is vital*
21 *to the national security of the United States; and*

22 (B) *submits to the appropriate congres-*
23 *sional committees a report providing a justifica-*
24 *tion for the waiver.*

1 (2) *FORM OF REPORT.*—Each report submitted
2 under paragraph (1)(B) shall be submitted in unclas-
3 sified form, but may include a classified annex.

4 (g) *NATIONAL BALANCE SHEET OF IRAN DEFINED.*—
5 For purposes of this section, the term “national balance
6 sheet of Iran” refers to the ratio of the assets of the Govern-
7 ment of Iran to the liabilities of that Government.

8 **SEC. 1266. IMPOSITION OF SANCTIONS WITH RESPECT TO**
9 **THE PROVISION OF UNDERWRITING SERV-**
10 **ICES OR INSURANCE OR REINSURANCE FOR**
11 **ACTIVITIES OR PERSONS WITH RESPECT TO**
12 **WHICH SANCTIONS HAVE BEEN IMPOSED.**

13 (a) *IN GENERAL.*—Except as provided in subsection
14 (b), the President shall impose 5 or more of the sanctions
15 described in section 6(a) of the Iran Sanctions Act of 1996
16 (Public Law 104–172; 50 U.S.C. 1701 note) with respect
17 to a person if the President determines that the person
18 knowingly, on or after the date that is 90 days after the
19 date of the enactment of this Act, provides underwriting
20 services or insurance or reinsurance—

21 (1) for any activity with respect to Iran for
22 which sanctions have been imposed under this sub-
23 title, the International Emergency Economic Powers
24 Act (50 U.S.C. 1701 et seq.), the Iran Sanctions Act
25 of 1996, the Comprehensive Iran Sanctions, Account-

1 *ability, and Divestment Act of 2010 (22 U.S.C. 8501*
2 *et seq.), the Iran Threat Reduction and Syria Human*
3 *Rights Act of 2012 (22 U.S.C. 8701 et seq.), the Iran,*
4 *North Korea, and Syria Nonproliferation Act (Public*
5 *Law 106–178; 50 U.S.C. 1701 note), or any other*
6 *provision of law relating to the imposition of sanc-*
7 *tions with respect to Iran;*

8 (2) *to or for any person—*

9 (A) *with respect to, or for the benefit of any*
10 *activity in the energy, shipping, or shipbuilding*
11 *sectors of Iran for which sanctions are imposed*
12 *under this subtitle;*

13 (B) *for the sale, supply, or transfer to or*
14 *from Iran of materials described in section*
15 *1255(c); or*

16 (C) *designated for the imposition of sanc-*
17 *tions pursuant to the International Emergency*
18 *Economic Powers Act (50 U.S.C. 1701 et seq.) in*
19 *connection with—*

20 (i) *Iran’s proliferation of weapons of*
21 *mass destruction or delivery systems for*
22 *weapons of mass destruction; or*

23 (ii) *Iran’s support for international*
24 *terrorism; or*

1 (3) to or for any Iranian person included on the
2 list of specially designated nationals and blocked per-
3 sons maintained by the Office of Foreign Assets Con-
4 trol of the Department of the Treasury (other than an
5 Iranian financial institution described in subsection
6 (b)).

7 (b) *IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.*—
8 An Iranian financial institution described in this sub-
9 section is an Iranian financial institution that has not been
10 designated for the imposition of sanctions in connection
11 with—

12 (1) Iran’s proliferation of weapons of mass de-
13 struction or delivery systems for weapons of mass de-
14 struction;

15 (2) Iran’s support for international terrorism; or

16 (3) Iran’s abuses of human rights.

17 (c) *HUMANITARIAN EXCEPTION.*—The President may
18 not impose sanctions under subsection (a) for the provision
19 of underwriting services or insurance or reinsurance for a
20 transaction for the sale of agricultural commodities, food,
21 medicine, or medical devices to Iran or for the provision
22 of humanitarian assistance to the people of Iran.

23 (d) *EXCEPTION FOR UNDERWRITERS AND INSURANCE*
24 *PROVIDERS EXERCISING DUE DILIGENCE.*—The President
25 may not impose sanctions under paragraph (1) or (3) or

1 subparagraph (A) or (B) of paragraph (2) of subsection (a)
2 with respect to a person that provides underwriting services
3 or insurance or reinsurance if the President determines that
4 the person has exercised due diligence in establishing and
5 enforcing official policies, procedures, and controls to ensure
6 that the person does not underwrite or enter into a contract
7 to provide insurance or reinsurance for an activity de-
8 scribed in paragraph (1) of that subsection or to or for any
9 person described in paragraph (3) or subparagraph (A) or
10 (B) of paragraph (2) of that subsection.

11 (e) *WAIVER*.—

12 (1) *IN GENERAL*.—*The President may waive the*
13 *imposition of sanctions under subsection (a) for a pe-*
14 *riod of not more than 120 days, and may renew that*
15 *waiver for additional periods of not more than 120*
16 *days, if the President—*

17 (A) *determines that such a waiver is vital*
18 *to the national security of the United States; and*

19 (B) *submits to the appropriate congres-*
20 *sional committees a report providing a justifica-*
21 *tion for the waiver.*

22 (2) *FORM OF REPORT*.—*Each report submitted*
23 *under paragraph (1)(B) shall be submitted in unclas-*
24 *sified form, but may include a classified annex.*

1 (f) *APPLICATION OF CERTAIN PROVISIONS OF IRAN*
2 *SANCTIONS ACT OF 1996.*—*The following provisions of the*
3 *Iran Sanctions Act of 1996 (Public Law 104–172; 50*
4 *U.S.C. 1701 note) shall apply with respect to the imposition*
5 *of sanctions under subsection (a) to the same extent that*
6 *such provisions apply with respect to the imposition of*
7 *sanctions under section 5(a) of that Act:*

8 (1) *Subsections (c), (d), and (f) of section 5 (ex-*
9 *cept for paragraphs (3) and (4)(C) of such subsection*
10 *(f)).*

11 (2) *Sections 8, 11, and 12.*

12 **SEC. 1267. IMPOSITION OF SANCTIONS WITH RESPECT TO**
13 **FOREIGN FINANCIAL INSTITUTIONS THAT FA-**
14 **CILITATE FINANCIAL TRANSACTIONS ON BE-**
15 **HALF OF SPECIALLY DESIGNATED NATION-**
16 **ALS.**

17 (a) *IN GENERAL.*—*Except as provided in this section,*
18 *the President shall prohibit the opening, and prohibit or*
19 *impose strict conditions on the maintaining, in the United*
20 *States of a correspondent account or a payable-through ac-*
21 *count by a foreign financial institution that the President*
22 *determines has, on or after the date that is 90 days after*
23 *the date of the enactment of this Act, knowingly facilitated*
24 *a significant financial transaction on behalf of any Iranian*
25 *person included on the list of specially designated nationals*

1 *and blocked persons maintained by the Office of Foreign*
2 *Assets Control of the Department of the Treasury (other*
3 *than an Iranian financial institution described in sub-*
4 *section (b)).*

5 (b) *IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—*
6 *An Iranian financial institution described in this sub-*
7 *section is an Iranian financial institution that has not been*
8 *designated for the imposition of sanctions in connection*
9 *with—*

10 (1) *Iran’s proliferation of weapons of mass de-*
11 *struction or delivery systems for weapons of mass de-*
12 *struction;*

13 (2) *Iran’s support for international terrorism; or*

14 (3) *Iran’s abuses of human rights.*

15 (c) *HUMANITARIAN EXCEPTION.—The President may*
16 *not impose sanctions under subsection (a) with respect to*
17 *any person for conducting or facilitating a transaction for*
18 *the sale of agricultural commodities, food, medicine, or med-*
19 *ical devices to Iran or for the provision of humanitarian*
20 *assistance to the people of Iran.*

21 (d) *APPLICABILITY OF SANCTIONS TO PETROLEUM*
22 *AND PETROLEUM PRODUCTS.—*

23 (1) *IN GENERAL.—Except as provided in para-*
24 *graph (2), subsection (a) shall apply with respect to*
25 *a financial transaction for the purchase of petroleum*

1 or petroleum products from Iran only if, at the time
2 of the transaction, a determination of the President
3 under section 1245(d)(4)(B) of the National Defense
4 Authorization Act for Fiscal Year 2012 (22 U.S.C.
5 8513a(d)(4)(B)) that the price and supply of petro-
6 leum and petroleum products produced in countries
7 other than Iran is sufficient to permit purchasers of
8 petroleum and petroleum products from Iran to re-
9 duce significantly their purchases from Iran is in ef-
10 fect.

11 (2) *EXCEPTION FOR CERTAIN COUNTRIES.*—

12 (A) *IN GENERAL.*—Subsection (a) shall not
13 apply with respect to a financial transaction de-
14 scribed in subparagraph (B) conducted or facili-
15 tated by a foreign financial institution for if, at
16 the time of the transaction, the exception under
17 section 1245(d)(4)(D)(i) of the National Defense
18 Authorization Act for Fiscal Year 2012 (22
19 U.S.C. 8513a(d)(4)(D)(i)) applies to the country
20 with primary jurisdiction over the foreign finan-
21 cial institution.

22 (B) *FINANCIAL TRANSACTIONS DE-*
23 *SCRIBED.*—A financial transaction conducted or
24 facilitated by a foreign financial institution is
25 described in this subparagraph if—

1 (i) the financial transaction is for the
2 purchase of purchase of petroleum or petro-
3 leum products from Iran;

4 (ii) the financial transaction is only
5 for trade in goods or services—

6 (I) not otherwise subject to sanc-
7 tions under the law of the United
8 States; and

9 (II) between the country with pri-
10 mary jurisdiction over the foreign fi-
11 nancial institution and Iran; and

12 (iii) any funds owed to Iran as a re-
13 sult of such trade are credited to an account
14 located in the country with primary juris-
15 diction over the foreign financial institu-
16 tion.

17 (e) *APPLICABILITY OF SANCTIONS TO NATURAL GAS.*—

18 Subsection (a) shall apply to a foreign financial institution
19 that conducts or facilitates a financial transaction for the
20 sale, supply, or transfer to or from Iran of natural gas un-
21 less—

22 (1) the financial transaction is only for trade in
23 goods or services—

24 (A) not otherwise subject to sanctions under
25 the law of the United States; and

1 (B) between the country with primary ju-
2 risdiction over the foreign financial institution
3 and Iran; and

4 (2) any funds owed to Iran as a result of such
5 trade are credited to an account located in the coun-
6 try with primary jurisdiction over the foreign finan-
7 cial institution.

8 (f) *WAIVER.*—

9 (1) *IN GENERAL.*—The President may waive the
10 imposition of sanctions under subsection (a) for a pe-
11 riod of not more than 120 days, and may renew that
12 waiver for additional periods of not more than 120
13 days, if the President—

14 (A) determines that such a waiver is vital
15 to the national security of the United States; and

16 (B) submits to the appropriate congres-
17 sional committees a report providing a justifica-
18 tion for the waiver.

19 (2) *FORM OF REPORT.*—Each report submitted
20 under paragraph (1)(B) shall be submitted in unclas-
21 sified form, but may include a classified annex.

22 **SEC. 1268. INCLUSION OF THE ISLAMIC REPUBLIC OF IRAN**
23 **BROADCASTING ON THE LIST OF HUMAN**
24 **RIGHTS ABUSERS.**

25 (a) *FINDINGS.*—Congress makes the following findings:

1 (1) *The Islamic Republic of Iran Broadcasting*
2 *has contributed to the infringement of individuals’*
3 *human rights by broadcasting forced televised confes-*
4 *sion and show trials.*

5 (2) *In March 2012, the European Council im-*
6 *posed sanctions on the President of the Islamic Re-*
7 *public of Iran Broadcasting, Ezzatollah Zargami, for*
8 *broadcasting forced confessions of detainees and a se-*
9 *ries of “show trials” in August 2009 and December*
10 *2011 that constituted a clear violation of inter-*
11 *national law with respect to the right to a fair trial*
12 *and due process.*

13 (b) *INCLUSION OF THE ISLAMIC REPUBLIC OF IRAN*
14 *BROADCASTING ON THE LIST OF HUMAN RIGHTS ABUS-*
15 *ERS.—The President shall include the Islamic Republic of*
16 *Iran Broadcasting and the President of the Islamic Repub-*
17 *lic of Iran Broadcasting, Ezzatollah Zargami, in the first*
18 *update to the list of persons complicit in, or responsible for*
19 *ordering, controlling, or otherwise directing, the commission*
20 *of serious human rights abuses against citizens of Iran or*
21 *their family members submitted under section 105 of the*
22 *Comprehensive Iran Sanctions, Accountability, and Divest-*
23 *ment Act of 2010 (22 U.S.C. 8514) after the date of the*
24 *enactment of this Act.*

1 **SEC. 1269. IMPOSITION OF SANCTIONS WITH RESPECT TO**
2 **PERSONS ENGAGED IN THE DIVERSION OF**
3 **GOODS INTENDED FOR THE PEOPLE OF IRAN.**

4 (a) *IN GENERAL.*—*Title I of the Comprehensive Iran*
5 *Sanctions, Accountability, and Divestment Act of 2010 (22*
6 *U.S.C. 8511 et seq.) is amended by inserting after section*
7 *105B the following:*

8 **“SEC. 105C. IMPOSITION OF SANCTIONS WITH RESPECT TO**
9 **PERSONS ENGAGED IN THE DIVERSION OF**
10 **GOODS INTENDED FOR THE PEOPLE OF IRAN.**

11 “(a) *IN GENERAL.*—*The President shall impose sanc-*
12 *tions described in section 105(c) with respect to each person*
13 *on the list required by subsection (b).*

14 “(b) *LIST OF PERSONS WHO ENGAGE IN DIVER-*
15 *SION.*—

16 “(1) *IN GENERAL.*—*As relevant information be-*
17 *comes available, the President shall submit to the ap-*
18 *propriate congressional committees a list of persons*
19 *that the President determines have, on or after such*
20 *date of enactment, engaged in corruption or other ac-*
21 *tivities relating to—*

22 “(A) *the diversion of goods, including agri-*
23 *cultural commodities, food, medicine, and med-*
24 *ical devices, intended for the people of Iran; or*

25 “(B) *the misappropriation of proceeds from*
26 *the sale or resale of such goods.*

1 “(2) *FORM OF REPORT; PUBLIC AVAILABILITY.*—

2 “(A) *FORM.*—*The list required by para-*
3 *graph (1) shall be submitted in unclassified form*
4 *but may contain a classified annex.*

5 “(B) *PUBLIC AVAILABILITY.*—*The unclassi-*
6 *fied portion of the list required by paragraph (1)*
7 *shall be made available to the public and posted*
8 *on the websites of the Department of the Treas-*
9 *ury and the Department of State.”.*

10 (b) *WAIVER.*—*Section 401(b)(1) of the Comprehensive*
11 *Iran Sanctions, Accountability, and Divestment Act of*
12 *2010 (22 U.S.C. 8551(b)(1)) is amended—*

13 (1) *by striking “or 105B(a)” and inserting*
14 *“105B(a), or 105C(a)”;* *and*

15 (2) *by striking “or 105B(b)” and inserting*
16 *“105B(b), or 105C(b)”.*

17 (c) *CLERICAL AMENDMENT.*—*The table of contents for*
18 *the Comprehensive Iran Sanctions, Accountability, and Di-*
19 *vestment Act of 2010 is amended by inserting after the item*
20 *relating to section 105B the following:*

 “*Sec. 105C. Imposition of sanctions with respect to persons engaged in the diver-*
 sion of goods intended for the people of Iran.”.

1 **SEC. 1270. WAIVER REQUIREMENT RELATED TO EXCEP-**
2 **TIONAL CIRCUMSTANCES PREVENTING SIG-**
3 **NIFICANT REDUCTIONS IN CRUDE OIL PUR-**
4 **CHASES.**

5 *Section 1245(d)(5)(B) of the National Defense Author-*
6 *ization Act for Fiscal Year 2012 (22 U.S.C.*
7 *8513a(d)(5)(B)) is amended—*

8 *(1) in clause (i), by striking “; and” and insert-*
9 *ing a semicolon;*

10 *(2) by redesignating clause (ii) as clause (iii);*
11 *and*

12 *(3) by inserting after clause (i) the following new*
13 *clause:*

14 *“(ii) certifying that the country with*
15 *primary jurisdiction over the foreign finan-*
16 *cial institution otherwise subject to the*
17 *sanctions faced exceptional circumstances*
18 *that prevented the country from being able*
19 *to significantly reduce its volume of crude*
20 *oil purchases; and”.*

21 **SEC. 1271. STATUTE OF LIMITATIONS FOR CIVIL ACTIONS**
22 **REGARDING TERRORIST ACTS.**

23 *(a) IN GENERAL.—Section 2335 of title 18, United*
24 *States Code, is amended—*

25 *(1) in subsection (a), by striking “4 years” and*
26 *inserting “10 years”; and*

1 (2) *in subsection (b), by striking “4-year period”*
2 *and inserting “10-year period”.*

3 (b) *EFFECTIVE DATE.—The amendments made by this*
4 *section shall apply to—*

5 (1) *proceedings under section 2333 of title 18,*
6 *United States Code, pending in any form on the date*
7 *of the enactment of this Act;*

8 (2) *proceedings under such section commenced on*
9 *or after the date of the enactment of this Act; and*

10 (3) *any civil action brought for recovery of dam-*
11 *ages under such section resulting from acts of inter-*
12 *national terrorism that occurred more than 10 years*
13 *before the date of the enactment of this Act, provided*
14 *that the action is filed not later than 6 years after*
15 *the date of the enactment of this Act.*

16 **SEC. 1272. REPORT ON USE OF CERTAIN IRANIAN SEA-**
17 **PORTS BY FOREIGN VESSELS AND USE OF**
18 **FOREIGN AIRPORTS BY SANCTIONED IRA-**
19 **NIAN AIR CARRIERS.**

20 (a) *IN GENERAL.—Not later than 180 days after the*
21 *date of the enactment of this Act, and annually thereafter,*
22 *the President shall submit to the appropriate congressional*
23 *committees a report that contains—*

24 (1) *a list of vessels that have entered seaports in*
25 *Iran controlled by the Tidewater Middle East Com-*

1 pany during the period specified in subsection (b)
2 and the owners and operators of those vessels; and

3 (2) a list of all airports at which aircraft owned
4 or controlled by an Iranian air carrier on which
5 sanctions have been imposed by the United States
6 have landed during the period specified in subsection
7 (b).

8 (b) *PERIOD SPECIFIED.*—The period specified in this
9 subsection is—

10 (1) in the case of the first report submitted under
11 subsection (a), the 180-day period preceding the sub-
12 mission of the report; and

13 (2) in the case of any subsequent report sub-
14 mitted under that subsection, the year preceding the
15 submission of the report.

16 (c) *FORM OF REPORT.*—Each report required by sub-
17 section (a) shall be submitted in unclassified form, but may
18 include a classified annex.

19 **SEC. 1273. IMPLEMENTATION; PENALTIES.**

20 (a) *IMPLEMENTATION.*—The President may exercise
21 all authorities provided under sections 203 and 205 of the
22 International Emergency Economic Powers Act (50 U.S.C.
23 1702 and 1704) to carry out this subtitle.

24 (b) *PENALTIES.*—The penalties provided for in sub-
25 sections (b) and (c) of section 206 of the International

1 *Emergency Economic Powers Act (50 U.S. C. 1705) shall*
2 *apply to a person that violates, attempts to violate, con-*
3 *spires to violate, or causes a violation of this subtitle or*
4 *regulations prescribed under this subtitle to the same extent*
5 *that such penalties apply to a person that commits an un-*
6 *lawful act described in section 206(a) of that Act.*

7 **SEC. 1274. APPLICABILITY TO CERTAIN NATURAL GAS**
8 **PROJECTS.**

9 *Nothing in this subtitle or the amendments made by*
10 *this subtitle shall apply with respect to any activity relat-*
11 *ing to a project described in subsection (a) of section 603*
12 *of the Iran Threat Reduction and Syria Human Rights Act*
13 *of 2012 (22 U.S.C. 8783) to which the exception under that*
14 *section applies at the time of the activity.*

15 **SEC. 1275. RULE OF CONSTRUCTION.**

16 *Nothing in this subtitle or the amendments made by*
17 *this subtitle shall be construed to limit sanctions imposed*
18 *with respect to Iran under any other provision of law or*
19 *to limit the authority of the President to impose additional*
20 *sanctions with respect to Iran.*

1 **TITLE XIII—COOPERATIVE**
2 **THREAT REDUCTION**

3 **SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT RE-**
4 **DUCTION PROGRAMS AND FUNDS.**

5 (a) *SPECIFICATION OF COOPERATIVE THREAT REDUC-*
6 *TION PROGRAMS.*—For purposes of section 301 and other
7 *provisions of this Act, Cooperative Threat Reduction pro-*
8 *grams are the programs specified in section 1501 of the Na-*
9 *tional Defense Authorization Act for Fiscal Year 1997 (50*
10 *U.S.C. 2632 note).*

11 (b) *FISCAL YEAR 2013 COOPERATIVE THREAT REDUC-*
12 *TION FUNDS DEFINED.*—As used in this title, the term “fis-
13 *cal year 2013 Cooperative Threat Reduction funds” means*
14 *the funds appropriated pursuant to the authorization of ap-*
15 *propriations in section 301 and made available by the*
16 *funding table in section 4301 for Cooperative Threat Reduc-*
17 *tion programs.*

18 (c) *AVAILABILITY OF FUNDS.*—Funds appropriated
19 *pursuant to the authorization of appropriations in section*
20 *301 and made available by the funding table in section*
21 *4301 for Cooperative Threat Reduction programs shall be*
22 *available for obligation for fiscal years 2013, 2014, and*
23 *2015.*

1 **SEC. 1302. FUNDING ALLOCATIONS.**

2 (a) *FUNDING FOR SPECIFIC PURPOSES.*—Of the
3 \$519,100,000 authorized to be appropriated to the Depart-
4 ment of Defense for fiscal year 2013 in section 301 and
5 made available by the funding table in section 4301 for Co-
6 operative Threat Reduction programs, the following
7 amounts may be obligated for the purposes specified:

8 (1) *For strategic offensive arms elimination,*
9 \$68,300,000.

10 (2) *For chemical weapons destruction,*
11 \$14,600,000.

12 (3) *For global nuclear security, \$99,800,000.*

13 (4) *For cooperative biological engagement,*
14 \$276,400,000.

15 (5) *For proliferation prevention, \$32,400,000.*

16 (6) *For threat reduction engagement, \$2,400,000.*

17 (7) *For other assessments/administrative sup-*
18 *port, \$25,200,000.*

19 (b) *REPORT ON OBLIGATION OR EXPENDITURE OF*
20 *FUNDS FOR OTHER PURPOSES.*—No fiscal year 2013 Coop-
21 erative Threat Reduction funds may be obligated or ex-
22 pended for a purpose other than a purpose listed in para-
23 graphs (1) through (7) of subsection (a) until 15 days after
24 the date that the Secretary of Defense submits to Congress
25 a report on the purpose for which the funds will be obligated
26 or expended and the amount of funds to be obligated or ex-

1 *pended. Nothing in the preceding sentence shall be construed*
2 *as authorizing the obligation or expenditure of fiscal year*
3 *2013 Cooperative Threat Reduction funds for a purpose for*
4 *which the obligation or expenditure of such funds is specifi-*
5 *cally prohibited under this title or any other provision of*
6 *law.*

7 (c) *LIMITED AUTHORITY TO VARY INDIVIDUAL*
8 *AMOUNTS.—*

9 (1) *IN GENERAL.—Subject to paragraph (2), in*
10 *any case in which the Secretary of Defense determines*
11 *that it is necessary to do so in the national interest,*
12 *the Secretary may obligate amounts appropriated for*
13 *fiscal year 2013 for a purpose listed in paragraphs*
14 *(1) through (7) of subsection (a) in excess of the spe-*
15 *cific amount authorized for that purpose.*

16 (2) *NOTICE-AND-WAIT REQUIRED.—An obligation*
17 *of funds for a purpose stated in paragraphs (1)*
18 *through (7) of subsection (a) in excess of the specific*
19 *amount authorized for such purpose may be made*
20 *using the authority provided in paragraph (1) only*
21 *after—*

22 (A) *the Secretary submits to Congress noti-*
23 *fication of the intent to do so together with a*
24 *complete discussion of the justification for doing*
25 *so; and*

1 (B) 15 days have elapsed following the date
2 of the notification.

3 **TITLE XIV—OTHER**
4 **AUTHORIZATIONS**
5 **Subtitle A—Military Programs**

6 **SEC. 1401. WORKING CAPITAL FUNDS.**

7 *Funds are hereby authorized to be appropriated for fis-*
8 *cal year 2013 for the use of the Armed Forces and other*
9 *activities and agencies of the Department of Defense for*
10 *providing capital for working capital and revolving funds,*
11 *as specified in the funding table in section 4501.*

12 **SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.**

13 *Funds are hereby authorized to be appropriated for fis-*
14 *cal year 2013 for the National Defense Sealift Fund, as*
15 *specified in the funding table in section 4501.*

16 **SEC. 1403. DEFENSE HEALTH PROGRAM.**

17 *Funds are hereby authorized to be appropriated for the*
18 *Department of Defense for fiscal year 2013 for expenses, not*
19 *otherwise provided for, for the Defense Health Program, as*
20 *specified in the funding table in section 4501.*

21 **SEC. 1404. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
22 **TION, DEFENSE.**

23 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
24 *hereby authorized to be appropriated for the Department*
25 *of Defense for fiscal year 2013 for expenses, not otherwise*

1 *provided for, for Chemical Agents and Munitions Destruc-*
2 *tion, Defense, as specified in the funding table in section*
3 *4501.*

4 (b) *USE.—Amounts authorized to be appropriated*
5 *under subsection (a) are authorized for—*

6 (1) *the destruction of lethal chemical agents and*
7 *munitions in accordance with section 1412 of the De-*
8 *partment of Defense Authorization Act, 1986 (50*
9 *U.S.C. 1521); and*

10 (2) *the destruction of chemical warfare materiel*
11 *of the United States that is not covered by section*
12 *1412 of such Act.*

13 **SEC. 1405. DRUG INTERDICTION AND COUNTER-DRUG AC-**
14 **TIVITIES, DEFENSE-WIDE.**

15 *Funds are hereby authorized to be appropriated for the*
16 *Department of Defense for fiscal year 2013 for expenses, not*
17 *otherwise provided for, for Drug Interdiction and Counter-*
18 *Drug Activities, Defense-wide, as specified in the funding*
19 *table in section 4501.*

20 **SEC. 1406. DEFENSE INSPECTOR GENERAL.**

21 *Funds are hereby authorized to be appropriated for the*
22 *Department of Defense for fiscal year 2013 for expenses, not*
23 *otherwise provided for, for the Office of the Inspector Gen-*
24 *eral of the Department of Defense, as specified in the fund-*
25 *ing table in section 4501.*

1 **Subtitle B—National Defense**
2 **Stockpile**

3 **SEC. 1411. RELEASE OF MATERIALS NEEDED FOR NATIONAL**
4 **DEFENSE PURPOSES FROM THE STRATEGIC**
5 **AND CRITICAL MATERIALS STOCKPILE.**

6 (a) *AUTHORITY FOR PRESIDENT TO DELEGATE SPE-*
7 *CIAL DISPOSAL AUTHORITY OF PRESIDENT FOR RELEASE*
8 *FOR NATIONAL DEFENSE PURPOSES.*—Section 7(a) of the
9 *Strategic and Critical Materials Stock Piling Act (50*
10 *U.S.C. 98f(a)) is amended—*

11 (1) *in paragraph (1), by striking “and” at the*
12 *end;*

13 (2) *in paragraph (2), by striking the period at*
14 *the end and inserting “; and”; and*

15 (3) *by adding at the end the following new para-*
16 *graph:*

17 “(3) *on the order of the Under Secretary of De-*
18 *fense for Acquisition, Technology, and Logistics, if the*
19 *President has designated the Under Secretary to have*
20 *authority to issue release orders under this subsection*
21 *and, in the case of any such order, if the Under Sec-*
22 *retary determines that the release of such materials is*
23 *required for use, manufacture, or production for pur-*
24 *poses of national defense.”.*

1 (b) *EXCLUSION FROM DELEGATION LIMITATION.*—
 2 *Section 16 of such Act (50 U.S.C. 98h-7) is amended by*
 3 *striking “sections 7 and 13” each place it appears and in-*
 4 *serting “sections 7(a)(1) and 13”.*

5 ***Subtitle C—Chemical***
 6 ***Demilitarization Matters***

7 ***SEC. 1421. SUPPLEMENTAL CHEMICAL AGENT AND MUNI-***
 8 ***TIONS DESTRUCTION TECHNOLOGIES AT***
 9 ***PUEBLO CHEMICAL DEPOT, COLORADO, AND***
 10 ***BLUE GRASS ARMY DEPOT, KENTUCKY.***

11 (a) *SUPPLEMENTAL DESTRUCTION TECHNOLOGIES.*—
 12 *Section 1412 of the Department of Defense Authorization*
 13 *Act, 1986 (50 U.S.C. 1521) is amended—*

14 (1) *by redesignating subsection (o) as subsection*
 15 *(p); and*

16 (2) *by inserting after subsection (n) the following*
 17 *new subsection (o):*

18 “(o) ***SUPPLEMENTAL DESTRUCTION TECH-***
 19 ***NOLOGIES.***—*In determining the technologies to supplement*
 20 *the neutralization destruction of the stockpile of lethal chem-*
 21 *ical agents and munitions at Pueblo Chemical Depot, Colo-*
 22 *rado, and Blue Grass Army Depot, Kentucky, the Secretary*
 23 *of Defense may consider the following:*

24 “(1) *Explosive Destruction Technologies.*

1 (3) by inserting after subsection (a) the following
2 new subsections (b) and (c):

3 “(b) *ESTABLISHMENT OF FURTHER ADDITIONAL*
4 *TEAMS.—The Secretary of Defense is authorized to have es-*
5 *tablished two additional teams designated as Weapons of*
6 *Mass Destruction Civil Support teams, beyond the 55 teams*
7 *required in subsection (a), if—*

8 “*(1) the Secretary of Defense has made the cer-*
9 *tification provided for in section 12310(c)(5) of title*
10 *10, United States Code, with respect to each of such*
11 *additional teams before December 31, 2011; and*

12 “*(2) the establishment of such additional teams*
13 *does not require an increase in authorized personnel*
14 *levels above the numbers authorized as of the date of*
15 *the enactment of the National Defense Authorization*
16 *Act for Fiscal Year 2013.*

17 “(c) *LIMITATION OF ESTABLISHMENT OF FURTHER*
18 *TEAMS.—No Weapons of Mass Destruction Civil Support*
19 *Team may be established beyond the number authorized by*
20 *subsections (a) and (b) unless—*

21 “*(1) the Secretary submits to Congress a request*
22 *for authority to establish such team, including a de-*
23 *tailed justification for their establishment; and*

24 “*(2) the establishment of such team is specifi-*
25 *cally authorized by a law enacted after the date of the*

1 *enactment of the National Defense Authorization Act*
2 *for Fiscal Year 2013.”.*

3 **(b) REPORT.**—*Not later than 180 days after the date*
4 *of the enactment of this Act, the Secretary of Defense shall*
5 *submit to the congressional defense committees a report on*
6 *the Weapons of Mass Destruction Civil Support Teams. The*
7 *report shall include the following:*

8 *(1) A detailed description of risk management*
9 *criteria and considerations to be used in determining*
10 *the optimal number and location of Weapons of Mass*
11 *Destruction Civil Support Teams.*

12 *(2) A description of the operational and training*
13 *activities conducted by the Weapons of Mass Destruc-*
14 *tion Civil Support Teams during each of fiscal years*
15 *2010, 2011, and 2012.*

16 *(3) An assessment of the optimal number and lo-*
17 *cation of Weapons of Mass Destruction Civil Support*
18 *Teams in light of the information under paragraphs*
19 *(1) and (2).*

20 *(4) A comparative analysis of the cost of estab-*
21 *lishing Weapons of Mass Destruction Civil Support*
22 *Teams in the reserve components of the Armed Forces*
23 *(other than the National Guard) with the cost of es-*
24 *tablishing Weapons of Mass Destruction Civil Sup-*
25 *port Teams in the National Guard.*

1 (5) *A description of the portion of the costs of*
2 *Weapons of Mass Destruction Civil Support Teams*
3 *that is currently borne by the States.*

4 **SEC. 1433. POLICY OF THE UNITED STATES WITH RESPECT**
5 **TO A DOMESTIC SUPPLY OF CRITICAL AND**
6 **ESSENTIAL MINERALS.**

7 (a) *POLICY OF THE UNITED STATES.—It is the policy*
8 *of the United States to promote the development of an ade-*
9 *quate, reliable, and stable supply of critical and essential*
10 *minerals in the United States in order to strengthen and*
11 *sustain the military readiness, national security, and crit-*
12 *ical infrastructure of the United States.*

13 (b) *COORDINATION OF DEVELOPMENT OF SUPPLY OF*
14 *CRITICAL AND ESSENTIAL MINERALS.—To implement the*
15 *policy described in subsection (a), the President shall, act-*
16 *ing through the Executive Office of the President, coordinate*
17 *the actions of the appropriate federal agencies to identify*
18 *opportunities for and to facilitate the development of re-*
19 *sources in the United States to meet the critical and essen-*
20 *tial mineral needs of the United States.*

1 **TITLE XV—AUTHORIZATION OF**
2 **APPROPRIATIONS FOR OVER-**
3 **SEAS CONTINGENCY OPER-**
4 **ATIONS**

5 **Subtitle A—Authorization of**
6 **Appropriations**

7 **SEC. 1501. PURPOSE.**

8 *The purpose of this subtitle is to authorize appropria-*
9 *tions for the Department of Defense for fiscal year 2013*
10 *to provide additional funds for overseas contingency oper-*
11 *ations being carried out by the Armed Forces.*

12 **SEC. 1502. PROCUREMENT.**

13 *Funds are hereby authorized to be appropriated for fis-*
14 *cal year 2013 for procurement accounts for the Army, the*
15 *Navy and the Marine Corps, the Air Force, and Defense-*
16 *wide activities, as specified in the funding table in section*
17 *4102.*

18 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
19 **TION.**

20 *Funds are hereby authorized to be appropriated for fis-*
21 *cal year 2013 for the use of the Department of Defense for*
22 *research, development, test, and evaluation, as specified in*
23 *the funding table in section 4202.*

1 **SEC. 1504. OPERATION AND MAINTENANCE.**

2 *Funds are hereby authorized to be appropriated for fis-*
3 *cal year 2013 for the use of the Armed Forces and other*
4 *activities and agencies of the Department of Defense for ex-*
5 *penses, not otherwise provided for, for operation and main-*
6 *tenance, as specified in the funding table in section 4302.*

7 **SEC. 1505. MILITARY PERSONNEL.**

8 *Funds are hereby authorized to be appropriated for fis-*
9 *cal year 2013 for the use of the Armed Forces and other*
10 *activities and agencies of the Department of Defense for ex-*
11 *penses, not otherwise provided for, for military personnel,*
12 *as specified in the funding table in section 4402.*

13 **SEC. 1506. WORKING CAPITAL FUNDS.**

14 *Funds are hereby authorized to be appropriated for fis-*
15 *cal year 2013 for the use of the Armed Forces and other*
16 *activities and agencies of the Department of Defense for*
17 *providing capital for working capital and revolving funds,*
18 *as specified in the funding table in section 4502.*

19 **SEC. 1507. DEFENSE HEALTH PROGRAM.**

20 *Funds are hereby authorized to be appropriated for the*
21 *Department of Defense for fiscal year 2013 for expenses, not*
22 *otherwise provided for, for the Defense Health Program, as*
23 *specified in the funding table in section 4502.*

1 **SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG AC-**
2 **TIVITIES, DEFENSE-WIDE.**

3 *Funds are hereby authorized to be appropriated for the*
4 *Department of Defense for fiscal year 2013 for expenses, not*
5 *otherwise provided for, for Drug Interdiction and Counter-*
6 *Drug Activities, Defense-wide, as specified in the funding*
7 *table in section 4502.*

8 **SEC. 1509. DEFENSE INSPECTOR GENERAL.**

9 *Funds are hereby authorized to be appropriated for the*
10 *Department of Defense for fiscal year 2013 for expenses, not*
11 *otherwise provided for, for the Office of the Inspector Gen-*
12 *eral of the Department of Defense, as specified in the fund-*
13 *ing table in section 4502.*

14 ***Subtitle B—Financial Matters***

15 **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

16 *The amounts authorized to be appropriated by this*
17 *title are in addition to amounts otherwise authorized to be*
18 *appropriated by this Act.*

19 **SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

20 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

21 *(1) AUTHORITY.—Upon determination by the*
22 *Secretary of Defense that such action is necessary in*
23 *the national interest, the Secretary may transfer*
24 *amounts of authorizations made available to the De-*
25 *partment of Defense in this title for fiscal year 2013*
26 *between any such authorizations for that fiscal year*

1 *National Defense Authorization Act for Fiscal Year 2011*
2 *(Public Law 111–383; 124 Stat. 4424).*

3 **(b) AVAILABILITY FOR SUPPORT OF TRAINING OF AF-**
4 *GHAN PUBLIC PROTECTION FORCE.*—*Assistance provided*
5 *during fiscal year 2013 utilizing funds in the Afghanistan*
6 *Security Forces Fund may be used to increase the capacity*
7 *of the Government of Afghanistan to recruit, vet, train, and*
8 *manage the Afghan Public Protection Force within the Af-*
9 *ghanistan Ministry of Interior, including activities in con-*
10 *nection with the following:*

11 (1) *Expanding the capacity of the Force to train*
12 *and qualify recruits for static security, convoy secu-*
13 *rity, and personal detail security.*

14 (2) *Improving the infrastructure of the Afghan*
15 *Public Protection Force Training Center or other fa-*
16 *cilities for training Force personnel.*

17 (3) *Increasing the capacity of the Afghanistan*
18 *Ministry of Interior to manage the Force.*

19 (4) *Improving procedures for recruiting and vet-*
20 *ting Force personnel.*

21 (5) *Establishing or implementing requirements*
22 *for qualifications, training, and accountability con-*
23 *sistent with the purposes of section 862 of the Na-*
24 *tional Defense Authorization Act for Fiscal Year 2008*
25 *(10 U.S.C. 2302 note), to the extent feasible.*

1 (c) *PLAN FOR USE OF AFGHANISTAN SECURITY*
 2 *FORCES FUND THROUGH 2017.*—No later than 90 days
 3 after the date of the enactment of this Act, the Secretary
 4 of Defense shall submit to the congressional defense commit-
 5 tees a plan for using funds available to the Department of
 6 Defense to provide assistance to the security forces of Af-
 7 ghanistan through the Afghanistan Security Forces Fund
 8 through September 30, 2017.

9 **SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT**
 10 **FUND.**

11 (a) *USE AND TRANSFER OF FUNDS.*—Subsections (b)
 12 and (c) of section 1514 of the John Warner National De-
 13 fense Authorization Act for Fiscal Year 2007 (Public Law
 14 109–364; 120 Stat. 2439), as in effect before the amend-
 15 ments made by section 1503 of the Duncan Hunter Na-
 16 tional Defense Authorization Act for Fiscal Year 2009 (Pub-
 17 lic Law 110–417; 122 Stat. 4649), shall apply to the funds
 18 made available to the Department of Defense for the Joint
 19 Improvised Explosive Device Defeat Fund for fiscal year
 20 2013.

21 (b) *AVAILABILITY OF CERTAIN FISCAL YEAR 2013*
 22 *FUNDS.*—

23 (1) *IN GENERAL.*—Of the funds made available
 24 to the Department of Defense for the Joint Improvised
 25 Explosive Device Defeat Fund for fiscal year 2013,

1 \$15,000,000 may be available to the Secretary of De-
2 fense to provide training, equipment, supplies, and
3 services to ministries and other entities of the Govern-
4 ment of Pakistan that the Secretary has identified as
5 critical for countering the flow of improvised explosive
6 device precursor chemicals from Pakistan to locations
7 in Afghanistan.

8 (2) *PROVISION THROUGH OTHER US AGEN-*
9 *CIES.—If jointly agreed upon by the Secretary of De-*
10 *fense and the head of another department or agency*
11 *of the United States Government, the Secretary of De-*
12 *fense may transfer funds available under paragraph*
13 *(1) to such department or agency for the provision of*
14 *training, equipment, supplies, and services to min-*
15 *istries and other entities of the Government of Paki-*
16 *stan as described in that paragraph by such depart-*
17 *ment or agency.*

18 (3) *NOTICE TO CONGRESS.—Funds may not be*
19 *used under the authority in paragraph (1) until 15*
20 *days after the date on which the Secretary of Defense*
21 *submits to the congressional defense committees a no-*
22 *tice on the training, equipment, supplies, and services*
23 *to be provided using such funds.*

24 (c) *EXPIRATION.—This section shall cease to be effec-*
25 *tive on December 31, 2013.*

1 **SEC. 1533. PLAN FOR TRANSITION IN FUNDING OF UNITED**
2 **STATES SPECIAL OPERATIONS COMMAND**
3 **FROM SUPPLEMENTAL FUNDING FOR OVER-**
4 **SEAS CONTINGENCY OPERATIONS TO RECUR-**
5 **RING FUNDING UNDER THE FUTURE-YEARS**
6 **DEFENSE PROGRAM.**

7 *The Secretary of Defense shall submit to the congres-*
8 *sional defense committees, at the same time as the budget*
9 *of the President for fiscal year 2014 is submitted to Con-*
10 *gress pursuant to section 1105(a) of title 31, United States*
11 *Code, a plan for the transition of funding of the United*
12 *States Special Operations Command from funds authorized*
13 *to be appropriated for overseas contingency operations*
14 *(commonly referred to as the “overseas contingency oper-*
15 *ations budget”) to funds authorized to be appropriated for*
16 *recurring operations of the Department of Defense in ac-*
17 *cordance with applicable future-years defense programs*
18 *under section 221 of title 10, United States Code (commonly*
19 *referred to as the “base budget”).*

20 **SEC. 1534. EXTENSION OF AUTHORITY ON TASK FORCE FOR**
21 **BUSINESS AND STABILITY OPERATIONS IN**
22 **AFGHANISTAN.**

23 *Section 1535(a) of the Ike Skelton National Defense*
24 *Authorization Act for Fiscal Year 2011 (Public Law 111–*
25 *383; 124 Stat. 4426), as amended by section 1534 of the*

1 *National Defense Authorization Act for Fiscal Year 2012*
2 *(Public Law 112–81; 125 Stat. 1658), is further amended—*

3 *(1) in the second sentence of paragraph (4)—*

4 *(A) by striking “The amount of funds used”*
5 *and inserting “The amount of fund obligated”;*

6 *(B) by inserting “and \$93,000,000 for fiscal*
7 *year 2013” after “fiscal year 2012”; and*

8 *(C) by inserting “for fiscal year 2012” after*
9 *“except that”;*

10 *(2) in paragraph (6), by striking “October 31,*
11 *2011, and October 31, 2012” and inserting “October*
12 *31 of each of 2011, 2012, and 2013”; and*

13 *(3) in paragraph (7)—*

14 *(A) by striking “provided in” and inserting*
15 *“to obligate funds for projects under”; and*

16 *(B) by striking “September 30, 2012” and*
17 *inserting “September 30, 2013”.*

18 **SEC. 1535. ASSESSMENTS OF TRAINING ACTIVITIES AND IN-**
19 **TELLIGENCE ACTIVITIES OF THE JOINT IM-**
20 **PROVISED EXPLOSIVE DEVICE DEFEAT ORGA-**
21 **NIZATION.**

22 *(a) TRAINING ACTIVITIES.—*

23 *(1) IN GENERAL.—Not later than 180 days after*
24 *the date of the enactment of this Act, the Secretary of*
25 *Defense shall, in consultation with the Chairman of*

1 *Joint Chiefs of Staff and the other chiefs of staff of*
2 *the Armed Forces, submit to the congressional defense*
3 *committees a report setting forth an assessment of the*
4 *training-related activities of the Joint Improvised Ex-*
5 *plosive Device Defeat Organization (JIEDDO).*

6 (2) *ELEMENTS.*—*The assessment required by*
7 *paragraph (1) shall—*

8 (A) *include all training programs and func-*
9 *tions executed by the Joint Improvised Explosive*
10 *Device Defeat Organization in support of the*
11 *United States Armed Forces or coalition part-*
12 *ners;*

13 (B) *identify any program or function which*
14 *is duplicated elsewhere within the Department of*
15 *Defense; and*

16 (C) *assess the value of maintaining such*
17 *duplication.*

18 (3) *FORM.*—*The report required by paragraph*
19 *(1) shall be submitted in unclassified form, but may*
20 *include a classified annex.*

21 (4) *LIMITATION.*—*No training-related program*
22 *may be initiated by the Joint Improvised Explosive*
23 *Device Defeat Organization between the date of the*
24 *enactment of this Act and the date of the submittal*
25 *of the report required by paragraph (1).*

1 **(b) INTELLIGENCE ACTIVITIES.**—

2 **(1) IN GENERAL.**—*Not later than 180 days after*
3 *the date of the enactment of this Act, the Secretary of*
4 *Defense shall, in consultation with the Director of Na-*
5 *tional Intelligence, submit to the congressional defense*
6 *committees a report setting forth an assessment of the*
7 *activities of the Counter-Improvised-Explosive-Device*
8 *Operations Integration Center of the Joint Impro-*
9 *vised Explosive Device Defeat Organization.*

10 **(2) ELEMENTS.**—*The assessment required by*
11 *paragraph (1) shall—*

12 **(A)** *include all intelligence analysis pro-*
13 *grams and functions executed by the Counter-Im-*
14 *proved-Explosive-Device Operations Integra-*
15 *tion Center in support of the United States Gov-*
16 *ernment or coalition partners;*

17 **(B)** *identify any program or function which*
18 *is duplicated elsewhere within the Department of*
19 *Defense, including the intelligence components of*
20 *the Department, or the intelligence community of*
21 *the United States; and*

22 **(C)** *assess the value of maintaining such*
23 *duplication.*

1 (3) *FORM.*—*The report required by paragraph*
2 (2) *shall be submitted in unclassified form, but may*
3 *include a classified annex.*

4 **SEC. 1536. SUBMITTAL TO CONGRESS OF RISK ASSESS-**
5 **MENTS ON CHANGES IN UNITED STATES**
6 **TROOP LEVELS IN AFGHANISTAN.**

7 (a) *SUBMITTAL REQUIRED.*—*Not later than 30 days*
8 *after a decision by the President to change the levels of*
9 *United States Armed Forces deployed in Afghanistan, the*
10 *Chairman of the Joint Chiefs of Staff shall, through the Sec-*
11 *retary of Defense, submit to the congressional defense com-*
12 *mittees a detailed assessment of the risk to the United States*
13 *mission and interests in Afghanistan as the change in levels*
14 *is implemented.*

15 (b) *ELEMENTS.*—*The risk assessment under subsection*
16 (a) *on a change in levels of United States Armed Forces*
17 *in Afghanistan shall include the following:*

18 (1) *A description of the current security situa-*
19 *tion in Afghanistan.*

20 (2) *A description of any anticipated changes to*
21 *United States military operations and objectives in*
22 *Afghanistan associated with such change in levels.*

23 (3) *An identification and assessment of any*
24 *changes in United States military capabilities, in-*
25 *cluding manpower, logistics, intelligence, and mobil-*

1 *ity support, in Afghanistan associated with such*
2 *change in levels.*

3 *(4) An identification and assessment of the risk*
4 *associated with any changes in United States mis-*
5 *sion, military capabilities, operations, and objectives*
6 *in Afghanistan associated with such change in levels.*

7 *(5) An identification and assessment of any ca-*
8 *pability gaps within the Afghanistan security forces*
9 *that will impact their ability to conduct operations*
10 *following such change in levels.*

11 *(6) An identification and assessment of the risk*
12 *associated with the transition of combat responsibil-*
13 *ities to the Afghanistan security forces following such*
14 *change in levels.*

15 *(7) An assessment of the impact of such change*
16 *in levels on coalition military contributions to the*
17 *mission in Afghanistan.*

18 *(8) A description of the assumptions to be in*
19 *force regarding the security situation in Afghanistan*
20 *following such change in levels.*

21 *(9) Such other matters regarding such change in*
22 *levels as the Chairman considers appropriate.*

1 **SEC. 1537. REPORT ON INSIDER ATTACKS IN AFGHANISTAN**
2 **AND THEIR EFFECT ON THE UNITED STATES**
3 **TRANSITION STRATEGY FOR AFGHANISTAN.**

4 (a) *REPORT.*—Not later than 180 days after the date
5 of the enactment of this Act, the Secretary of Defense shall,
6 in consultation with the Secretary of State and the Com-
7 mander of North Atlantic Treaty Organization/Inter-
8 national Security Assistance Force forces in Afghanistan,
9 submit to Congress a report on the attacks and associated
10 threats by Afghanistan National Security Forces personnel,
11 Afghanistan National Security Forces impersonators, and
12 private security contractors against United States, Afghan-
13 istan, and coalition military and civilian personnel (“in-
14 sider attacks”) in Afghanistan, and the effect of these at-
15 tacks on the overall transition strategy in Afghanistan.

16 (b) *ELEMENTS.*—The report required by subsection (a)
17 shall include the following:

18 (1) *A description of the nature and proximate*
19 *causes of the attacks described in subsection (a), in-*
20 *cluding the following:*

21 (A) *An estimate of the number of such at-*
22 *tacks on United States, Afghanistan, and coal-*
23 *ition military personnel since January 1, 2007.*

24 (B) *An estimate of the number of United*
25 *States, Afghanistan, and coalition personnel*
26 *killed or wounded in such attacks.*

1 (C) *The circumstances or conditions that*
2 *may have influenced such attacks.*

3 (D) *An assessment of the threat posed by in-*
4 *filtration, and a best assessment of the extent of*
5 *infiltration by insurgents into the Afghanistan*
6 *National Security Forces.*

7 (E) *A description of trends in the preva-*
8 *lence of such attacks, including where such at-*
9 *tacks occur, the political and ethnic affiliation of*
10 *attackers, and the targets of attackers.*

11 (2) *A description of the restrictions and other ac-*
12 *tions taken by the United States and North Atlantic*
13 *Treaty Organization/International Security Assist-*
14 *ance Force forces to protect military and civilian per-*
15 *sonnel from future insider attacks, including meas-*
16 *ures in predeployment training.*

17 (3) *A description of the actions taken by the*
18 *Government of Afghanistan to prevent and respond to*
19 *insider attacks, including improved vetting practices.*

20 (4) *A description of the insider threat-related*
21 *factors that will influence the size and scope of the*
22 *post-2014 training mission for the Afghanistan Na-*
23 *tional Security Forces.*

24 (5) *An assessment of the impact of the insider*
25 *attacks in Afghanistan in 2012 on the overall transi-*

1 *tion strategy in Afghanistan and its prospects for suc-*
2 *cess, including an assessment how such insider at-*
3 *tacks impact—*

4 *(A) partner operations between North At-*
5 *lantic Treaty Organization/International Secu-*
6 *rity Assistance Force forces and Afghanistan Na-*
7 *tional Security Forces;*

8 *(B) training programs for the Afghanistan*
9 *National Security Forces, including proposed*
10 *training plans to be executed during the post-*
11 *2014 training mission for the Afghanistan Na-*
12 *tional Security Forces;*

13 *(C) United States Special Forces training*
14 *of the Afghan Local Police and its integration*
15 *into the Afghanistan National Security Forces;*
16 *and*

17 *(D) the willingness of North Atlantic Treaty*
18 *Organization/International Security Assistance*
19 *Force allies to maintain forces in Afghanistan or*
20 *commit to the post-2014 training mission for the*
21 *Afghanistan National Security Forces.*

22 *(6) An assessment of the impact that a reduction*
23 *in training and partnering would have on the inde-*
24 *pendent capabilities of the Afghanistan National Se-*
25 *curity Forces, and whether the training of the Af-*

1 *ghanistan National Security Forces should remain a*
2 *key component of the United States and North Atlan-*
3 *tic Treaty Organization strategy in Afghanistan.*

4 *(c) UNCLASSIFIED EXECUTIVE SUMMARY.—The report*
5 *submitted under subsection (b) shall include an executive*
6 *summary of the contents of the report in unclassified form.*

7 **TITLE XVI—MILITARY COM-**
8 **PENSATION AND RETIRE-**
9 **MENT MODERNIZATION COM-**
10 **MISSION**

11 **SEC. 1601. SHORT TITLE.**

12 *This title may be cited as the “Military Compensation*
13 *and Retirement Modernization Commission Act of 2012”.*

14 **SEC. 1602. PURPOSE.**

15 *The purpose of this title is to establish a Commission*
16 *to review and make recommendations to modernize the*
17 *military compensation and retirement systems in order*
18 *to—*

19 *(1) ensure the long-term viability of the All-Vol-*
20 *unteer Force;*

21 *(2) enable the quality of life for members of the*
22 *Armed Forces and the other uniformed services and*
23 *their families in a manner that fosters successful re-*
24 *ruitment, retention, and careers for members of the*
25 *Armed Forces and the other uniformed services; and*

1 (3) *modernize and achieve fiscal sustainability*
2 *for the compensation and retirements systems for the*
3 *Armed Forces and the other uniformed services for the*
4 *21st century.*

5 **SEC. 1603. DEFINITIONS.**

6 *In this title:*

7 (1) *The term “military compensation and retire-*
8 *ment systems” means the military compensation sys-*
9 *tem and the military retirement system.*

10 (2) *The term “military compensation system”*
11 *means provisions of law providing eligibility for and*
12 *the computation of military compensation, including*
13 *regular military compensation, special and incentive*
14 *pays and allowances, medical and dental care, edu-*
15 *cational assistance and related benefits, and com-*
16 *missary and exchange benefits and related benefits*
17 *and activities.*

18 (3) *The term “military retirement system”*
19 *means retirement benefits, including retired pay*
20 *based upon service in the uniformed services and sur-*
21 *vivor annuities based upon such service.*

22 (4) *The term “Armed Forces” has the meaning*
23 *given the term “armed forces” in section 101(a)(4) of*
24 *title 10, United States Code.*

1 (5) *The term “uniformed services” has the mean-*
2 *ing given that term in section 101(a)(5) of title 10,*
3 *United States Code.*

4 (6) *The term “Secretary” means the Secretary of*
5 *Defense.*

6 (7) *The term “Commission” means the commis-*
7 *sion established under section 1604.*

8 (8) *The term “Commission establishment date”*
9 *means the first day of the first month beginning on*
10 *or after the date of the enactment of this Act.*

11 (9) *The terms “veterans service organization”*
12 *and “military-related advocacy group or association”*
13 *mean an organization the primary purpose of which*
14 *is to advocate for veterans, military personnel, mili-*
15 *tary retirees, or military families.*

16 **SEC. 1604. MILITARY COMPENSATION AND RETIREMENT**
17 **MODERNIZATION COMMISSION.**

18 (a) *ESTABLISHMENT.*—*There is established in the exec-*
19 *utive branch an independent commission to be known as*
20 *the Military Compensation and Retirement Modernization*
21 *Commission. The Commission shall be considered an inde-*
22 *pendent establishment of the Federal Government as defined*
23 *by section 104 of title 5, United States Code, and a tem-*
24 *porary organization under section 3161 of such title.*

25 (b) *APPOINTMENT.*—

1 (1) *IN GENERAL.*—

2 (A) *MEMBERS.*—*The Commission shall be*
3 *composed of nine members appointed by the*
4 *President, in consultation with—*

5 (i) *the Chairman and Ranking Mem-*
6 *ber of the Committee on Armed Services of*
7 *the Senate; and*

8 (ii) *the Chairman and Ranking Mem-*
9 *ber of the Committee on Armed Services of*
10 *the House of Representatives.*

11 (B) *DEADLINE FOR APPOINTMENT.*—*The*
12 *President shall make appointments to the Com-*
13 *mission not later than six months after the Com-*
14 *mission establishment date.*

15 (C) *TERMINATION FOR LACK OF APPOINT-*
16 *MENT.*—*If the President does not make all ap-*
17 *pointments to the Commission on or before the*
18 *date specified in subparagraph (B), the Commis-*
19 *sion shall be terminated.*

20 (2) *QUALIFICATIONS OF INDIVIDUALS AP-*
21 *POINTED.*—*In appointing individuals to the Commis-*
22 *sion, the President shall—*

23 (A) *ensure that—*

24 (i) *there are members with significant*
25 *expertise in Federal compensation and re-*

1 *tirement systems, including the military*
2 *compensation and retirement systems, pri-*
3 *vate sector compensation, retirement, or*
4 *human resource systems, and actuarial*
5 *science;*

6 *(ii) at least five members have active-*
7 *duty military experience, including—*

8 *(I) at least one of whom has ac-*
9 *tive-duty experience as an enlisted*
10 *member; and*

11 *(II) at least one of whom has ex-*
12 *perience as a member of a reserve com-*
13 *ponent; and*

14 *(iii) at least one member was the*
15 *spouse of a member of the Armed Forces, or,*
16 *in the sole determination of the President,*
17 *has significant experience in military fam-*
18 *ily matters; and*

19 *(B) select individuals who are knowledge-*
20 *able and experienced with the uniformed services*
21 *and military compensation and retirement*
22 *issues.*

23 *(3) LIMITATION.—The President may not ap-*
24 *point to the Commission an individual who within*
25 *the preceding year has been employed by a veterans*

1 *service organization or military-related advocacy*
2 *group or association.*

3 (4) *CHAIR.*—*At the time the President appoints*
4 *the members of the Commission, the President shall*
5 *designate one of the members to be Chair of the Com-*
6 *mission. The individual designated as Chair of the*
7 *Commission shall be a person who has expertise in*
8 *the military compensation and retirement systems.*
9 *The Chair, or the designee of the Chair, shall preside*
10 *over meetings of the Commission and be responsible*
11 *for establishing the agenda of Commission meetings*
12 *and hearings.*

13 (c) *TERMS.*—*Members shall be appointed for the life*
14 *of the Commission (subject to subsection (b)(3)). A vacancy*
15 *in the Commission shall not affect its powers, and shall be*
16 *filled in the same manner as the original appointment was*
17 *made.*

18 (d) *STATUS AS FEDERAL EMPLOYEES.*—*Notwith-*
19 *standing the requirements of section 2105 of title 5, United*
20 *States Code, including the required supervision under sub-*
21 *section (a)(3) of such section, the members of the Commis-*
22 *sion shall be deemed Federal employees.*

23 **SEC. 1605. COMMISSION HEARINGS AND MEETINGS.**

24 (a) *IN GENERAL.*—*The Commission shall conduct*
25 *hearings on the recommendations it is taking under consid-*

1 *eration. Any such hearing, except a hearing in which classi-*
2 *fied information is to be considered, shall be open to the*
3 *public. Any hearing open to the public shall be announced*
4 *on a Federal website at least 14 days in advance. For all*
5 *hearings open to the public, the Commission shall release*
6 *an agenda and a listing of materials relevant to the topics*
7 *to be discussed.*

8 (b) *MEETINGS.*—

9 (1) *INITIAL MEETING.*—*The Commission shall*
10 *hold its initial meeting not later than 30 days after*
11 *the date as of which all members have been appointed.*

12 (2) *SUBSEQUENT MEETINGS.*—*After its initial*
13 *meeting, the Commission shall meet upon the call of*
14 *the Chair or a majority of its members.*

15 (3) *PUBLIC MEETINGS.*—*Each meeting of the*
16 *Commission shall be held in public unless any mem-*
17 *ber objects.*

18 (c) *QUORUM.*—*Five members of the Commission shall*
19 *constitute a quorum, but a lesser number may hold hear-*
20 *ings.*

21 (d) *PUBLIC COMMENTS.*—

22 (1) *IN GENERAL.*—*The Commission shall seek*
23 *written comments from the general public and inter-*
24 *ested parties on measures to modernize the military*
25 *compensation and retirement systems. Comments*

1 shall be requested through a solicitation in the Fed-
2 eral Register and announcement on the Internet
3 website of the Commission.

4 (2) *PERIOD FOR SUBMITTAL.*—The period for the
5 submittal of comments pursuant to the solicitation
6 under paragraph (1) shall end not earlier than 30
7 days after the date of the solicitation and shall end
8 on or before the date on which the Secretary transmits
9 the recommendations of the Secretary to the Commis-
10 sion under section 1606(b).

11 (3) *USE BY COMMISSION.*—The Commission shall
12 consider the comments submitted under this sub-
13 section when developing its recommendations.

14 **SEC. 1606. PRINCIPLES AND PROCEDURE FOR COMMISSION**

15 **RECOMMENDATIONS.**

16 (a) *PRINCIPLES.*—

17 (1) *CONTEXT OF COMMISSION REVIEW.*—The
18 Commission shall conduct a review of the military
19 compensation and retirement systems in the context of
20 all elements of the current military compensation and
21 retirement systems, force management objectives, and
22 changes in life expectancy and the labor force.

23 (2) *DEVELOPMENT OF COMMISSION REC-*
24 *COMMENDATIONS.*—

1 (A) *CONSISTENCY WITH PRESIDENTIAL*
2 *PRINCIPLES.—The Commission shall develop rec-*
3 *ommendations for modernizing the military com-*
4 *ensation and retirement systems that are con-*
5 *sistent with principles established by the Presi-*
6 *dent under paragraph (3).*

7 (B) *GRANDFATHERING.—The recommenda-*
8 *tions of the Commission may not apply to any*
9 *person who first becomes a member of a uni-*
10 *formed service before the date of the enactment of*
11 *a military compensation and retirement mod-*
12 *ernization Act pursuant to this title (except that*
13 *such recommendations may include provisions*
14 *allowing for such a member to make a voluntary*
15 *election to be covered by some or all of the provi-*
16 *sions of such recommendations).*

17 (3) *PRESIDENTIAL PRINCIPLES.—Not later than*
18 *five months after the Commission establishment date,*
19 *the President shall establish and transmit to the Com-*
20 *mission and Congress principles for modernizing the*
21 *military compensation and retirement systems. The*
22 *principles established by the President shall address*
23 *the following:*

24 (A) *Maintaining recruitment and retention*
25 *of the best military personnel.*

1 (B) *Modernizing the active and reserve*
2 *military compensation and retirement systems.*

3 (C) *Differentiating between active and re-*
4 *serve military service.*

5 (D) *Differentiating between service in the*
6 *Armed Forces and service in the other uniformed*
7 *services.*

8 (E) *Assisting with force management.*

9 (F) *Ensuring the fiscal sustainability of the*
10 *military compensation and retirement systems.*

11 (b) *SECRETARY OF DEFENSE RECOMMENDATIONS.—*

12 (1) *IN GENERAL.—Not later than nine months*
13 *after the Commission establishment date, the Sec-*
14 *retary shall transmit to the Commission the rec-*
15 *ommendations of the Secretary for military com-*
16 *ensation and retirement modernization. The Sec-*
17 *retary shall concurrently transmit the recommenda-*
18 *tions to Congress.*

19 (2) *DEVELOPMENT OF RECOMMENDATIONS.—The*
20 *Secretary shall develop the recommendations of the*
21 *Secretary under paragraph (1)—*

22 (A) *on the basis of the principles established*
23 *by the President pursuant to subsection (a)(3);*

24 (B) *in consultation with the Secretary of*
25 *Homeland Security, with respect to rec-*

1 *ommendations concerning members of the Coast*
2 *Guard;*

3 *(C) in consultation with the Secretary of*
4 *Health and Human Services, with respect to rec-*
5 *ommendations concerning members of the Public*
6 *Health Service;*

7 *(D) in consultation with the Secretary of*
8 *Commerce, with respect to recommendations con-*
9 *cerning members of the National Oceanic and*
10 *Atmospheric Administration; and*

11 *(E) in consultation with the Director of the*
12 *Office of Management and Budget.*

13 (3) *JUSTIFICATION.*—*The Secretary shall include*
14 *with the recommendations under paragraph (1) the*
15 *justification of the Secretary for each recommenda-*
16 *tion.*

17 (4) *AVAILABILITY OF INFORMATION.*—*The Sec-*
18 *retary shall make available to the Commission and to*
19 *Congress the information used by the Secretary to*
20 *prepare the recommendations of the Secretary under*
21 *paragraph (1).*

22 (c) *COMMISSION HEARINGS ON RECOMMENDATIONS OF*
23 *SECRETARY.*—*After receiving from the Secretary the rec-*
24 *ommendations of the Secretary for military compensation*
25 *and retirement modernization pursuant to subsection (b),*

1 *the Commission shall conduct public hearings on the rec-*
2 *ommendations.*

3 (d) *COMMISSION REPORT AND RECOMMENDATIONS.*—

4 (1) *REPORT.*—*Not later than 15 months after the*
5 *Commission establishment date, the Commission shall*
6 *transmit to the President a report containing the*
7 *findings and conclusions of the Commission, together*
8 *with the recommendations of the Commission for the*
9 *modernization of the military compensation and re-*
10 *tirement systems. The Commission shall include in*
11 *the report legislative language to implement the rec-*
12 *ommendations of the Commission. The findings and*
13 *conclusions in the report shall be based on the review*
14 *and analysis by the Commission of the recommenda-*
15 *tions of the Secretary.*

16 (2) *REQUIREMENT FOR APPROVAL.*—*The rec-*
17 *ommendations of the Commission must be approved*
18 *by at least five members of the Commission before the*
19 *recommendations may be transmitted to the President*
20 *under paragraph (1).*

21 (3) *PROCEDURES FOR CHANGING RECOMMENDA-*
22 *TIONS OF SECRETARY.*—*The Commission may make a*
23 *change described in paragraph (4) in the rec-*
24 *ommendations made by the Secretary only if the*
25 *Commission—*

1 (A) determines that the change is consistent
2 with the principles established by the President
3 under subsection (a)(3);

4 (B) publishes a notice of the proposed
5 change not less than 45 days before transmitting
6 its recommendations to the President pursuant
7 to paragraph (1); and

8 (C) conducts a public hearing on the pro-
9 posed change.

10 (4) COVERED CHANGES.—Paragraph (3) applies
11 to a change by the Commission in the recommenda-
12 tions of the Secretary that would—

13 (A) add a new recommendation;

14 (B) delete a recommendation; or

15 (C) substantially change a recommendation.

16 (5) EXPLANATION AND JUSTIFICATION FOR
17 CHANGES.—The Commission shall explain and justify
18 in its report submitted to the President under para-
19 graph (1) any recommendation made by the Commis-
20 sion that is different from the recommendations made
21 by the Secretary pursuant to subsection (b).

22 (6) TRANSMITTAL TO CONGRESS.—The Commis-
23 sion shall transmit a copy of its report to Congress
24 on the same date on which it transmits its report to
25 the President under paragraph (1).

1 **SEC. 1607. CONSIDERATION OF COMMISSION REC-**
2 **COMMENDATIONS BY THE PRESIDENT AND**
3 **CONGRESS.**

4 *(a) REVIEW BY THE PRESIDENT.—*

5 *(1) REPORT OF PRESIDENTIAL APPROVAL OR*
6 *DISAPPROVAL.—Not later than 60 days after the date*
7 *on which the Commission transmits its report to the*
8 *President under section 1606(d), the President shall*
9 *transmit to the Commission and to Congress a report*
10 *containing the approval or disapproval by the Presi-*
11 *dent of the recommendations of the Commission in the*
12 *report.*

13 *(2) PRESIDENTIAL APPROVAL.—If in the report*
14 *under paragraph (1) the President approves all the*
15 *recommendations of the Commission, the President*
16 *shall include with the report the following:*

17 *(A) A copy of the recommendations of the*
18 *Commission.*

19 *(B) The certification by the President of the*
20 *approval of the President of each recommenda-*
21 *tion.*

22 *(C) The legislative language transmitted by*
23 *the Commission to the President as part of the*
24 *report of the Commission under section*
25 *1606(d)(1).*

26 *(3) PRESIDENTIAL DISAPPROVAL.—*

1 (A) *REASONS FOR DISAPPROVAL.*—If in the
2 report under paragraph (1) the President dis-
3 approves the recommendations of the Commis-
4 sion, in whole or in part, the President shall in-
5 clude in the report the reasons for that dis-
6 approval.

7 (B) *REVISED RECOMMENDATIONS FROM*
8 *COMMISSION.*—The Commission shall then trans-
9 mit to the President, not later one month after
10 the date of the report of the President under
11 paragraph (1), revised recommendations for the
12 modernization of the military compensation and
13 retirement systems, together with revised legisla-
14 tive language to implement the revised rec-
15 ommendations of the Commission.

16 (4) *ACTION ON REVISED RECOMMENDATIONS.*—If
17 the President approves all of the revised recommenda-
18 tions of the Commission transmitted pursuant to
19 paragraph (3)(B), the President shall transmit to
20 Congress, not later than one month after receiving the
21 revised recommendations, the following:

22 (A) *A copy of the revised recommendations.*

23 (B) *The certification by the President of the*
24 *approval of the President of each recommenda-*
25 *tion as so revised.*

1 (C) *The revised legislative language trans-*
2 *mitted to the President under paragraph (3)(B).*

3 (5) *TERMINATION OF COMMISSION.—If the Presi-*
4 *dent does not transmit to Congress an approval and*
5 *certification described in paragraph (2) or (4) in ac-*
6 *cordance with the applicable deadline under such*
7 *paragraph, the Commission shall be terminated not*
8 *later than one month after the expiration of the pe-*
9 *riod for transmittal of a report under paragraph (4).*

10 (b) *CONSIDERATION BY CONGRESS.—*

11 (1) *RULEMAKING.—The provisions of this sub-*
12 *section are enacted by Congress—*

13 (A) *as an exercise of the rulemaking power*
14 *of the Senate and the House of Representatives,*
15 *respectively, and as such they shall be considered*
16 *as part of the rules of each House, respectively,*
17 *or of that House to which they specifically apply,*
18 *and such rules supersede other rules only to the*
19 *extent that they are inconsistent therewith; and*

20 (B) *with full recognition of the constitu-*
21 *tional right of either House to change such rules*
22 *(so far as relating to the procedure of that*
23 *House) at any time, in the same manner and to*
24 *the same extent as in the case of any other rule*
25 *of that House.*

1 (2) *MILITARY COMPENSATION AND RETIREMENT*
2 *MODERNIZATION BILL.*—*For the purpose of this sub-*
3 *section, the term “military compensation and retire-*
4 *ment modernization bill” means only a bill consisting*
5 *of the proposed legislative language recommended by*
6 *the Commission and submitted to Congress by the*
7 *President pursuant to subsection (a).*

8 (3) *INTRODUCTION OF LEGISLATIVE PROPOSAL IN*
9 *HOUSE AND SENATE.*—*If the President transmits to*
10 *Congress under subsection (a) a copy of the rec-*
11 *ommendations of the Commission (including the legis-*
12 *lative language recommended by the Commission), to-*
13 *gether with a certification of the approval of the*
14 *President of the recommendations, the proposed legis-*
15 *lative language recommended by the Commission and*
16 *submitted to Congress by the President pursuant to*
17 *that subsection—*

18 (A) *shall be introduced in the Senate (by re-*
19 *quest) on the next day on which the Senate is in*
20 *session by the chairman of the Committee on*
21 *Armed Services of the Senate; and*

22 (B) *shall be introduced in the House of*
23 *Representatives (by request) on the next legisla-*
24 *tive day by the chair of the Committee on Armed*
25 *Services of the House of Representatives.*

1 (4) *CONSIDERATION IN THE HOUSE OF REP-*
2 *RESENTATIVES.—*

3 (A) *REFERRAL AND REPORTING.—Any com-*
4 *mittee of the House of Representatives to which*
5 *the military compensation and retirement mod-*
6 *ernization bill is referred shall report it to the*
7 *House without amendment not later than the*
8 *end of the 60-day period beginning on the date*
9 *on which the bill is introduced. If a committee*
10 *fails to report the bill to the House within that*
11 *period, it shall be in order to move that the*
12 *House discharge the committee from further con-*
13 *sideration of the bill. Such a motion shall not be*
14 *in order after the last committee authorized to*
15 *consider the bill reports it to the House or after*
16 *the House has disposed of a motion to discharge*
17 *the bill. The previous question shall be considered*
18 *as ordered on the motion to its adoption without*
19 *intervening motion except 20 minutes of debate*
20 *equally divided and controlled by the proponent*
21 *and an opponent. If such a motion is adopted,*
22 *the House shall proceed immediately to consider*
23 *the Commission bill in accordance with subpara-*
24 *graphs (B) and (C). A motion to reconsider the*

1 *vote by which the motion is disposed of shall not*
2 *be in order.*

3 (B) *PROCEEDING TO CONSIDERATION.*—

4 *After the last committee authorized to consider a*
5 *military compensation and retirement mod-*
6 *ernization bill reports it to the House or has*
7 *been discharged (other than by motion) from its*
8 *consideration, it shall be in order to move to pro-*
9 *ceed to consider the military compensation and*
10 *retirement modernization bill in the House. Such*
11 *a motion shall not be in order after the House*
12 *has disposed of a motion to proceed with respect*
13 *to the military compensation and retirement*
14 *modernization bill. The previous question shall*
15 *be considered as ordered on the motion to its*
16 *adoption without intervening motion. A motion*
17 *to reconsider the vote by which the motion is dis-*
18 *posed of shall not be in order.*

19 (C) *CONSIDERATION.*—*The military com-*
20 *penetration and retirement modernization bill*
21 *shall be considered as read. All points of order*
22 *against the bill and against its consideration are*
23 *waived. The previous question shall be considered*
24 *as ordered on the bill to its passage without in-*
25 *tervening motion except 2 hours of debate equally*

1 *divided and controlled by the proponent and an*
2 *opponent and one motion to limit debate on the*
3 *bill. A motion to reconsider the vote on passage*
4 *of the bill shall not be in order.*

5 *(D) VOTE ON PASSAGE.—The vote on pas-*
6 *sage of the military compensation and retire-*
7 *ment modernization bill shall occur not later*
8 *than the end of the 90-day period beginning on*
9 *the date on which the bill is introduced.*

10 *(5) EXPEDITED PROCEDURE IN THE SENATE.—*

11 *(A) COMMITTEE CONSIDERATION.—A mili-*
12 *tary compensation and retirement modernization*
13 *bill introduced in the Senate under subsection*
14 *(a) shall be jointly referred to the committee or*
15 *committees of jurisdiction, which committees*
16 *shall report the bill without any revision and*
17 *with a favorable recommendation, an unfavor-*
18 *able recommendation, or without recommenda-*
19 *tion, not later than the end of the 60-day period*
20 *beginning on the date on which the bill is intro-*
21 *duced. If any committee fails to report the bill*
22 *within that period, that committee shall be auto-*
23 *matically discharged from consideration of the*
24 *bill, and the bill shall be placed on the appro-*
25 *priate calendar.*

1 (B) *MOTION TO PROCEED.*—*Notwith-*
2 *standing Rule XXII of the Standing Rules of the*
3 *Senate, it is in order, not later than 2 days of*
4 *session after the date on which a military com-*
5 *ensation and retirement modernization bill is*
6 *reported or discharged from all committees to*
7 *which it was referred, for the majority leader of*
8 *the Senate or the majority leader’s designee to*
9 *move to proceed to the consideration of the mili-*
10 *tary compensation and retirement modernization*
11 *bill. It shall also be in order for any Member of*
12 *the Senate to move to proceed to the consider-*
13 *ation of the military compensation and retire-*
14 *ment modernization bill at any time after the*
15 *conclusion of such 2-day period. A motion to*
16 *proceed is in order even though a previous mo-*
17 *tion to the same effect has been disagreed to. All*
18 *points of order against the motion to proceed to*
19 *the military compensation and retirement mod-*
20 *ernization bill are waived. The motion to proceed*
21 *is not debatable. The motion is not subject to a*
22 *motion to postpone. A motion to reconsider the*
23 *vote by which the motion is agreed to or dis-*
24 *agreed to shall not be in order. If a motion to*
25 *proceed to the consideration of the military com-*

1 *compensation and retirement modernization bill is*
2 *agreed to, the military compensation and retire-*
3 *ment modernization bill shall remain the unfin-*
4 *ished business until disposed of.*

5 (C) *CONSIDERATION.*—*All points of order,*
6 *other than budget points of order, against the*
7 *military compensation and retirement mod-*
8 *ernization bill and against consideration of the*
9 *bill are waived. Consideration of the bill and of*
10 *all debatable motions and appeals in connection*
11 *therewith shall not exceed a total of 10 hours*
12 *which shall be divided equally between the ma-*
13 *jority and minority leaders or their designees. A*
14 *motion further to limit debate on the bill is in*
15 *order, shall require an affirmative vote of three-*
16 *fifths of the Members duly chosen and sworn,*
17 *and is not debatable. Any debatable motion or*
18 *appeal is debatable for not to exceed 1 hour, to*
19 *be divided equally between those favoring and*
20 *those opposing the motion or appeal. All time*
21 *used for consideration of the bill, including time*
22 *used for quorum calls and voting, shall be count-*
23 *ed against the total 10 hours of consideration.*

24 (D) *NO AMENDMENTS.*—*An amendment to*
25 *the Commission bill, or a motion to postpone, or*

1 *a motion to proceed to the consideration of other*
2 *business, or a motion to recommit the Commis-*
3 *sion bill, is not in order.*

4 *(E) VOTE ON PASSAGE.—If the Senate has*
5 *voted to proceed to the military compensation*
6 *and retirement modernization bill, the vote on*
7 *passage of the bill shall occur immediately fol-*
8 *lowing the conclusion of the debate on a military*
9 *compensation and retirement modernization bill,*
10 *and a single quorum call at the conclusion of the*
11 *debate if requested. The vote on passage of the*
12 *bill shall occur not later the end of the 90-day*
13 *period beginning on the date on which the bill*
14 *is introduced.*

15 *(F) RULINGS OF THE CHAIR ON PROCE-*
16 *DURE.—Appeals from the decisions of the Chair*
17 *relating to the application of the rules of the*
18 *Senate, as the case may be, to the procedure re-*
19 *lating to a military compensation and retire-*
20 *ment modernization bill shall be decided without*
21 *debate.*

22 *(6) AMENDMENT.—The military compensation*
23 *and retirement modernization bill shall not be subject*
24 *to amendment in either the House of Representatives*
25 *or the Senate.*

1 (7) *CONSIDERATION BY THE OTHER HOUSE.*—If,
2 *before passing the military compensation and retire-*
3 *ment modernization bill, one House receives from the*
4 *other a military compensation and retirement mod-*
5 *ernization bill—*

6 (A) *the military compensation and retire-*
7 *ment modernization bill of the other House shall*
8 *not be referred to a committee; and*

9 (B) *the procedure in the receiving House*
10 *shall be the same as if no military compensation*
11 *and retirement modernization bill had been re-*
12 *ceived from the other House until the vote on*
13 *passage, when the military compensation and re-*
14 *tirement modernization bill received from the*
15 *other House shall supplant the military com-*
16 *ensation and retirement modernization bill of*
17 *the receiving House.*

18 **SEC. 1608. PAY FOR MEMBERS OF THE COMMISSION.**

19 (a) *IN GENERAL.*—Each member, other than the
20 *Chair, of the Commission shall be paid at a rate equal to*
21 *the daily equivalent of the annual rate of basic pay payable*
22 *for level IV of the Executive Schedule under section 5315*
23 *of title 5, United States Code, for each day (including travel*
24 *time) during which the member is engaged in the actual*
25 *performance of duties vested in the Commission.*

1 (b) *CHAIR.*—*The Chair of the Commission shall be*
2 *paid at a rate equal to the daily equivalent of the annual*
3 *rate of basic pay payable for level III of the Executive*
4 *Schedule under section 5314, of title 5, United States Code,*
5 *for each day (including travel time) during which the mem-*
6 *ber is engaged in the actual performance of duties vested*
7 *in the Commission.*

8 **SEC. 1609. EXECUTIVE DIRECTOR.**

9 (a) *APPOINTMENT.*—*The Commission shall appoint*
10 *and fix the rate of basic pay for an Executive Director in*
11 *accordance with section 3161 of title 5, United States Code.*

12 (b) *LIMITATIONS.*—*The Executive Director may not*
13 *have served on active duty in the Armed Forces or as a*
14 *civilian employee of the Department of Defense during the*
15 *one-year period preceding the date of such appointment and*
16 *may not have been employed by a veterans service organiza-*
17 *tion or a military-related advocacy group or association*
18 *during that one-year period.*

19 **SEC. 1610. STAFF.**

20 (a) *IN GENERAL.*—*Subject to subsections (b) and (c),*
21 *the Executive Director, with the approval of the Commis-*
22 *sion, may appoint and fix the rate of basic pay for addi-*
23 *tional personnel as staff of the Commission in accordance*
24 *with section 3161 of title 5, United States Code.*

25 (b) *LIMITATIONS ON STAFF.*—

1 (1) *NUMBER OF DETAILEES FROM DEPARTMENT*
2 *OF DEFENSE.*—Not more than one-third of the per-
3 *sonnel employed by or detailed to the Commission*
4 *may be on detail from the Department of Defense.*

5 (2) *PRIOR DUTIES WITHIN DEPARTMENT OF DE-*
6 *FENSE.*—A person may not be detailed from the De-
7 *partment of Defense to the Commission if, in the year*
8 *before the detail is to begin, that person participated*
9 *personally and substantially in any matter within*
10 *the Department concerning the preparation of rec-*
11 *ommendations for military compensation and retire-*
12 *ment modernization.*

13 (3) *NUMBER OF DETAILEES ELIGIBLE FOR MILI-*
14 *TARY RETIRED PAY.*—Not more than one-fourth of the
15 *personnel employed by or detailed to the Commission*
16 *may be persons eligible for or receiving military re-*
17 *tired pay.*

18 (4) *PRIOR EMPLOYMENT WITH CERTAIN ORGANI-*
19 *ZATIONS.*—A person may not be employed by or de-
20 *tailed to the Commission if, in the year before the em-*
21 *ployment or detail is to begin, that person was em-*
22 *ployed by a veterans service organization or a mili-*
23 *tary-related advocacy group or association.*

1 (c) *LIMITATIONS ON PERFORMANCE REVIEWS.*—No
2 *member of the Armed Forces, and no officer or employee*
3 *of the Department of Defense, may—*

4 (1) *prepare any report concerning the effective-*
5 *ness, fitness, or efficiency of the performance of the*
6 *staff of the Commission or any person detailed from*
7 *the Department to that staff;*

8 (2) *review the preparation of such a report; or*

9 (3) *approve or disapprove such a report.*

10 **SEC. 1611. CONTRACTING AUTHORITY.**

11 *The Commission may lease space and acquire personal*
12 *property to the extent funds are available.*

13 **SEC. 1612. JUDICIAL REVIEW PRECLUDED.**

14 *The following shall not be subject to judicial review:*

15 (1) *Actions of the President, the Secretary, and*
16 *the Commission under section 1606.*

17 (2) *Actions of the President under section*
18 *1607(a).*

19 **SEC. 1613. TERMINATION.**

20 *Except as otherwise provided in this title, the Commis-*
21 *sion shall terminate not later than 26 months after the*
22 *Commission establishment date.*

23 **SEC. 1614. FUNDING.**

24 *Of the amounts authorized to be appropriated by this*
25 *division for the Department of Defense for fiscal year 2013,*

1 *up to \$10,000,000 shall be available to the Commission to*
2 *carry out its duties under this title. Funds available to the*
3 *Commission under the preceding sentence shall remain*
4 *available until expended.*

5 **TITLE XVII—NATIONAL COMMIS-**
6 **SION ON THE STRUCTURE OF**
7 **THE AIR FORCE**

8 **SEC. 1701. SHORT TITLE.**

9 *This title may be cited as the “National Commission*
10 *on the Structure of the Air Force Act of 2012”.*

11 **SEC. 1702. ESTABLISHMENT OF COMMISSION.**

12 *(a) ESTABLISHMENT.—There is established the Na-*
13 *tional Commission on the Structure of the Air Force (in*
14 *this title referred to as the “Commission”).*

15 *(b) MEMBERSHIP.—*

16 *(1) COMPOSITION.—The Commission shall be*
17 *composed of eight members, of whom—*

18 *(A) four shall be appointed by the Presi-*
19 *dent, of whom one shall be the Chairman of the*
20 *Reserve Forces Policy Board;*

21 *(B) one shall be appointed by the Chairman*
22 *of the Committee on Armed Services of the Sen-*
23 *ate;*

1 (C) one shall be appointed by the Ranking
2 Member of the Committee on Armed Services of
3 the Senate;

4 (D) one shall be appointed by the Chairman
5 of the Committee on Armed Services of the House
6 of Representatives; and

7 (E) one shall be appointed by the Ranking
8 Member of the Committee on Armed Services of
9 the House of Representatives.

10 (2) *APPOINTMENT DATE.*—The appointments of
11 the members of the Commission shall be made not
12 later than 90 days after the date of the enactment of
13 this Act.

14 (3) *EFFECT OF LACK OF APPOINTMENT BY AP-*
15 *POINTMENT DATE.*—If one or more appointments
16 under subparagraph (A) of paragraph (1) is not
17 made by the appointment date specified in paragraph
18 (2), the authority to make such appointment or ap-
19 pointments shall expire, and the number of members
20 of the Commission shall be reduced by the number
21 equal to the number of appointments so not made. If
22 an appointment under subparagraph (B), (C), (D), or
23 (E) of paragraph (1) is not made by the appointment
24 date specified in paragraph (2), the authority to
25 make an appointment under such subparagraph shall

1 *expire, and the number of members of the Commission*
2 *shall be reduced by the number equal to the number*
3 *otherwise appointable under such subparagraph.*

4 *(c) PERIOD OF APPOINTMENT; VACANCIES.—Members*
5 *shall be appointed for the life of the Commission. Any va-*
6 *cancy in the Commission shall not affect its powers, but*
7 *shall be filled in the same manner as the original appoint-*
8 *ment.*

9 *(d) INITIAL MEETING.—Not later than 30 days after*
10 *the date on which all members of the Commission have been*
11 *appointed, the Commission shall hold its first meeting.*

12 *(e) MEETINGS.—The Commission shall meet at the call*
13 *of the Chair.*

14 *(f) QUORUM.—A majority of the members of the Com-*
15 *mission shall constitute a quorum, but a lesser number of*
16 *members may hold hearings.*

17 *(g) CHAIR AND VICE CHAIRMAN.—The Commission*
18 *shall select a Chair and Vice Chair from among its mem-*
19 *bers.*

20 **SEC. 1703. DUTIES OF THE COMMISSION.**

21 *(a) STUDY.—*

22 *(1) IN GENERAL.—The Commission shall under-*
23 *take a comprehensive study of the current structure of*
24 *the Air Force to determine whether, and how, the*
25 *structure should be modified to best fulfill current and*

1 *anticipated mission requirements for the Air Force in*
2 *a manner consistent with available resources.*

3 (2) *CONSIDERATIONS.—In considering an alter-*
4 *native structure for the Air Force, the Commission*
5 *shall give particular consideration to identifying a*
6 *structure that—*

7 (A) *meets current and anticipated require-*
8 *ments of the combatant commands;*

9 (B) *achieves an appropriate balance be-*
10 *tween the regular and reserve components of the*
11 *Air Force, taking advantage of the unique*
12 *strengths and capabilities of each;*

13 (C) *ensures that the reserve components of*
14 *the Air Force have the capacity needed to sup-*
15 *port current and anticipated homeland defense*
16 *and disaster assistance missions in the United*
17 *States;*

18 (D) *provides for sufficient numbers of reg-*
19 *ular members of the Air Force to provide a base*
20 *of trained personnel from which the personnel of*
21 *the reserve components of the Air Force could be*
22 *recruited;*

23 (E) *maintains a peacetime rotation force to*
24 *avoid exceeding operational tempo goals of 1:2*
25 *for regular members of the Air Forces and 1:5 for*

1 *members of the reserve components of the Air*
2 *Force; and*

3 *(F) maximizes achievable costs savings.*

4 *(b) REPORT.—Not later than March 31, 2014, the*
5 *Commission shall submit to the President and the congres-*
6 *sional defense committees a report which shall contain a*
7 *detailed statement of the findings and conclusions of the*
8 *Commission as a result of the study required by subsection*
9 *(a), together with its recommendations for such legislation*
10 *and administrative actions as it considers appropriate in*
11 *light of the results of the study.*

12 **SEC. 1704. POWERS OF THE COMMISSION.**

13 *(a) HEARINGS.—The Commission may hold such hear-*
14 *ings, sit and act at such times and places, take such testi-*
15 *mony, and receive such evidence as the Commission con-*
16 *siders advisable to carry out this title.*

17 *(b) INFORMATION FROM FEDERAL AGENCIES.—The*
18 *Commission may secure directly from any Federal depart-*
19 *ment or agency such information as the Commission con-*
20 *siders necessary to carry out this title. Upon request of the*
21 *Chair of the Commission, the head of such department or*
22 *agency shall furnish such information to the Commission.*

23 *(c) POSTAL SERVICES.—The Commission may use the*
24 *United States mails in the same manner and under the*

1 *same conditions as other departments and agencies of the*
2 *Federal Government.*

3 (d) *GIFTS.*—*The Commission may accept, use, and*
4 *dispose of gifts or donations of services or property.*

5 **SEC. 1705. COMMISSION PERSONNEL MATTERS.**

6 (a) *COMPENSATION OF MEMBERS.*—*Each member of*
7 *the Commission who is not an officer or employee of the*
8 *Federal Government shall be compensated at a rate equal*
9 *to the daily equivalent of the annual rate of basic pay pre-*
10 *scribed for level IV of the Executive Schedule under section*
11 *5315 of title 5, United States Code, for each day (including*
12 *travel time) during which such member is engaged in the*
13 *performance of the duties of the Commission. All members*
14 *of the Commission who are officers or employees of the*
15 *United States shall serve without compensation in addition*
16 *to that received for their services as officers or employees*
17 *of the United States.*

18 (b) *TRAVEL EXPENSES.*—*The members of the Commis-*
19 *sion shall be allowed travel expenses, including per diem*
20 *in lieu of subsistence, at rates authorized for employees of*
21 *agencies under subchapter I of chapter 57 of title 5, United*
22 *States Code, while away from their homes or regular places*
23 *of business in the performance of services for the Commis-*
24 *sion.*

25 (c) *STAFF.*—

1 (1) *IN GENERAL.*—*The Chair of the Commission*
2 *may, without regard to the civil service laws and reg-*
3 *ulations, appoint and terminate an executive director*
4 *and such other additional personnel as may be nec-*
5 *essary to enable the Commission to perform its duties.*
6 *The employment of an executive director shall be sub-*
7 *ject to confirmation by the Commission.*

8 (2) *COMPENSATION.*—*The Chair of the Commis-*
9 *sion may fix the compensation of the executive direc-*
10 *tor and other personnel without regard to chapter 51*
11 *and subchapter III of chapter 53 of title 5, United*
12 *States Code, relating to classification of positions and*
13 *General Schedule pay rates, except that the rate of*
14 *pay for the executive director and other personnel*
15 *may not exceed the rate payable for level V of the Ex-*
16 *ecutive Schedule under section 5316 of such title.*

17 (d) *DETAIL OF GOVERNMENT EMPLOYEES.*—*Any Fed-*
18 *eral Government employee may be detailed to the Commis-*
19 *sion without reimbursement, and such detail shall be with-*
20 *out interruption or loss of civil service status or privilege.*

21 (e) *PROCUREMENT OF TEMPORARY AND INTERMIT-*
22 *TENT SERVICES.*—*The Chair of the Commission may pro-*
23 *cure temporary and intermittent services under section*
24 *3109(b) of title 5, United States Code, at rates for individ-*
25 *uals which do not exceed the daily equivalent of the annual*

1 *rate of basic pay prescribed for level V of the Executive*
2 *Schedule under section 5316 of such title.*

3 **SEC. 1706. TERMINATION OF THE COMMISSION.**

4 *The Commission shall terminate 90 days after the date*
5 *on which the Commission submits its report under section*
6 *1703.*

7 **SEC. 1707. FUNDING.**

8 *Amounts authorized to be appropriated for fiscal year*
9 *2013 and available for operation and maintenance for the*
10 *Air Force as specified in the funding table in section 4301*
11 *may be available for the activities of the Commission under*
12 *this title.*

13 **SEC. 1708. LIMITATION ON AVAILABILITY OF FUNDS FOR**
14 **REDUCTIONS TO THE AIR NATIONAL GUARD**
15 **AND THE AIR FORCE RESERVE.**

16 *(a) IN GENERAL.—None of the funds authorized to be*
17 *appropriated by this Act or otherwise made available for*
18 *fiscal year 2013 for the Air Force may be used to divest,*
19 *retire, or transfer, or prepare to divest, retire, or transfer,*
20 *any aircraft of the Air Force assigned to units of the Air*
21 *National Guard or Air Force Reserve as of May 31, 2012.*

22 *(b) EXCEPTION.—The Secretary of the Air Force may*
23 *divest or retire, or prepare to divest or retire, C-5A aircraft*
24 *if the Secretary replaces such aircraft through a transfer*
25 *of C-5B, C-5M, or C-17 mobility aircraft so as to main-*

1 *tain all Air National Guard and Air Force Reserve units*
2 *impacted by such divestment or retirement at current or*
3 *higher assigned manpower levels to operate the aircraft so*
4 *transferred.*

5 **SEC. 1709. FUNDING FOR MAINTENANCE OF FORCE STRUC-**
6 **TURE OF THE AIR FORCE PENDING COMMIS-**
7 **SION RECOMMENDATIONS.**

8 *There is hereby authorized to be appropriated to the*
9 *Department of Defense for fiscal year 2013, \$1,400,000,000*
10 *for the force structure of the Air Force. The amount author-*
11 *ized to be appropriated by this section is in addition to*
12 *any other amounts authorized to be appropriated by this*
13 *Act.*

14 **SEC. 1710. RETENTION OF CORE FUNCTIONS OF THE ELEC-**
15 **TRONIC SYSTEMS CENTER AT HANSCOM AIR**
16 **FORCE BASE PENDING FUTURE STRUCTURE**
17 **STUDY.**

18 *The Secretary of the Air Force shall retain the current*
19 *leadership rank and core functions of the Electronic Sys-*
20 *tems Center at Hanscom Air Force Base with the same inte-*
21 *grated mission elements, responsibilities, and capabilities*
22 *as existed as of November 1, 2011, until 180 days after the*
23 *National Commission on the Structure of the Air Force sub-*
24 *mits to the congressional defense committees the report re-*
25 *quired under section 1703.*

1 **SEC. 1711. AIR FORCE ASSESSMENTS OF THE EFFECTS OF**
2 **PROPOSED MOVEMENTS OF AIRFRAMES ON**
3 **JOINT READINESS TRAINING.**

4 *The Secretary of the Air Force shall—*

5 *(1) undertake an assessment of the effects of cur-*
6 *rently-proposed movements of Air Force airframes on*
7 *Green Flag East and Green Flag West joint readiness*
8 *training; and*

9 *(2) if the Secretary determines it appropriate,*
10 *submit to the congressional defense committees a re-*
11 *port setting forth a proposal to make future replace-*
12 *ments of capabilities for purposes of augmenting*
13 *training at the joint readiness training center*
14 *(JRTC) or for such other purposes as the Secretary*
15 *considers appropriate.*

16 **TITLE XVIII—FEDERAL ASSIST-**
17 **ANCE TO FIRE DEPARTMENTS**
18 **Subtitle A—Fire Grants**
19 **Reauthorization**

20 **SEC. 1801. SHORT TITLE.**

21 *This subtitle may be cited as the “Fire Grants Reau-*
22 *thorization Act of 2012”.*

23 **SEC. 1802. AMENDMENTS TO DEFINITIONS.**

24 *(a) IN GENERAL.—Section 4 of the Federal Fire Pre-*
25 *vention and Control Act of 1974 (15 U.S.C. 2203) is*
26 *amended—*

1 (1) *in paragraph (3), by inserting “, except as*
2 *otherwise provided,” after “means”;*

3 (2) *in paragraph (4), by striking “‘Director’*
4 *means” and all that follows through “Agency;” and*
5 *inserting “‘Administrator of FEMA’ means the Ad-*
6 *ministrator of the Federal Emergency Management*
7 *Agency;”;*

8 (3) *in paragraph (5)—*

9 (A) *by inserting “Indian tribe,” after*
10 *“county,”; and*

11 (B) *by striking “and ‘firecontrol’” and in-*
12 *serting “and ‘fire control’”;*

13 (4) *by redesignating paragraphs (6) through (9)*
14 *as paragraphs (7) through (10), respectively;*

15 (5) *by inserting after paragraph (5), the fol-*
16 *lowing:*

17 “*(6) ‘Indian tribe’ has the meaning given that*
18 *term in section 4 of the Indian Self-Determination*
19 *and Education Assistance Act (25 U.S.C. 450b) and*
20 *‘tribal’ means of or pertaining to an Indian tribe;”;*

21 (6) *by redesignating paragraphs (9) and (10), as*
22 *redesignated by paragraph (4), as paragraphs (10)*
23 *and (11);*

24 (7) *by inserting after paragraph (8), as redesi-*
25 *gnated by paragraph (4), the following:*

1 “(9) ‘Secretary’ means, except as otherwise pro-
2 vided, the Secretary of Homeland Security;” and

3 (8) by amending paragraph (10), as redesign-
4 nated by paragraph (6), to read as follows:

5 “(10) ‘State’ has the meaning given the term in
6 section 2 of the Homeland Security Act of 2002 (6
7 U.S.C. 101).”.

8 (b) *CONFORMING AMENDMENTS.*—

9 (1) *ADMINISTRATOR OF FEMA.*—*The Federal*
10 *Fire Prevention and Control Act of 1974 (15 U.S.C.*
11 *2201 et seq.) is amended by striking “Director” each*
12 *place it appears and inserting “Administrator of*
13 *FEMA”.*

14 (2) *ADMINISTRATOR OF FEMA’S AWARD.*—*Section*
15 *15 of such Act (15 U.S.C. 2214) is amended by strik-*
16 *ing “Director’s Award” each place it appears and in-*
17 *serting “Administrator’s Award”.*

18 **SEC. 1803. ASSISTANCE TO FIREFIGHTERS GRANTS.**

19 *Section 33 of the Federal Fire Prevention and Control*
20 *Act of 1974 (15 U.S.C. 2229) is amended to read as follows:*

21 **“SEC. 33. FIREFIGHTER ASSISTANCE.**

22 “(a) *DEFINITIONS.*—*In this section:*

23 “(1) *ADMINISTRATOR OF FEMA.*—*The term ‘Ad-*
24 *ministrator of FEMA’ means the Administrator of*
25 *FEMA, acting through the Administrator.*

1 “(2) *AVAILABLE GRANT FUNDS.*—*The term*
2 *‘available grant funds’, with respect to a fiscal year,*
3 *means those funds appropriated pursuant to the au-*
4 *thorization of appropriations in subsection (q)(1) for*
5 *such fiscal year less any funds used for administra-*
6 *tive costs pursuant to subsection (q)(2) in such fiscal*
7 *year.*

8 “(3) *CAREER FIRE DEPARTMENT.*—*The term ‘ca-*
9 *reer fire department’ means a fire department that*
10 *has an all-paid force of firefighting personnel other*
11 *than paid-on-call firefighters.*

12 “(4) *COMBINATION FIRE DEPARTMENT.*—*The*
13 *term ‘combination fire department’ means a fire de-*
14 *partment that has—*

15 “(A) *paid firefighting personnel; and*

16 “(B) *volunteer firefighting personnel.*

17 “(5) *FIREFIGHTING PERSONNEL.*—*The term*
18 *‘firefighting personnel’ means individuals, including*
19 *volunteers, who are firefighters, officers of fire depart-*
20 *ments, or emergency medical service personnel of fire*
21 *departments.*

22 “(6) *INSTITUTION OF HIGHER EDUCATION.*—*The*
23 *term ‘institution of higher education’ has the meaning*
24 *given such term in section 101 of the Higher Edu-*
25 *cation Act of 1965 (20 U.S.C. 1001).*

1 “(7) *NONAFFILIATED EMS ORGANIZATION.*—*The*
2 *term ‘nonaffiliated EMS organization’ means a pub-*
3 *lic or private nonprofit emergency medical services*
4 *organization that is not affiliated with a hospital and*
5 *does not serve a geographic area in which the Admin-*
6 *istrator of FEMA finds that emergency medical serv-*
7 *ices are adequately provided by a fire department.*

8 “(8) *PAID-ON-CALL.*—*The term ‘paid-on-call’*
9 *with respect to firefighting personnel means fire-*
10 *fighting personnel who are paid a stipend for each*
11 *event to which they respond.*

12 “(9) *VOLUNTEER FIRE DEPARTMENT.*—*The term*
13 *‘volunteer fire department’ means a fire department*
14 *that has an all-volunteer force of firefighting per-*
15 *sonnel.*

16 “(b) *ASSISTANCE PROGRAM.*—

17 “(1) *AUTHORITY.*—*In accordance with this sec-*
18 *tion, the Administrator of FEMA may award—*

19 “(A) *assistance to firefighters grants under*
20 *subsection (c); and*

21 “(B) *fire prevention and safety grants and*
22 *other assistance under subsection (d).*

23 “(2) *ADMINISTRATIVE ASSISTANCE.*—*The Ad-*
24 *ministrator of FEMA shall—*

1 “(A) *establish specific criteria for the selec-*
2 *tion of grant recipients under this section; and*

3 “(B) *provide assistance with application*
4 *preparation to applicants for such grants.*

5 “(c) *ASSISTANCE TO FIREFIGHTERS GRANTS.—*

6 “(1) *IN GENERAL.—The Administrator of FEMA*
7 *may, in consultation with the chief executives of the*
8 *States in which the recipients are located, award*
9 *grants on a competitive basis directly to—*

10 “(A) *fire departments, for the purpose of*
11 *protecting the health and safety of the public and*
12 *firefighting personnel throughout the United*
13 *States against fire, fire-related, and other haz-*
14 *ards;*

15 “(B) *nonaffiliated EMS organizations to*
16 *support the provision of emergency medical serv-*
17 *ices; and*

18 “(C) *State fire training academies for the*
19 *purposes described in subparagraphs (G), (H),*
20 *and (I) of paragraph (3).*

21 “(2) *MAXIMUM GRANT AMOUNTS.—*

22 “(A) *POPULATION.—The Administrator of*
23 *FEMA may not award a grant under this sub-*
24 *section in excess of amounts as follows:*

1 “(i) *In the case of a recipient that*
2 *serves a jurisdiction with 100,000 people or*
3 *fewer, the amount of the grant awarded to*
4 *such recipient shall not exceed \$1,000,000*
5 *in any fiscal year.*

6 “(ii) *In the case of a recipient that*
7 *serves a jurisdiction with more than*
8 *100,000 people but not more than 500,000*
9 *people, the amount of the grant awarded to*
10 *such recipient shall not exceed \$2,000,000*
11 *in any fiscal year.*

12 “(iii) *In the case of a recipient that*
13 *serves a jurisdiction with more than*
14 *500,000 but not more than 1,000,000 peo-*
15 *ple, the amount of the grant awarded to*
16 *such recipient shall not exceed \$3,000,000*
17 *in any fiscal year.*

18 “(iv) *In the case of a recipient that*
19 *serves a jurisdiction with more than*
20 *1,000,000 people but not more than*
21 *2,500,000 people, the amount of the grant*
22 *awarded to such recipient shall not exceed*
23 *\$6,000,000 for any fiscal year.*

24 “(v) *In the case of a recipient that*
25 *serves a jurisdiction with more than*

1 2,500,000 people, the amount of the grant
2 awarded to such recipient shall not exceed
3 \$9,000,000 in any fiscal year.

4 “(B) *AGGREGATE.*—

5 “(i) *IN GENERAL.*—Notwithstanding
6 subparagraphs (A) and (B) and except as
7 provided under clause (ii), the Adminis-
8 trator of *FEMA* may not award a grant
9 under this subsection in a fiscal year in an
10 amount that exceeds the amount that is one
11 percent of the available grant funds in such
12 fiscal year.

13 “(ii) *EXCEPTION.*—The Administrator
14 of *FEMA* may waive the limitation in
15 clause (i) with respect to a grant recipient
16 if the Administrator of *FEMA* determines
17 that such recipient has an extraordinary
18 need for a grant in an amount that exceeds
19 the limit under clause (i).

20 “(3) *USE OF GRANT FUNDS.*—Each entity receiv-
21 ing a grant under this subsection shall use the grant
22 for one or more of the following purposes:

23 “(A) *To train firefighting personnel in—*

24 “(i) *firefighting;*

1 “(ii) emergency medical services and
2 other emergency response (including re-
3 sponse to natural disasters, acts of ter-
4 rorism, and other man-made disasters);

5 “(iii) arson prevention and detection;

6 “(iv) maritime firefighting; or

7 “(v) the handling of hazardous mate-
8 rials.

9 “(B) To train firefighting personnel to pro-
10 vide any of the training described under sub-
11 paragraph (A).

12 “(C) To fund the creation of rapid interven-
13 tion teams to protect firefighting personnel at the
14 scenes of fires and other emergencies.

15 “(D) To certify—

16 “(i) fire inspectors; and

17 “(ii) building inspectors—

18 “(I) whose responsibilities include
19 fire safety inspections; and

20 “(II) who are employed by or
21 serving as volunteers with a fire de-
22 partment.

23 “(E) To establish wellness and fitness pro-
24 grams for firefighting personnel to ensure that
25 the firefighting personnel are able to carry out

1 *their duties as firefighters, including programs*
2 *dedicated to raising awareness of, and preven-*
3 *tion of, job-related mental health issues.*

4 “(F) *To fund emergency medical services*
5 *provided by fire departments and nonaffiliated*
6 *EMS organizations.*

7 “(G) *To acquire additional firefighting ve-*
8 *hicles, including fire trucks and other apparatus.*

9 “(H) *To acquire additional firefighting*
10 *equipment, including equipment for—*

11 “(i) *fighting fires with foam in remote*
12 *areas without access to water; and*

13 “(ii) *communications, monitoring, and*
14 *response to a natural disaster, act of ter-*
15 *rorism, or other man-made disaster, includ-*
16 *ing the use of a weapon of mass destruction.*

17 “(I) *To acquire personal protective equip-*
18 *ment, including personal protective equipment—*

19 “(i) *prescribed for firefighting per-*
20 *sonnel by the Occupational Safety and*
21 *Health Administration of the Department of*
22 *Labor; or*

23 “(ii) *for responding to a natural dis-*
24 *aster or act of terrorism or other man-made*

1 *disaster, including the use of a weapon of*
2 *mass destruction.*

3 *“(J) To modify fire stations, fire training*
4 *facilities, and other facilities to protect the health*
5 *and safety of firefighting personnel.*

6 *“(K) To educate the public about arson pre-*
7 *vention and detection.*

8 *“(L) To provide incentives for the recruit-*
9 *ment and retention of volunteer firefighting per-*
10 *sonnel for volunteer firefighting departments and*
11 *other firefighting departments that utilize volun-*
12 *teers.*

13 *“(M) To support such other activities, con-*
14 *sistent with the purposes of this subsection, as*
15 *the Administrator of FEMA determines appro-*
16 *priate.*

17 *“(d) FIRE PREVENTION AND SAFETY GRANTS.—*

18 *“(1) IN GENERAL.—For the purpose of assisting*
19 *fire prevention programs and supporting firefighter*
20 *health and safety research and development, the Ad-*
21 *ministrator of FEMA may, on a competitive basis—*

22 *“(A) award grants to fire departments;*

23 *“(B) award grants to, or enter into con-*
24 *tracts or cooperative agreements with, national,*
25 *State, local, tribal, or nonprofit organizations*

1 *that are not fire departments and that are recog-*
2 *nized for their experience and expertise with re-*
3 *spect to fire prevention or fire safety programs*
4 *and activities and firefighter research and devel-*
5 *opment programs, for the purpose of carrying*
6 *out—*

7 *“(i) fire prevention programs; and*

8 *“(ii) research to improve firefighter*
9 *health and life safety; and*

10 *“(C) award grants to institutions of higher*
11 *education, national fire service organizations, or*
12 *national fire safety organizations to establish*
13 *and operate fire safety research centers.*

14 *“(2) MAXIMUM GRANT AMOUNT.—A grant*
15 *awarded under this subsection may not exceed*
16 *\$1,500,000 for a fiscal year.*

17 *“(3) USE OF GRANT FUNDS.—Each entity receiv-*
18 *ing a grant under this subsection shall use the grant*
19 *for one or more of the following purposes:*

20 *“(A) To enforce fire codes and promote com-*
21 *pliance with fire safety standards.*

22 *“(B) To fund fire prevention programs, in-*
23 *cluding programs that educate the public about*
24 *arson prevention and detection.*

1 “(C) *To fund wildland fire prevention pro-*
2 *grams, including education, awareness, and*
3 *mitigation programs that protect lives, property,*
4 *and natural resources from fire in the wildland-*
5 *urban interface.*

6 “(D) *In the case of a grant awarded under*
7 *paragraph (1)(C), to fund the establishment or*
8 *operation of a fire safety research center for the*
9 *purpose of significantly reducing the number of*
10 *fire-related deaths and injuries among fire-*
11 *fighters and the general public through research,*
12 *development, and technology transfer activities.*

13 “(E) *To support such other activities, con-*
14 *sistent with the purposes of this subsection, as*
15 *the Administrator of FEMA determines appro-*
16 *priate.*

17 “(4) *LIMITATION.—None of the funds made*
18 *available under this subsection may be provided to*
19 *the Association of Community Organizations for Re-*
20 *form Now (ACORN) or any of its affiliates, subsidi-*
21 *aries, or allied organizations.*

22 “(e) *APPLICATIONS FOR GRANTS.—*

23 “(1) *IN GENERAL.—An entity seeking a grant*
24 *under this section shall submit to the Administrator*
25 *of FEMA an application therefor in such form and*

1 *in such manner as the Administrator of FEMA deter-*
2 *mines appropriate.*

3 “(2) *ELEMENTS.—Each application submitted*
4 *under paragraph (1) shall include the following:*

5 “(A) *A description of the financial need of*
6 *the applicant for the grant.*

7 “(B) *An analysis of the costs and benefits,*
8 *with respect to public safety, of the use for which*
9 *a grant is requested.*

10 “(C) *An agreement to provide information*
11 *to the national fire incident reporting system for*
12 *the period covered by the grant.*

13 “(D) *A list of other sources of funding re-*
14 *ceived by the applicant—*

15 “(i) *for the same purpose for which the*
16 *application for a grant under this section*
17 *was submitted; or*

18 “(ii) *from the Federal Government for*
19 *other fire-related purposes.*

20 “(E) *Such other information as the Admin-*
21 *istrator of FEMA determines appropriate.*

22 “(3) *JOINT OR REGIONAL APPLICATIONS.—*

23 “(A) *IN GENERAL.—Two or more entities*
24 *may submit an application under paragraph (1)*
25 *for a grant under this section to fund a joint*

1 *program or initiative, including acquisition of*
2 *shared equipment or vehicles.*

3 “(B) *NONEXCLUSIVITY.—Applications*
4 *under this paragraph may be submitted instead*
5 *of or in addition to any other application sub-*
6 *mitted under paragraph (1).*

7 “(C) *GUIDANCE.—The Administrator of*
8 *FEMA shall—*

9 *“(i) publish guidance on applying for*
10 *and administering grants awarded for joint*
11 *programs and initiatives described in sub-*
12 *paragraph (A); and*

13 *“(ii) encourage applicants to apply for*
14 *grants for joint programs and initiatives*
15 *described in subparagraph (A) as the Ad-*
16 *ministrator of FEMA determines appro-*
17 *priate to achieve greater cost effectiveness*
18 *and regional efficiency.*

19 “(f) *PEER REVIEW OF GRANT APPLICATIONS.—*

20 *“(1) IN GENERAL.—The Administrator of FEMA*
21 *shall, after consultation with national fire service and*
22 *emergency medical services organizations, appoint*
23 *fire service personnel to conduct peer reviews of appli-*
24 *cations received under subsection (e)(1).*

1 “(2) *APPLICABILITY OF FEDERAL ADVISORY COM-*
2 *MITTEE ACT.—The Federal Advisory Committee Act*
3 *(5 U.S.C. App.) shall not apply to activities carried*
4 *out pursuant to this subsection.*

5 “(g) *PRIORITIZATION OF GRANT AWARDS.—In award-*
6 *ing grants under this section, the Administrator of FEMA*
7 *shall consider the following:*

8 “(1) *The findings and recommendations of the*
9 *peer reviews carried out under subsection (f).*

10 “(2) *The degree to which an award will reduce*
11 *deaths, injuries, and property damage by reducing*
12 *the risks associated with fire-related and other haz-*
13 *ards.*

14 “(3) *The extent of the need of an applicant for*
15 *a grant under this section and the need to protect the*
16 *United States as a whole.*

17 “(4) *The number of calls requesting or requiring*
18 *a fire fighting or emergency medical response received*
19 *by an applicant.*

20 “(h) *ALLOCATION OF GRANT AWARDS.—In awarding*
21 *grants under this section, the Administrator of FEMA shall*
22 *ensure that of the available grant funds in each fiscal*
23 *year—*

24 “(1) *not less than 25 percent are awarded under*
25 *subsection (c) to career fire departments;*

1 “(2) not less than 25 percent are awarded under
2 subsection (c) to volunteer fire departments;

3 “(3) not less than 25 percent are awarded under
4 subsection (c) to combination fire departments and
5 fire departments using paid-on-call firefighting per-
6 sonnel;

7 “(4) not less than 10 percent are available for
8 open competition among career fire departments, vol-
9 unteer fire departments, combination fire depart-
10 ments, and fire departments using paid-on-call fire-
11 fighting personnel for grants awarded under sub-
12 section (c);

13 “(5) not less than 10 percent are awarded under
14 subsection (d); and

15 “(6) not more than 2 percent are awarded under
16 this section to nonaffiliated EMS organizations de-
17 scribed in subsection (c)(1)(B).

18 “(i) *ADDITIONAL REQUIREMENTS AND LIMITA-*
19 *TIONS.—*

20 “(1) *FUNDING FOR EMERGENCY MEDICAL SERV-*
21 *ICES.—Not less than 3.5 percent of the available*
22 *grant funds for a fiscal year shall be awarded under*
23 *this section for purposes described in subsection*
24 *(c)(3)(F).*

25 “(2) *STATE FIRE TRAINING ACADEMIES.—*

1 “(A) *MAXIMUM SHARE*.—Not more than 3
2 percent of the available grant funds for a fiscal
3 year may be awarded under subsection (c)(1)(C).

4 “(B) *MAXIMUM GRANT AMOUNT*.—The Ad-
5 ministrators of FEMA may not award a grant
6 under subsection (c)(1)(C) to a State fire train-
7 ing academy in an amount that exceeds
8 \$1,000,000 in any fiscal year.

9 “(3) *AMOUNTS FOR PURCHASING FIREFIGHTING*
10 *VEHICLES*.—Not more than 25 percent of the avail-
11 able grant funds for a fiscal year may be used to as-
12 sist grant recipients to purchase vehicles pursuant to
13 subsection (c)(3)(G).

14 “(j) *FURTHER CONSIDERATIONS*.—

15 “(1) *ASSISTANCE TO FIREFIGHTERS GRANTS TO*
16 *FIRE DEPARTMENTS*.—In considering applications for
17 grants under subsection (c)(1)(A), the Administrator
18 of FEMA shall consider—

19 “(A) the extent to which the grant would
20 enhance the daily operations of the applicant
21 and the impact of such a grant on the protection
22 of lives and property; and

23 “(B) a broad range of factors important to
24 the applicant’s ability to respond to fires and re-
25 lated hazards, such as the following:

1 “(i) *Population served.*

2 “(ii) *Geographic response area.*

3 “(iii) *Hazards vulnerability.*

4 “(iv) *Call volume.*

5 “(v) *Financial situation, including un-*
6 *employment rate of the area being served.*

7 “(vi) *Need for training or equipment.*

8 “(2) *APPLICATIONS FROM NONAFFILIATED EMS*
9 *ORGANIZATIONS.—In the case of an application sub-*
10 *mitted under subsection (e)(1) by a nonaffiliated*
11 *EMS organization, the Administrator of FEMA shall*
12 *consider the extent to which other sources of Federal*
13 *funding are available to the applicant to provide the*
14 *assistance requested in such application.*

15 “(3) *AWARDING FIRE PREVENTION AND SAFETY*
16 *GRANTS TO CERTAIN ORGANIZATIONS THAT ARE NOT*
17 *FIRE DEPARTMENTS.—In the case of applicants for*
18 *grants under this section who are described in sub-*
19 *section (d)(1)(B), the Administrator of FEMA shall*
20 *give priority to applicants who focus on—*

21 “(A) *prevention of injuries to high risk*
22 *groups from fire; and*

23 “(B) *research programs that demonstrate a*
24 *potential to improve firefighter safety.*

1 “(4) *AWARDING GRANTS FOR FIRE SAFETY RE-*
2 *SEARCH CENTERS.—*

3 “(A) *CONSIDERATIONS.—In awarding*
4 *grants under subsection (d)(1)(C), the Adminis-*
5 *trator of FEMA shall—*

6 “(i) *select each grant recipient on—*

7 “(I) *the demonstrated research*
8 *and extension resources available to the*
9 *recipient to carry out the research, de-*
10 *velopment, and technology transfer ac-*
11 *tivities;*

12 “(II) *the capability of the recipi-*
13 *ent to provide leadership in making*
14 *national contributions to fire safety;*

15 “(III) *the recipient’s ability to*
16 *disseminate the results of fire safety re-*
17 *search; and*

18 “(IV) *the strategic plan the recipi-*
19 *ent proposes to carry out under the*
20 *grant;*

21 “(ii) *give special consideration in se-*
22 *lecting recipients under subparagraph (A)*
23 *to an applicant for a grant that consists of*
24 *a partnership between—*

1 “(I) a national fire service orga-
2 nization or a national fire safety orga-
3 nization; and

4 “(II) an institution of higher edu-
5 cation, including a minority-serving
6 institution (as described in section
7 371(a) of the Higher Education Act of
8 1965 (20 U.S.C. 1067q(a)); and

9 “(iii) consider the research needs iden-
10 tified and prioritized through the workshop
11 required by subparagraph (B)(i).

12 “(B) RESEARCH NEEDS.—

13 “(i) IN GENERAL.—Not later than 90
14 days after the date of the enactment of the
15 Fire Grants Reauthorization Act of 2012,
16 the Administrator of FEMA shall convene a
17 workshop of the fire safety research commu-
18 nity, fire service organizations, and other
19 appropriate stakeholders to identify and
20 prioritize fire safety research needs.

21 “(ii) PUBLICATION.—The Adminis-
22 trator of FEMA shall ensure that the results
23 of the workshop are made available to the
24 public.

1 “(C) *LIMITATIONS ON GRANTS FOR FIRE*
2 *SAFETY RESEARCH CENTERS.*—

3 “(i) *IN GENERAL.*—*The Administrator*
4 *of FEMA may award grants under sub-*
5 *section (d) to establish not more than 3 fire*
6 *safety research centers.*

7 “(ii) *RECIPIENTS.*—*An institution of*
8 *higher education, a national fire service or-*
9 *ganization, and a national fire safety orga-*
10 *nization may not directly receive a grant*
11 *under subsection (d) for a fiscal year for*
12 *more than 1 fire safety research center.*

13 “(5) *AVOIDING DUPLICATION.*—*The Adminis-*
14 *trator of FEMA shall review lists submitted by appli-*
15 *cants pursuant to subsection (e)(2)(D) and take such*
16 *actions as the Administrator of FEMA considers nec-*
17 *essary to prevent unnecessary duplication of grant*
18 *awards.*

19 “(k) *MATCHING AND MAINTENANCE OF EXPENDITURE*
20 *REQUIREMENTS.*—

21 “(1) *MATCHING REQUIREMENT FOR ASSISTANCE*
22 *TO FIREFIGHTERS GRANTS.*—

23 “(A) *IN GENERAL.*—*Except as provided in*
24 *subparagraph (B), an applicant seeking a grant*
25 *to carry out an activity under subsection (c)*

1 *shall agree to make available non-Federal funds*
2 *to carry out such activity in an amount equal*
3 *to not less than 15 percent of the grant awarded*
4 *to such applicant under such subsection.*

5 “(B) *EXCEPTION FOR ENTITIES SERVING*
6 *SMALL COMMUNITIES.—In the case that an ap-*
7 *plicant seeking a grant to carry out an activity*
8 *under subsection (c) serves a jurisdiction of—*

9 “(i) *more than 20,000 residents but not*
10 *more than 1,000,000 residents, the applica-*
11 *tion shall agree to make available non-Fed-*
12 *eral funds in an amount equal to not less*
13 *than 10 percent of the grant awarded to*
14 *such applicant under such subsection; and*

15 “(ii) *20,000 residents or fewer, the ap-*
16 *plicant shall agree to make available non-*
17 *Federal funds in an amount equal to not*
18 *less than 5 percent of the grant awarded to*
19 *such applicant under such subsection.*

20 “(2) *MATCHING REQUIREMENT FOR FIRE PRE-*
21 *VENTION AND SAFETY GRANTS.—*

22 “(A) *IN GENERAL.—An applicant seeking a*
23 *grant to carry out an activity under subsection*
24 *(d) shall agree to make available non-Federal*
25 *funds to carry out such activity in an amount*

1 *equal to not less than 5 percent of the grant*
2 *awarded to such applicant under such sub-*
3 *section.*

4 “(B) *MEANS OF MATCHING.*—*An applicant*
5 *for a grant under subsection (d) may meet the*
6 *matching requirement under subparagraph (A)*
7 *through direct funding, funding of complemen-*
8 *tary activities, or the provision of staff, facilities,*
9 *services, material, or equipment.*

10 “(3) *MAINTENANCE OF EXPENDITURES.*—*An ap-*
11 *plicant seeking a grant under subsection (c) or (d)*
12 *shall agree to maintain during the term of the grant*
13 *the applicant’s aggregate expenditures relating to the*
14 *uses described in subsections (c)(3) and (d)(3) at not*
15 *less than 80 percent of the average amount of such ex-*
16 *penditures in the 2 fiscal years preceding the fiscal*
17 *year in which the grant amounts are received.*

18 “(4) *WAIVER.*—

19 “(A) *IN GENERAL.*—*Except as provided in*
20 *subparagraph (C)(ii), the Administrator of*
21 *FEMA may waive or reduce the requirements of*
22 *paragraphs (1), (2), and (3) in cases of dem-*
23 *onstrated economic hardship.*

24 “(B) *GUIDELINES.*—

1 “(i) *IN GENERAL.*—*The Administrator*
2 *of FEMA shall establish and publish guide-*
3 *lines for determining what constitutes eco-*
4 *nom ic hardship for purposes of this para-*
5 *graph.*

6 “(ii) *CONSULTATION.*—*In developing*
7 *guidelines under clause (i), the Adminis-*
8 *trator of FEMA shall consult with individ-*
9 *uals who are—*

10 “(I) *recognized for expertise in*
11 *firefighting, emergency medical services*
12 *provided by fire services, or the eco-*
13 *nom ic affairs of State and local gov-*
14 *ernments; and*

15 “(II) *members of national fire*
16 *service organizations or national orga-*
17 *nizations representing the interests of*
18 *State and local governments.*

19 “(iii) *CONSIDERATIONS.*—*In devel-*
20 *oping guidelines under clause (i), the Ad-*
21 *ministr ator of FEMA shall consider, with*
22 *respect to relevant communities, the fol-*
23 *lowing:*

24 “(I) *Changes in rates of unem-*
25 *ployment from previous years.*

1 “(II) Whether the rates of unem-
2 ployment of the relevant communities
3 are currently and have consistently ex-
4 ceeded the annual national average
5 rates of unemployment.

6 “(III) Changes in percentages of
7 individuals eligible to receive food
8 stamps from previous years.

9 “(IV) Such other factors as the
10 Administrator of FEMA considers ap-
11 propriate.

12 “(C) CERTAIN APPLICANTS FOR FIRE PRE-
13 VENTION AND SAFETY GRANTS.—The authority
14 under subparagraph (A) shall not apply with re-
15 spect to a nonprofit organization that—

16 “(i) is described in subsection
17 (d)(1)(B); and

18 “(ii) is not a fire department or emer-
19 gency medical services organization.

20 “(l) GRANT GUIDELINES.—

21 “(1) GUIDELINES.—For each fiscal year, prior to
22 awarding any grants under this section, the Adminis-
23 trator of FEMA shall publish in the Federal Reg-
24 ister—

25 “(A) guidelines that describe—

1 “(i) the process for applying for grants
2 under this section; and

3 “(ii) the criteria that will be used for
4 selecting grant recipients; and

5 “(B) an explanation of any differences be-
6 tween such guidelines and the recommendations
7 obtained under paragraph (2).

8 “(2) ANNUAL MEETING TO OBTAIN RECOMMENDA-
9 TIONS.—

10 “(A) IN GENERAL.—For each fiscal year,
11 the Administrator of FEMA shall convene a
12 meeting of qualified members of national fire
13 service organizations and, at the discretion of the
14 Administrator of FEMA, qualified members of
15 emergency medical service organizations to ob-
16 tain recommendations regarding the following:

17 “(i) Criteria for the awarding of
18 grants under this section.

19 “(ii) Administrative changes to the as-
20 sistance program established under sub-
21 section (b).

22 “(B) QUALIFIED MEMBERS.—For purposes
23 of this paragraph, a qualified member of an or-
24 ganization is a member who—

1 “(i) is recognized for expertise in fire-
2 fighting or emergency medical services;

3 “(ii) is not an employee of the Federal
4 Government; and

5 “(iii) in the case of a member of an
6 emergency medical service organization, is
7 a member of an organization that rep-
8 resents—

9 “(I) providers of emergency med-
10 ical services that are affiliated with
11 fire departments; or

12 “(II) nonaffiliated EMS pro-
13 viders.

14 “(3) *APPLICABILITY OF FEDERAL ADVISORY COM-*
15 *MITTEE ACT.*—*The Federal Advisory Committee Act*
16 *(5 U.S.C. App.) shall not apply to activities carried*
17 *out under this subsection.*

18 “(m) *ACCOUNTING DETERMINATION.*—*Notwith-*
19 *standing any other provision of law, for purposes of this*
20 *section, equipment costs shall include all costs attributable*
21 *to any design, purchase of components, assembly, manufac-*
22 *ture, and transportation of equipment not otherwise com-*
23 *mercially available.*

24 “(n) *ELIGIBLE GRANTEE ON BEHALF OF ALASKA NA-*
25 *TIVE VILLAGES.*—*The Alaska Village Initiatives, a non-*

1 *profit organization incorporated in the State of Alaska,*
2 *shall be eligible to apply for and receive a grant or other*
3 *assistance under this section on behalf of Alaska Native vil-*
4 *lages.*

5 “(o) *TRAINING STANDARDS.—If an applicant for a*
6 *grant under this section is applying for such grant to pur-*
7 *chase training that does not meet or exceed any applicable*
8 *national voluntary consensus standards, including those de-*
9 *veloped under section 647 of the Post-Katrina Emergency*
10 *Management Reform Act of 2006 (6 U.S.C. 747), the appli-*
11 *cant shall submit to the Administrator of FEMA an expla-*
12 *nation of the reasons that the training proposed to be pur-*
13 *chased will serve the needs of the applicant better than*
14 *training that meets or exceeds such standards.*

15 “(p) *ENSURING EFFECTIVE USE OF GRANTS.—*

16 “(1) *AUDITS.—The Administrator of FEMA*
17 *may audit a recipient of a grant awarded under this*
18 *section to ensure that—*

19 “(A) *the grant amounts are expended for*
20 *the intended purposes; and*

21 “(B) *the grant recipient complies with the*
22 *requirements of subsection (k).*

23 “(2) *PERFORMANCE ASSESSMENT.—*

24 “(A) *IN GENERAL.—The Administrator of*
25 *FEMA shall develop and implement a perform-*

1 *ance assessment system, including quantifiable*
2 *performance metrics, to evaluate the extent to*
3 *which grants awarded under this section are fur-*
4 *thering the purposes of this section, including*
5 *protecting the health and safety of the public and*
6 *firefighting personnel against fire and fire-re-*
7 *lated hazards.*

8 *“(B) CONSULTATION.—The Administrator*
9 *of FEMA shall consult with fire service rep-*
10 *resentatives and with the Comptroller General of*
11 *the United States in developing the assessment*
12 *system required by subparagraph (A).*

13 *“(3) ANNUAL REPORTS TO ADMINISTRATOR OF*
14 *FEMA.—Not less frequently than once each year dur-*
15 *ing the term of a grant awarded under this section,*
16 *the recipient of the grant shall submit to the Adminis-*
17 *trator of FEMA an annual report describing how the*
18 *recipient used the grant amounts.*

19 *“(4) ANNUAL REPORTS TO CONGRESS.—*

20 *“(A) IN GENERAL.—Not later than Sep-*
21 *tember 30, 2013, and each year thereafter*
22 *through 2017, the Administrator of FEMA shall*
23 *submit to the Committee on Homeland Security*
24 *and Governmental Affairs of the Senate and the*
25 *Committee on Science and Technology of the*

1 *House of Representatives a report that pro-*
2 *vides—*

3 “(i) *information on the performance*
4 *assessment system developed under para-*
5 *graph (2); and*

6 “(ii) *using the performance metrics de-*
7 *veloped under such paragraph, an evalua-*
8 *tion of the effectiveness of the grants award-*
9 *ed under this section.*

10 “(B) *ADDITIONAL INFORMATION.—The re-*
11 *port due under subparagraph (A) on September*
12 *30, 2016, shall also include recommendations for*
13 *legislative changes to improve grants under this*
14 *section.*

15 “(q) *AUTHORIZATION OF APPROPRIATIONS.—*

16 “(1) *IN GENERAL.—There is authorized to be ap-*
17 *propriated to carry out this section—*

18 “(A) *\$750,000,000 for fiscal year 2013; and*

19 “(B) *for each of fiscal years 2014 through*
20 *2017, an amount equal to the amount authorized*
21 *for the previous fiscal year increased by the per-*
22 *centage by which—*

23 “(i) *the Consumer Price Index (all*
24 *items, United States city average) for the*
25 *previous fiscal year, exceeds*

1 “(i) the Consumer Price Index for the
2 fiscal year preceding the fiscal year de-
3 scribed in clause (i).

4 “(2) ADMINISTRATIVE EXPENSES.—Of the
5 amounts appropriated pursuant to paragraph (1) for
6 a fiscal year, the Administrator of FEMA may use
7 not more than 5 percent of such amounts for salaries
8 and expenses and other administrative costs incurred
9 by the Administrator of FEMA in the course of
10 awarding grants and providing assistance under this
11 section.

12 “(3) CONGRESSIONALLY DIRECTED SPENDING.—
13 Consistent with the requirements in subsections (c)(1)
14 and (d)(1) that grants under those subsections be
15 awarded on a competitive basis, none of the funds ap-
16 propriated pursuant to this subsection may be used
17 for any congressionally directed spending item (as de-
18 fined under the rules of the Senate and the House of
19 Representatives).

20 “(r) SUNSET OF AUTHORITIES.—The authority to
21 award assistance and grants under this section shall expire
22 on the date that is 5 years after the date of the enactment
23 of the Fire Grants Reauthorization Act of 2012.”.

1 **SEC. 1804. STAFFING FOR ADEQUATE FIRE AND EMER-**
2 **GENCY RESPONSE.**

3 *(a) IMPROVEMENTS TO HIRING GRANTS.—*

4 *(1) TERM OF GRANTS.—Subparagraph (B) of*
5 *section 34(a)(1) of the Federal Fire Prevention and*
6 *Control Act of 1974 (15 U.S.C. 2229a(a)(1)) is*
7 *amended to read as follows:*

8 *“(B) Grants made under this paragraph shall be*
9 *for 3 years and be used for programs to hire new, ad-*
10 *ditional firefighters.”.*

11 *(2) LIMITATION OF PORTION OF COSTS OF HIR-*
12 *ING FIREFIGHTERS.—Subparagraph (E) of such sec-*
13 *tion is amended to read as follows:*

14 *“(E) The portion of the costs of hiring fire-*
15 *fighters provided by a grant under this paragraph*
16 *may not exceed—*

17 *“(i) 75 percent in the first year of the*
18 *grant;*

19 *“(ii) 75 percent in the second year of the*
20 *grant; and*

21 *“(iii) 35 percent in the third year of the*
22 *grant.”.*

23 *(b) CLARIFICATION REGARDING ELIGIBLE ENTITIES*
24 *FOR RECRUITMENT AND RETENTION GRANTS.—The second*
25 *sentence of section 34(a)(2) of such Act (15 U.S.C.*
26 *2229a(a)(2)) is amended by striking “organizations on a*

1 *local or statewide basis” and inserting “national, State,*
2 *local, or tribal organizations”.*

3 (c) *MAXIMUM AMOUNT FOR HIRING A FIRE-*
4 *FIGHTER.—Paragraph (4) of section 34(c) of such Act (15*
5 *U.S.C. 2229a(c)) is amended to read as follows:*

6 “(4) *The amount of funding provided under this sec-*
7 *tion to a recipient fire department for hiring a firefighter*
8 *in any fiscal year may not exceed—*

9 “(A) *in the first year of the grant, 75 percent of*
10 *the usual annual cost of a first-year firefighter in*
11 *that department at the time the grant application*
12 *was submitted;*

13 “(B) *in the second year of the grant, 75 percent*
14 *of the usual annual cost of a first-year firefighter in*
15 *that department at the time the grant application*
16 *was submitted; and*

17 “(C) *in the third year of the grant, 35 percent*
18 *of the usual annual cost of a first-year firefighter in*
19 *that department at the time the grant application*
20 *was submitted.”.*

21 (d) *WAIVERS.—Section 34 of such Act (15 U.S.C.*
22 *2229a) is amended—*

23 (1) *by redesignating subsections (d) through (i)*
24 *as subsections (e) through (j), respectively; and*

1 (2) *by inserting after subsection (c) the fol-*
2 *lowing:*

3 “(d) *WAIVERS.—*

4 “(1) *IN GENERAL.—In a case of demonstrated*
5 *economic hardship, the Administrator of FEMA*
6 *may—*

7 “(A) *waive the requirements of subsection*
8 *(c)(1); or*

9 “(B) *waive or reduce the requirements in*
10 *subsection (a)(1)(E) or subsection (c)(2).*

11 “(2) *GUIDELINES.—*

12 “(A) *IN GENERAL.—The Administrator of*
13 *FEMA shall establish and publish guidelines for*
14 *determining what constitutes economic hardship*
15 *for purposes of paragraph (1).*

16 “(B) *CONSULTATION.—In developing guide-*
17 *lines under subparagraph (A), the Administrator*
18 *of FEMA shall consult with individuals who*
19 *are—*

20 “(i) *recognized for expertise in fire-*
21 *fighting, emergency medical services pro-*
22 *vided by fire services, or the economic af-*
23 *airs of State and local governments; and*

24 “(ii) *members of national fire service*
25 *organizations or national organizations*

1 *representing the interests of State and local*
2 *governments.*

3 “(C) *CONSIDERATIONS.—In developing*
4 *guidelines under subparagraph (A), the Admin-*
5 *istrator of FEMA shall consider, with respect to*
6 *relevant communities, the following:*

7 “(i) *Changes in rates of unemployment*
8 *from previous years.*

9 “(ii) *Whether the rates of unemploy-*
10 *ment of the relevant communities are cur-*
11 *rently and have consistently exceeded the*
12 *annual national average rates of unemploy-*
13 *ment.*

14 “(iii) *Changes in percentages of indi-*
15 *viduals eligible to receive food stamps from*
16 *previous years.*

17 “(iv) *Such other factors as the Admin-*
18 *istrator of FEMA considers appropriate.”.*

19 “(e) *IMPROVEMENTS TO PERFORMANCE EVALUATION*
20 *REQUIREMENTS.—Subsection (e) of section 34 of such Act*
21 *(15 U.S.C. 2229a), as redesignated by subsection (d)(1) of*
22 *this section, is amended by inserting before the first sentence*
23 *the following:*

24 “(1) *IN GENERAL.—The Administrator of FEMA*
25 *shall establish a performance assessment system, in-*

1 *cluding quantifiable performance metrics, to evaluate*
2 *the extent to which grants awarded under this section*
3 *are furthering the purposes of this section.*

4 “(2) *SUBMITTAL OF INFORMATION.—*”.

5 *(f) REPORT.—*

6 *(1) IN GENERAL.—*Subsection (f) of section 34 of
7 *such Act (15 U.S.C. 2229a), as redesignated by sub-*
8 *section (d)(1) of this section, is amended by striking*
9 *“The authority” and all that follows through “Con-*
10 *gress concerning” and inserting the following: “Not*
11 *later than September 30, 2014, the Administrator of*
12 *FEMA shall submit to the Committee on Homeland*
13 *Security and Governmental Affairs of the Senate and*
14 *the Committee on Science and Technology of the*
15 *House of Representatives a report on”.*

16 *(2) CONFORMING AMENDMENT.—*The heading for
17 *subsection (f) of section 34 of such Act (15 U.S.C.*
18 *2229a), as redesignated by subsection (d)(1) of this*
19 *section, is amended by striking “SUNSET AND RE-*
20 *PORTS” and inserting “REPORT”.*

21 *(g) ADDITIONAL DEFINITIONS.—*

22 *(1) IN GENERAL.—*Subsection (i) of section 34 of
23 *such Act (15 U.S.C. 2229a), as redesignated by sub-*
24 *section (d)(1) of this section, is amended—*

1 (A) *in the matter before paragraph (1), by*
2 *striking “In this section, the term—” and insert-*
3 *ing “In this section:”;*

4 (B) *in paragraph (1)—*

5 (i) *by inserting “The term” before*
6 *“‘firefighter’ has”; and*

7 (ii) *by striking “; and” and inserting*
8 *a period;*

9 (C) *by striking paragraph (2); and*

10 (D) *by inserting at the end the following:*

11 “(2) *The terms ‘Administrator of FEMA’, ‘career*
12 *fire department’, ‘combination fire department’, and*
13 *‘volunteer fire department’ have the meanings given*
14 *such terms in section 33(a).”.*

15 (2) CONFORMING AMENDMENT.—*Section*
16 *34(a)(1)(A) of such Act (15 U.S.C. 2229a(a)(1)(A)) is*
17 *amended by striking “career, volunteer, and combina-*
18 *tion fire departments” and inserting “career fire de-*
19 *partments, combination fire departments, and volun-*
20 *teer fire departments”.*

21 (h) AUTHORIZATION OF APPROPRIATIONS.—

22 (1) *IN GENERAL.—Subsection (j) of section 34 of*
23 *such Act (15 U.S.C. 2229a), as redesignated by sub-*
24 *section (d)(1) of this section, is amended—*

1 (A) in paragraph (6), by striking “and” at
2 the end;

3 (B) in paragraph (7), by striking the period
4 at the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(8) \$750,000,000 for fiscal year 2013; and

7 “(9) for each of fiscal years 2014 through 2017,
8 an amount equal to the amount authorized for the
9 previous fiscal year increased by the percentage by
10 which—

11 “(A) the Consumer Price Index (all items,
12 United States city average) for the previous fis-
13 cal year, exceeds

14 “(B) the Consumer Price Index for the fiscal
15 year preceding the fiscal year described in sub-
16 paragraph (A).”.

17 (2) *ADMINISTRATIVE EXPENSES.*—Such sub-
18 section (j) is further amended—

19 (A) in paragraph (9), as added by para-
20 graph (1) of this subsection, by redesignating
21 subparagraphs (A) and (B) as clauses (i) and
22 (ii), respectively, and moving the left margin of
23 such clauses, as so redesignated, 2 ems to the
24 right;

1 (B) by redesignating paragraphs (1)
2 through (9) as subparagraphs (A) through (I),
3 respectively, and moving the left margin of such
4 subparagraphs, as so redesignated, 2 ems to the
5 right;

6 (C) by striking “There are” and inserting
7 the following:

8 “(1) *IN GENERAL.—There are*”; and

9 (D) by adding at the end the following:

10 “(2) *ADMINISTRATIVE EXPENSES.—Of the*
11 *amounts appropriated pursuant to paragraph (1) for*
12 *a fiscal year, the Administrator of FEMA may use*
13 *not more than 5 percent of such amounts to cover sal-*
14 *aries and expenses and other administrative costs in-*
15 *curring by the Administrator of FEMA to make grants*
16 *and provide assistance under this section.”.*

17 (3) *CONGRESSIONALLY DIRECTED SPENDING.—*
18 *Such subsection (j) is further amended by adding at*
19 *the end the following:*

20 “(3) *CONGRESSIONALLY DIRECTED SPENDING.—*
21 *Consistent with the requirement in subsection (a) that*
22 *grants under this section be awarded on a competitive*
23 *basis, none of the funds appropriated pursuant to this*
24 *subsection may be used for any congressionally direct*

1 *Control Act of 1974 (15 U.S.C. 2229 and 2229a) have*
2 *proven equally valuable in protecting the health and*
3 *safety of the public and firefighting personnel*
4 *throughout the United States against fire and fire-re-*
5 *lated hazards; and*

6 *(2) providing parity in funding for the award-*
7 *ing of grants and assistance under both such sections*
8 *will ensure that the grant and assistance programs*
9 *under such sections can continue to serve their com-*
10 *plementary purposes.*

11 **SEC. 1806. REPORT ON AMENDMENTS TO ASSISTANCE TO**
12 **FIREFIGHTERS AND STAFFING FOR ADE-**
13 **QUATE FIRE AND EMERGENCY RESPONSE**
14 **PROGRAMS.**

15 *(a) IN GENERAL.—Not later than September 30, 2016,*
16 *the Comptroller General of the United States shall submit*
17 *to the Committee on Homeland Security and Governmental*
18 *Affairs of the Senate and the Committee on Science and*
19 *Technology of the House of Representatives a report on the*
20 *effect of the amendments made by this title.*

21 *(b) CONTENTS.—The report required by subsection (a)*
22 *shall include the following:*

23 *(1) An assessment of the effect of the amendments*
24 *made by sections 1803 and 1804 on the effectiveness,*
25 *relative allocation, accountability, and administra-*

1 *tion of the grants and assistance awarded under sec-*
2 *tions 33 and 34 of the Federal Fire Prevention and*
3 *Control Act of 1974 (15 U.S.C. 2229 and 2229a) after*
4 *the date of the enactment of this Act.*

5 (2) *An evaluation of the extent to which the*
6 *amendments made by sections 1803 and 1804 have*
7 *enabled recipients of grants and assistance awarded*
8 *under such sections 33 and 34 after the date of the*
9 *enactment of this Act to mitigate fire and fire-related*
10 *and other hazards more effectively.*

11 **SEC. 1807. STUDIES AND REPORTS ON THE STATE OF FIRE**
12 **SERVICES.**

13 (a) *DEFINITIONS.—In this section:*

14 (1) *ADMINISTRATOR.—The term “Adminis-*
15 *trator” means the Administrator of the United States*
16 *Fire Administration.*

17 (2) *CAREER FIRE DEPARTMENT, COMBINATION*
18 *FIRE DEPARTMENT, VOLUNTEER FIRE DEPART-*
19 *MENT.—The terms “career fire department”, “com-*
20 *bination fire department”, and “volunteer fire depart-*
21 *ment” have the meanings given such terms in section*
22 *33(a) of the Federal Fire Prevention and Control Act*
23 *of 1974 (15 U.S.C. 2229(a)), as amended by section*
24 *1803.*

1 (3) *FIRE SERVICE.*—*The term “fire service” has*
2 *the meaning given such term in section 4 of the Fed-*
3 *eral Fire Prevention and Control Act of 1974 (15*
4 *U.S.C. 2203).*

5 (b) *STUDY AND REPORT ON COMPLIANCE WITH*
6 *STAFFING STANDARDS.*—

7 (1) *STUDY.*—*The Administrator shall conduct a*
8 *study on the level of compliance with national vol-*
9 *untary consensus standards for staffing, training, safe*
10 *operations, personal protective equipment, and fitness*
11 *among the fire services of the United States.*

12 (2) *SURVEY.*—

13 (A) *IN GENERAL.*—*In carrying out the*
14 *study required by paragraph (1), the Adminis-*
15 *trator shall carry out a survey of fire services to*
16 *assess the level of compliance of such fire services*
17 *with the standards described in such paragraph.*

18 (B) *ELEMENTS.*—*The survey required by*
19 *subparagraph (A) shall—*

20 (i) *include career fire departments, vol-*
21 *unteer fire departments, combination fire*
22 *departments, and fire departments serving*
23 *communities of different sizes, and such*
24 *other distinguishing factors as the Adminis-*
25 *trator considers relevant;*

1 (ii) employ methods to ensure that the
2 survey accurately reflects the actual rate of
3 compliance with the standards described in
4 paragraph (1) among fire services; and

5 (iii) determine the extent of barriers
6 and challenges to achieving compliance with
7 the standards described in paragraph (1)
8 among fire services.

9 (C) *AUTHORITY TO CARRY OUT SURVEY*
10 *WITH NONPROFIT.*—If the Administrator deter-
11 mines that it will reduce the costs incurred by
12 the United States Fire Administration in car-
13 rying out the survey required by subparagraph
14 (A), the Administrator may carry out such sur-
15 vey in conjunction with a nonprofit organization
16 that has substantial expertise and experience in
17 the following areas:

18 (i) *The fire services.*

19 (ii) *National voluntary consensus*
20 *standards.*

21 (iii) *Contemporary survey methods.*

22 (3) *REPORT ON FINDINGS OF STUDY.*—

23 (A) *IN GENERAL.*—Not later than 2 years
24 after the date of the enactment of this Act, the
25 Administrator shall submit to Congress a report

1 *on the findings of the Administrator with respect*
2 *to the study required by paragraph (1).*

3 (B) *CONTENTS.*—*The report required by*
4 *subparagraph (A) shall include the following:*

5 (i) *An accurate description, based on*
6 *the results of the survey required by para-*
7 *graph (2)(A), of the rate of compliance with*
8 *the standards described in paragraph (1)*
9 *among United States fire services, including*
10 *a comparison of the rates of compliance*
11 *among career fire departments, volunteer*
12 *fire departments, combination fire depart-*
13 *ments, and fire departments serving com-*
14 *munities of different sizes, and such other*
15 *comparisons as Administrator considers rel-*
16 *evant.*

17 (ii) *A description of the challenges*
18 *faced by different types of fire departments*
19 *and different types of communities in com-*
20 *plying with the standards described in*
21 *paragraph (1).*

22 (c) *TASK FORCE TO ENHANCE FIREFIGHTER SAFE-*
23 *TY.*—

24 (1) *ESTABLISHMENT.*—*Not later than 60 days*
25 *after the date of the enactment of this Act, the Sec-*

1 *retary of Homeland Security shall establish a task*
2 *force to be known as the “Task Force to Enhance*
3 *Firefighter Safety” (in this subsection referred to as*
4 *the “Task Force”).*

5 (2) *MEMBERSHIP.—*

6 (A) *IN GENERAL.—Members of the Task*
7 *Force shall be appointed by the Secretary from*
8 *among the general public and shall include the*
9 *following:*

10 (i) *Representatives of national organi-*
11 *zations representing firefighters and fire*
12 *chiefs.*

13 (ii) *Individuals representing stand-*
14 *ards-setting and accrediting organizations,*
15 *including representatives from the vol-*
16 *untary consensus codes and standards devel-*
17 *opment community.*

18 (iii) *Such other individuals as the Sec-*
19 *retary considers appropriate.*

20 (B) *REPRESENTATIVES OF OTHER DEPART-*
21 *MENTS AND AGENCIES.—The Secretary may in-*
22 *voke representatives of other Federal departments*
23 *and agencies that have an interest in fire serv-*
24 *ices to participate in the meetings and other ac-*
25 *tivities of the Task Force.*

1 (C) *NUMBER; TERMS OF SERVICE; PAY AND*
2 *ALLOWANCES.*—*The Secretary shall determine*
3 *the number, terms of service, and pay and allow-*
4 *ances of members of the Task Force appointed by*
5 *the Secretary, except that a term of service of*
6 *any such member may not exceed 2 years.*

7 (3) *RESPONSIBILITIES.*—*The Task Force shall—*

8 (A) *consult with the Secretary in the con-*
9 *duct of the study required by subsection (b)(1);*
10 *and*

11 (B) *develop a plan to enhance firefighter*
12 *safety by increasing fire service compliance with*
13 *the standards described in subsection (b)(1), in-*
14 *cluding by—*

15 (i) *reviewing and evaluating the report*
16 *required by subsection (b)(3)(A) to deter-*
17 *mine the extent of and barriers to achieving*
18 *compliance with the standards described in*
19 *subsection (b)(1) among fire services; and*

20 (ii) *considering ways in which the*
21 *Federal Government, States, and local gov-*
22 *ernments can promote or encourage fire*
23 *services to comply with such standards.*

24 (4) *REPORT.*—

1 (A) *IN GENERAL.*—Not later than 180 days
2 after the date on which the Secretary submits the
3 report required by subsection (b)(3)(A), the Task
4 Force shall submit to Congress and the Secretary
5 a report on the activities and findings of the
6 Task Force.

7 (B) *CONTENTS.*—The report required by
8 subparagraph (A) shall include the following:

9 (i) *The findings and recommendations*
10 *of the Task Force with respect to the study*
11 *carried out under subsection (b)(1).*

12 (ii) *The plan developed under para-*
13 *graph (3)(B).*

14 (d) *STUDY AND REPORT ON THE NEEDS OF FIRE*
15 *SERVICES.*—

16 (1) *STUDY.*—The Administrator shall conduct a
17 study—

18 (A) *to define the current roles and activities*
19 *associated with fire services on a national, State,*
20 *regional, and local level;*

21 (B) *to identify the equipment, staffing, and*
22 *training required to fulfill the roles and activi-*
23 *ties defined under subparagraph (A);*

24 (C) *to conduct an assessment to identify*
25 *gaps between what fire services currently possess*

1 *and what they require to meet the equipment,*
2 *staffing, and training needs identified under*
3 *subparagraph (B) on a national and State-by-*
4 *State basis; and*

5 *(D) to measure the impact of the grant and*
6 *assistance program under section 33 of the Fed-*
7 *eral Fire Prevention and Control Act of 1974 (15*
8 *U.S.C. 2229) in meeting the needs of fire services*
9 *and filling the gaps identified under subpara-*
10 *graph (C).*

11 *(2) REPORT.—Not later than 2 years after the*
12 *date of the enactment of this title, the Administrator*
13 *shall submit to Congress a report on the findings of*
14 *the Administrator with respect to the study conducted*
15 *under paragraph (1).*

16 *(e) AUTHORIZATION OF APPROPRIATIONS.—There are*
17 *authorized to be appropriated to the Administrator to carry*
18 *out this section—*

19 *(1) \$600,000 for fiscal year 2013; and*

20 *(2) \$600,000 for fiscal year 2014.*

21 ***Subtitle B—Reauthorization of***
22 ***United States Fire Administration***

23 ***SEC. 1811. SHORT TITLE.***

24 *This subtitle may be cited as the “United States Fire*
25 *Administration Reauthorization Act of 2012”.*

1 **SEC. 1812. CLARIFICATION OF RELATIONSHIP BETWEEN**
2 **UNITED STATES FIRE ADMINISTRATION AND**
3 **FEDERAL EMERGENCY MANAGEMENT AGEN-**
4 **CY.**

5 *Section 5(c) of the Federal Fire Prevention and Con-*
6 *trol Act of 1974 (15 U.S.C. 2204) is amended to read as*
7 *follows:*

8 “(c) *DEPUTY ADMINISTRATOR.—The Administrator*
9 *may appoint a Deputy Administrator, who shall—*

10 *“(1) perform such functions as the Administrator*
11 *shall from time to time assign or delegate; and*

12 *“(2) act as Administrator during the absence or*
13 *disability of the Administrator or in the event of a*
14 *vacancy in the office of Administrator.”.*

15 **SEC. 1813. MODIFICATION OF AUTHORITY OF ADMINIS-**
16 **TRATOR TO EDUCATE PUBLIC ABOUT FIRE**
17 **AND FIRE PREVENTION.**

18 *Section 6 of the Federal Fire Prevention and Control*
19 *Act of 1974 (15 U.S.C. 2205) is amended by striking “to*
20 *take all steps” and all that follows through “fire and fire*
21 *prevention.” and inserting “to take such steps as the Ad-*
22 *ministrator considers appropriate to educate the public and*
23 *overcome public indifference as to fire, fire prevention, and*
24 *individual preparedness.”.*

1 **SEC. 1814. AUTHORIZATION OF APPROPRIATIONS.**

2 *Section 17(g)(1) of the Federal Fire Prevention and*
3 *Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—*

4 *(1) in subparagraph (G), by striking “and” at*
5 *the end;*

6 *(2) in subparagraph (H), by striking the period*
7 *at the end and inserting a semicolon;*

8 *(3) by adding after subparagraph (H) the fol-*
9 *lowing:*

10 *“(I) \$76,490,890 for fiscal year 2013, of which*
11 *\$2,753,672 shall be used to carry out section 8(f);*

12 *“(J) \$76,490,890 for fiscal year 2014, of which*
13 *\$2,753,672 shall be used to carry out section 8(f);*

14 *“(K) \$76,490,890 for fiscal year 2015, of which*
15 *\$2,753,672 shall be used to carry out section 8(f);*

16 *“(L) \$76,490,890 for fiscal year 2016, of which*
17 *\$2,753,672 shall be used to carry out section 8(f); and*

18 *“(M) \$76,490,890 for fiscal year 2017, of which*
19 *\$2,753,672 shall be used to carry out section 8(f).”;*

20 *and*

21 *(4) in subparagraphs (E) through (H), by mov-*
22 *ing each margin 2 ems to the left.*

23 **SEC. 1815. REMOVAL OF LIMITATION.**

24 *Section 9(d) of the Federal Fire Prevention and Con-*
25 *trol Act of 1974 (15 U.S.C. 2208(d)) is amended—*

1 (1) by striking “UPDATE.—” and all that follows
2 through “The Administrator” and inserting “UP-
3 DATE.—The Administrator”; and

4 (2) by striking paragraph (2).

5 **TITLE XIX—MEMORIAL TO**
6 **SLAVES AND FREE BLACK**
7 **PERSONS WHO SERVED IN**
8 **THE AMERICAN REVOLUTION**

9 **SEC. 1901. FINDING.**

10 Congress finds that the contributions of free persons
11 and slaves who fought during the American Revolution were
12 of preeminent historical and lasting significance to the
13 United States, as required by section 8908(b)(1) of title 40,
14 United States Code.

15 **SEC. 1902. DEFINITIONS.**

16 In this title:

17 (1) **FEDERAL LAND.**—

18 (A) **IN GENERAL.**—The term “Federal land”
19 means the parcel of land—

20 (i) identified as “Area I”; and

21 (ii) depicted on the map numbered
22 869/86501B and dated June 24, 2003.

23 (B) **EXCLUSION.**—The term “Federal land”
24 does not include the Reserve (as defined in sec-
25 tion 8902(a) of title 40, United States Code).

1 (2) *MEMORIAL.*—*The term “memorial” means*
2 *the memorial authorized to be established under sec-*
3 *tion 3(a).*

4 **SEC. 1903. MEMORIAL AUTHORIZATION.**

5 (a) *AUTHORIZATION.*—*In accordance with subsections*
6 *(b) and (c), National Mall Liberty Fund D.C. may establish*
7 *a memorial on Federal land in the District of Columbia*
8 *to honor the more than 5,000 courageous slaves and free*
9 *Black persons who served as soldiers and sailors or provided*
10 *civilian assistance during the American Revolution.*

11 (b) *PROHIBITION ON USE OF FEDERAL FUNDS.*—*Na-*
12 *tional Mall Liberty Fund D.C. may not use Federal funds*
13 *to establish the memorial.*

14 (c) *APPLICABLE LAW.*—*National Mall Liberty Fund*
15 *D.C. shall establish the memorial in accordance with chap-*
16 *ter 89 of title 40, United States Code.*

17 **SEC. 1904. REPEAL OF JOINT RESOLUTIONS.**

18 *Public Law 99–558 (110 Stat. 3144) and Public Law*
19 *100–265 (102 Stat. 39) are repealed.*

20 **DIVISION B—MILITARY CON-**
21 **STRUCTION AUTHORIZA-**
22 **TIONS**

23 **SEC. 2001. SHORT TITLE.**

24 *This division may be cited as the “Military Construc-*
25 *tion Authorization Act for Fiscal Year 2013”.*

1 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
2 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
3 **LAW.**

4 (a) *EXPIRATION OF AUTHORIZATIONS AFTER THREE*
5 *YEARS.*—*Except as provided in subsection (b), all author-*
6 *izations contained in titles XXI through XXVII for military*
7 *construction projects, land acquisition, family housing*
8 *projects and facilities, and contributions to the North At-*
9 *lantic Treaty Organization Security Investment Program*
10 *(and authorizations of appropriations therefor) shall expire*
11 *on the later of—*

12 (1) *October 1, 2015; or*

13 (2) *the date of the enactment of an Act author-*
14 *izing funds for military construction for fiscal year*
15 *2016.*

16 (b) *EXCEPTION.*—*Subsection (a) shall not apply to au-*
17 *thorizations for military construction projects, land acqui-*
18 *sition, family housing projects and facilities, and contribu-*
19 *tions to the North Atlantic Treaty Organization Security*
20 *Investment Program (and authorizations of appropriations*
21 *therefor), for which appropriated funds have been obligated*
22 *before the later of—*

23 (1) *October 1, 2015; or*

24 (2) *the date of the enactment of an Act author-*
25 *izing funds for fiscal year 2016 for military construc-*
26 *tion projects, land acquisition, family housing*

1 projects and facilities, or contributions to the North
 2 Atlantic Treaty Organization Security Investment
 3 Program.

4 **TITLE XXI—ARMY MILITARY**
 5 **CONSTRUCTION**

6 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 7 **ACQUISITION PROJECTS.**

8 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 9 propriated pursuant to the authorization of appropriations
 10 in section 2103 and available for military construction
 11 projects inside the United States as specified in the funding
 12 table in section 4601, the Secretary of the Army may ac-
 13 quire real property and carry out military construction
 14 projects for the installations or locations inside the United
 15 States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	\$10,400,000
	Joint Base Elmendorf-Richardson	\$7,900,000
California	Concord	\$8,900,000
Colorado	Fort Carson	\$18,000,000
	Fort McNair	\$7,200,000
Georgia	Fort Benning	\$16,000,000
	Fort Gordon	\$23,300,000
Hawaii	Fort Stewart	\$49,650,000
	Pohakuloa Training Area	\$29,000,000
	Schofield Barracks	\$96,000,000
Kansas	Wheeler Army Air Field	\$85,000,000
	Fort Riley	\$12,200,000
Kentucky	Fort Campbell	\$81,800,000
	Fort Knox	\$6,000,000
Missouri	Fort Leonard Wood	\$123,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$47,000,000
	Picatinny Arsenal	\$10,200,000
New York	Fort Drum	\$95,000,000
North Carolina	Fort Bragg	\$68,000,000
Oklahoma	Fort Sill	\$4,900,000
South Carolina	Fort Jackson	\$24,000,000
Texas	Corpus Christi	\$37,200,000
	Fort Bliss	\$7,200,000
	Fort Hood	\$51,200,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
Virginia	Joint Base San Antonio	\$21,000,000
	Fort Belvoir	\$94,000,000
	Fort Lee	\$81,000,000
Washington	Joint Base Lewis McChord	\$164,000,000
	Yakima	\$5,100,000

1 **(b) OUTSIDE THE UNITED STATES.**—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2103 and available for military construc-
4 tion projects outside the United States as specified in the
5 funding table in section 4601, the Secretary of the Army
6 may acquire real property and carry out military construc-
7 tion projects for the installations or locations outside the
8 United States, and in the amounts, set forth in the following
9 table:

Army: Outside the United States

Country	Installation or Location	Amount
Italy	Camp Ederle	\$36,000,000
	Vicenza	\$32,000,000
Japan	Okinawa	\$78,000,000
	Sagami	\$18,000,000
Korea	Camp Humphreys	\$45,000,000

10 **SEC. 2102. FAMILY HOUSING.**

11 Using amounts appropriated pursuant to the author-
12 ization of appropriations in section 2103 and available for
13 military family housing functions as specified in the fund-
14 ing table in section 4601, the Secretary of the Army may
15 carry out architectural and engineering services and con-
16 struction design activities with respect to the construction

1 *or improvement of family housing units in an amount not*
2 *to exceed \$4,641,000.*

3 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

4 *Funds are hereby authorized to be appropriated for fis-*
5 *cal years beginning after September 30, 2012, for military*
6 *construction, land acquisition, and military family housing*
7 *functions of the Department of the Army, as specified in*
8 *the funding table in section 4601.*

9 **SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **CERTAIN FISCAL YEAR 2010 PROJECT.**

11 *In the case of the authorization contained in the table*
12 *in section 2101(a) of the Military Construction Authoriza-*
13 *tion Act for Fiscal Year 2010 (division B of Public Law*
14 *111–84; 123 Stat. 2628) for Fort Belvoir, Virginia, for con-*
15 *struction of a Road and Access Control Point at the instal-*
16 *lation, the Secretary of the Army may construct a standard*
17 *design Access Control Point consistent with the Army’s con-*
18 *struction guidelines for Access Control Points.*

19 **SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
20 **FISCAL YEAR 2009 PROJECTS.**

21 *(a) EXTENSION.—Notwithstanding section 2002 of the*
22 *Military Construction Authorization Act for Fiscal Year*
23 *2009 (division B of Public Law 110–417; 122 Stat. 4658),*
24 *authorizations set forth in the table in subsection (b), as*
25 *provided in section 2101 of that Act (122 Stat. 4659), shall*

1 remain in effect until October 1, 2013, or the date of the
 2 enactment of an Act authorizing funds for military con-
 3 struction for fiscal year 2014, whichever is later.

4 (b) TABLE.—The table referred to in subsection (a) is
 5 as follows:

Army: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Alabama	Anniston Army Depot	Lake Yard Interchange	\$1,400,000
New Jersey	Picatinny Arsenal	Ballistic evaluation Facility Phase I	\$9,900,000

6 **SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 7 **FISCAL YEAR 2010 PROJECTS.**

8 (a) EXTENSION.—Notwithstanding section 2002 of the
 9 Military Construction Authorization Act for Fiscal Year
 10 2010 (division B of Public Law 111–84; 123 Stat. 2627),
 11 authorizations set forth in the table in subsection (b), as
 12 provided in section 2101 of that Act (123 Stat. 2628), shall
 13 remain in effect until October 1, 2013, or the date of the
 14 enactment of an Act authorizing funds for military con-
 15 struction for fiscal year 2014, whichever is later.

16 (b) TABLE.—The table referred to in subsection (a) is
 17 as follows:

Army: Extension of 2010 Project Authorizations

State/Country	Installation or Location	Project	Amount
Louisiana	Fort Polk	Land Purchases and Con- demnation.	\$17,000,000
New Jersey	Picatinny Arsenal	Ballistic Evaluation Facility, Ph2.	\$10,200,000
Virginia	Fort Belvoir	Road and Access Control Point	\$9,500,000

Army: Extension of 2010 Project Authorizations—Continued

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Washington</i>	<i>Fort Lewis</i>	<i>Fort Lewis-McCord AFB Joint Access.</i>	<i>\$9,000,000</i>
<i>Kuwait</i>	<i>Kuwait</i>	<i>APS Warehouses</i>	<i>\$82,000,000</i>

1 **SEC. 2107. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
2 **TAIN FISCAL YEAR 2013 PROJECT.**

3 (a) *PROJECT AUTHORIZATION.*—*The Secretary of the*
4 *Army may carry out a military construction project to con-*
5 *struct a cadet barracks at the U.S. Military Academy, New*
6 *York, in the amount of \$192,000,000.*

7 (b) *USE OF UNOBLIGATED PRIOR-YEAR MILITARY*
8 *CONSTRUCTION FUNDS.*—*The Secretary of the Army shall*
9 *use available, unobligated military construction funds ap-*
10 *propriated for a fiscal year before fiscal year 2013 for the*
11 *project described in subsection (a).*

12 (c) *CONGRESSIONAL NOTIFICATION.*—*The Secretary of*
13 *the Army shall provide information in accordance with sec-*
14 *tion 2851(c) of title 10, United States Code, regarding the*
15 *project described in subsection (a). If it becomes necessary*
16 *to exceed the estimated project cost, the Secretary shall uti-*
17 *lize the authority provided by section 2853 of such title re-*
18 *garding authorized cost and scope of work variations.*

**TITLE XXII—NAVY MILITARY
CONSTRUCTION**

**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND
ACQUISITION PROJECTS.**

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	\$29,285,000
California	Camp Pendleton	\$88,110,000
	Coronado	\$78,541,000
	Miramar	\$27,897,000
	San Diego	\$71,188,000
	Seal Beach	\$30,594,000
	Twentynine Palms	\$47,270,000
	Ventura County	\$12,790,000
Florida	Jacksonville	\$21,980,000
Hawaii	Kaneohe Bay	\$97,310,000
Mississippi	Meridian	\$10,926,000
New Jersey	Earle	\$33,498,000
North Carolina	Camp Lejeune	\$69,890,000
	Cherry Point Marine Corps Air Station	\$45,891,000
	New River	\$8,525,000
South Carolina	Beaufort	\$81,780,000
	Parris Island	\$10,135,000
Virginia	Dahlgren	\$28,228,000
	Oceana Naval Air Station	\$39,086,000
	Portsmouth	\$32,706,000
	Quantico	\$58,714,000
	Yorktown	\$48,823,000
Washington	Whidbey Island	\$6,272,000

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropria-

1 tions in section 2204 and available for military construc-
 2 tion projects outside the United States as specified in the
 3 funding table in section 4601, the Secretary of the Navy
 4 may acquire real property and carry out military construc-
 5 tion projects for the installation or location outside the
 6 United States, and in the amounts, set forth in the following
 7 table:

Navy: Outside the United States

Country	Installation or Location	Amount
<i>Bahrain Island</i>	<i>SW Asia</i>	\$51,348,000
<i>Diego Garcia</i>	<i>Diego Garcia</i>	\$1,691,000
<i>Djibouti</i>	<i>Camp Lemonier</i>	\$99,420,000
<i>Greece</i>	<i>Souda Bay</i>	\$25,123,000
<i>Japan</i>	<i>Iwakuni</i>	\$13,138,000
	<i>Okinawa</i>	\$8,206,000
<i>Romania</i>	<i>Deveselu</i>	\$45,205,000
<i>Spain</i>	<i>Rota</i>	\$17,215,000
<i>Worldwide Unspecified</i>	<i>Unspecified Worldwide Locations</i>	\$34,048,000

8 **SEC. 2202. FAMILY HOUSING.**

9 *Using amounts appropriated pursuant to the author-*
 10 *ization of appropriations in section 2204 and available for*
 11 *military family housing functions as specified in the fund-*
 12 *ing table in section 4601, the Secretary of the Navy may*
 13 *carry out architectural and engineering services and con-*
 14 *struction design activities with respect to the construction*
 15 *or improvement of family housing units in an amount not*
 16 *to exceed \$4,527,000.*

17 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 18 **UNITS.**

19 *Subject to section 2825 of title 10, United States Code,*
 20 *and using amounts appropriated pursuant to the author-*

1 ization of appropriations in section 2204 and available for
2 military family housing functions as specified in the fund-
3 ing table in section 4601, the Secretary of the Navy may
4 improve existing military family housing units in an
5 amount not to exceed \$97,655,000.

6 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

7 *Funds are hereby authorized to be appropriated for fis-*
8 *cal years beginning after September 30, 2012, for military*
9 *construction, land acquisition, and military family housing*
10 *functions of the Department of the Navy, as specified in*
11 *the funding table in 4601, including incremental funding*
12 *for the construction of increment 2 of explosives handling*
13 *wharf 2 at Kitsap, Washington, authorized by section*
14 *2201(a) of the Military Construction Authorization Act for*
15 *Fiscal Year 2012 (division B of Public Law 112–81; 125*
16 *Stat. 1666), \$254,241,000.*

17 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
18 **CERTAIN FISCAL YEAR 2012 PROJECT.**

19 *In the case of the authorization contained in the table*
20 *in section 2201(a) of the Military Construction Authoriza-*
21 *tion Act for Fiscal Year 2012 (division B of Public Law*
22 *112–81; 125 Stat. 1666), for Kitsap (Bangor) Washington,*
23 *for construction of Explosives Handling Wharf #2 at that*
24 *location, the Secretary of the Navy may acquire fee or lesser*
25 *real property interests to accomplish required environ-*

1 mental mitigation for the project using appropriations au-
 2 thorized for the project.

3 **SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 4 **FISCAL YEAR 2009 PROJECTS.**

5 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 6 *Military Construction Authorization Act for Fiscal Year*
 7 *2009 (division B of Public Law 110–417; 122 Stat. 4658),*
 8 *the authorization set forth in the table in subsection (b),*
 9 *as provided in section 2201 of that Act (122 Stat 4670)*
 10 *and extended by section 2206 of the Military Construction*
 11 *Authorization Act for Fiscal Year 2012 (division B of Pub-*
 12 *lic Law 112–81; 125 Stat. 1668), shall remain in effect*
 13 *until October 1, 2013, or the date of an Act authorizing*
 14 *funds for military construction for fiscal year 2014, which-*
 15 *ever is later.*

16 (b) *TABLE.*—The table referred to in subsection (a) is
 17 as follows:

Navy: Extension of 2009 Project Authorization

State/Country	Installation or Location	Project	Amount
California	Marine Corps Base, Camp Pendleton	Operations Access Points, Red Beach ..	\$11,970,000
	Marine Corps Air Sta- tion, Miramar	Emergency Response Station	\$6,530,000
District of Columbia ...	Washington Navy Yard	Child Development Center	\$9,340,000

1 **SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 2 **FISCAL YEAR 2010 PROJECTS.**

3 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 4 *Military Construction Authorization Act for Fiscal Year*
 5 *2010 (division B of Public Law 111–84; 123 Stat. 2627),*
 6 *the authorization set forth in the table in subsection (b),*
 7 *as provided in section 2201 of that Act (123 Stat. 2632),*
 8 *shall remain in effect until October 1, 2013, or the date*
 9 *of an Act authorizing funds for military construction for*
 10 *fiscal year 2014, whichever is later.*

11 (b) *TABLE.*—The table referred to in subsection (a) is
 12 *as follows:*

Navy: Extension of 2010 Project Authorization

State/Country	Installation or Location	Project	Amount
California	Mountain Warfare Training Center, Bridgeport	Mountain Warfare Training, Commissary	\$6,830,000
Maine	Portsmouth Naval Shipyard	Gate 2 Security Improvements	\$7,090,000
Djibouti	Camp Lemonier	Security Fencing	\$8,109,000
		Ammo Supply Point ..	\$21,689,000
		Interior Paved Roads	\$7,275,000

13 **SEC. 2208. REALIGNMENT OF MARINES IN THE ASIA-PA-**
 14 **CIFIC REGION.**

15 (a) *RESTRICTION ON USE OF FUNDS.*—Except as pro-
 16 *vided in subsection (c), none of the funds authorized to be*
 17 *appropriated under this Act, and none of the amounts pro-*
 18 *vided by the Government of Japan for construction activi-*
 19 *ties on land under the jurisdiction of the Department of*

1 *Defense, may be obligated or expended to implement the re-*
2 *alignment of Marine Corps forces from Okinawa to other*
3 *locations until—*

4 (1) *the Commander of the United States Pacific*
5 *Command provides to the congressional defense com-*
6 *mittees an assessment of the strategic and logistical*
7 *resources needed to ensure the distributed lay-down of*
8 *members of the United States Marine Corps in the*
9 *United States Pacific Command Area of Responsi-*
10 *bility meets the contingency operations plans;*

11 (2) *the Secretary of Defense submits to the con-*
12 *gressional defense committees master plans for the*
13 *construction of facilities and infrastructure to execute*
14 *the Marine Corps distributed lay-down on Guam,*
15 *Australia, and Hawaii, including a detailed descrip-*
16 *tion of costs and the schedule for such construction;*

17 (3) *the Secretary of the Navy submits a plan to*
18 *the congressional defense committees detailing the pro-*
19 *posed investments and schedules required to restore*
20 *facilities and infrastructure at Marine Corps Air Sta-*
21 *tion Futenma; and*

22 (4) *a plan coordinated by all pertinent Federal*
23 *agencies is provided to the congressional defense com-*
24 *mittees detailing descriptions of work, costs, and a*
25 *schedule for completion of construction, improve-*

1 *ments, and repairs to the non-military utilities, fa-*
2 *cilities, and infrastructure, if any, on Guam affected*
3 *by the realignment of forces.*

4 *(b) DEVELOPMENT OF PUBLIC INFRASTRUCTURE.—*

5 *(1) AUTHORIZATION REQUIRED.—If the Sec-*
6 *retary of Defense determines that any grant, coopera-*
7 *tive agreement, transfer of funds to another Federal*
8 *agency, or supplement of funds available in fiscal*
9 *year 2012 or fiscal year 2013 under Federal pro-*
10 *grams administered by agencies other than the De-*
11 *partment of Defense will result in the development*
12 *(including repair, replacement, renovation, conver-*
13 *sion, improvement, expansion, acquisition, or con-*
14 *struction) of public infrastructure on Guam, the Sec-*
15 *retary of Defense may not carry out such grant,*
16 *transfer cooperative agreement, or supplemental fund-*
17 *ing unless specifically authorized by law.*

18 *(2) PUBLIC INFRASTRUCTURE DEFINED.—In this*
19 *section, the term “public infrastructure” means any*
20 *utility, method of transportation, item of equipment,*
21 *or facility under the control of a public entity or*
22 *State or local government that is used by, or con-*
23 *structed for the benefit of, the general public.*

24 *(c) EXCEPTION TO RESTRICTION ON USE OF FUNDS.—*

25 *The Secretary of Defense may use funds described in sub-*

1 *section (a) to carry out additional analysis or studies re-*
2 *quired the National Environmental Policy Act of 1969 (42*
3 *U.S.C. 4321 et seq.) for proposed actions on Guam or Ha-*
4 *waii.*

5 *(d) DISTRIBUTED LAY-DOWN DEFINED.—For purposes*
6 *of this section, the term “distributed lay-down” refers to*
7 *the planned distribution of Marines in Okinawa, Guam,*
8 *Hawaii, Australia, and possibly elsewhere that is con-*
9 *templated in support of the joint statement of the U.S. –*
10 *Japan Security Consultative Committee dated April 27,*
11 *2012.*

12 *(e) REPEAL.—Section 2207 of the National Defense*
13 *Authorization Act for Fiscal Year 2012 (Public Law 112–*
14 *81; 125 Stat. 1668) is repealed.*

15 **TITLE XXIII—AIR FORCE**

16 **MILITARY CONSTRUCTION**

17 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND** 18 **LAND ACQUISITION PROJECTS.**

19 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*
20 *propriated pursuant to the authorization of appropriations*
21 *in section 2304 and available for military construction*
22 *projects inside the United States as specified in the funding*
23 *table in section 4601, the Secretary of the Air Force may*
24 *acquire real property and carry out military construction*

1 projects for the installations or locations inside the United
 2 States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Arkansas</i>	<i>Little Rock AFB</i>	\$30,178,000
<i>Florida</i>	<i>Tyndall AFB</i>	\$14,750,000
<i>Georgia</i>	<i>Fort Stewart</i>	\$7,250,000
	<i>Moody AFB</i>	\$8,500,000
<i>New Mexico</i>	<i>Holloman AFB</i>	\$25,000,000
<i>North Dakota</i>	<i>Minot AFB</i>	\$4,600,000
<i>Texas</i>	<i>Joint Base San Antonio</i>	\$18,000,000
<i>Utah</i>	<i>Hill AFB</i>	\$13,530,000

3 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 4 appropriated pursuant to the authorization of appropria-
 5 tions in section 2304 and available for military construc-
 6 tion projects outside the United States as specified in the
 7 funding table in section 4601, the Secretary of the Air Force
 8 may acquire real property and carry out military construc-
 9 tion projects for the installations or locations outside the
 10 United States, and in the amounts, set forth in the following
 11 table:

Air Force: Outside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Greenland</i>	<i>Thule AB</i>	\$24,500,000
<i>Italy</i>	<i>Aviano AB</i>	\$9,400,000
<i>Worldwide Unspecified</i>	<i>Unspecified Worldwide Locations</i> ...	\$34,657,000

12 **SEC. 2302. FAMILY HOUSING.**

13 Using amounts appropriated pursuant to the author-
 14 ization of appropriations in section 2304 and available for
 15 military family housing functions as specified in the fund-
 16 ing table in section 4601, the Secretary of the Air Force
 17 may carry out architectural and engineering services and

1 *construction design activities with respect to the construc-*
2 *tion or improvement of family housing units in an amount*
3 *not to exceed \$4,253,000.*

4 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
5 **UNITS.**

6 *Subject to section 2825 of title 10, United States Code,*
7 *and using amounts appropriated pursuant to the author-*
8 *ization of appropriations in section 2304 and available for*
9 *military family housing functions as specified in the fund-*
10 *ing table in section 4601, the Secretary of the Air Force*
11 *may improve existing military family housing units in an*
12 *amount not to exceed \$79,571,000.*

13 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
14 **FORCE.**

15 *Funds are hereby authorized to be appropriated for fis-*
16 *cal years beginning after September 30, 2012, for military*
17 *construction, land acquisition, and military family housing*
18 *functions of the Department of the Air Force, as specified*
19 *in the funding table in section 4601, including incremental*
20 *funding for the construction of increment 2 of the U.S.*
21 *Strategic Command Replacement Facility at Offutt Air*
22 *Force Base, Nebraska, authorized by section 2301(a) of the*
23 *Military Construction Authorization Act for Fiscal Year*
24 *2012 (division B of Public Law 112–81; 125 Stat. 1670),*
25 *\$111,000,000.*

1 **SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 2 **FISCAL YEAR 2010 PROJECTS.**

3 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 4 *Military Construction Authorization Act for Fiscal Year*
 5 *2010 (division B of Public Law 111–84; 123 Stat. 2627),*
 6 *authorizations set forth in the table in subsection (b), as*
 7 *provided in section 2301 of that Act (123 Stat. 2636), shall*
 8 *remain in effect until October 1, 2013, or the date of an*
 9 *Act authorizing funds for military construction for fiscal*
 10 *year 2014, whichever is later.*

11 (b) *TABLE.*—The table referred to in subsection (a) is
 12 *as follows:*

Air Force: Extension of 2010 Project Authorizations

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Missouri</i>	<i>Whiteman AFB</i>	<i>Land Acquisition North & South Boundary</i>	\$5,500,000
<i>Montana</i>	<i>Malmstrom AFB</i>	<i>Weapons Storage Area (WSA), Phase 2</i>	\$10,600,000

13 **TITLE XXIV—DEFENSE AGEN-**
 14 **CIES MILITARY CONSTRUC-**
 15 **TION**

16 ***Subtitle A—Defense Agency***
 17 ***Authorizations***

18 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 19 **TION AND LAND ACQUISITION PROJECTS.**

20 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 21 *propriated pursuant to the authorization of appropriations*

1 *in section 2403 and available for military construction*
 2 *projects inside the United States as specified in the funding*
 3 *table in section 4601, the Secretary of Defense may acquire*
 4 *real property and carry out military construction projects*
 5 *for the installations or locations inside the United States,*
 6 *and in the amounts, set forth in the following table:*

Defense Agencies: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Arizona</i>	<i>Yuma</i>	<i>\$1,300,000</i>
<i>California</i>	<i>Coronado</i>	<i>\$55,259,000</i>
	<i>DEF Fuel Support Point - San Diego</i>	<i>\$91,563,000</i>
	<i>Edwards Air Force Base</i>	<i>\$27,500,000</i>
	<i>Twentynine Palms</i>	<i>\$27,400,000</i>
<i>Colorado</i>	<i>Buckley Air Force Base</i>	<i>\$30,000,000</i>
	<i>Fort Carson</i>	<i>\$56,673,000</i>
	<i>Pikes Peak</i>	<i>\$3,600,000</i>
<i>CONUS Classified</i>	<i>Classified Location</i>	<i>\$6,477,000</i>
<i>Delaware</i>	<i>Dover AFB</i>	<i>\$2,000,000</i>
<i>Florida</i>	<i>Eglin AFB</i>	<i>\$41,695,000</i>
	<i>Hurlburt Field</i>	<i>\$16,000,000</i>
	<i>MacDill AFB</i>	<i>\$34,409,000</i>
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	<i>\$24,289,000</i>
<i>Illinois</i>	<i>Great Lakes</i>	<i>\$28,700,000</i>
	<i>Scott AFB</i>	<i>\$86,711,000</i>
<i>Indiana</i>	<i>Grisson ARB</i>	<i>\$26,800,000</i>
<i>Kentucky</i>	<i>Fort Campbell</i>	<i>\$71,639,000</i>
<i>Louisiana</i>	<i>Barksdale AFB</i>	<i>\$11,700,000</i>
<i>Maryland</i>	<i>Annapolis</i>	<i>\$66,500,000</i>
	<i>Bethesda Naval Hospital</i>	<i>\$62,200,000</i>
	<i>Fort Meade</i>	<i>\$128,600,000</i>
<i>Missouri</i>	<i>Fort Leonard Wood</i>	<i>\$18,100,000</i>
<i>New Mexico</i>	<i>Cannon AFB</i>	<i>\$93,085,000</i>
<i>New York</i>	<i>Fort Drum</i>	<i>\$43,200,000</i>
<i>North Carolina</i>	<i>Camp Lejeune</i>	<i>\$80,064,000</i>
	<i>Fort Bragg</i>	<i>\$130,422,000</i>
	<i>Seymour Johnson AFB</i>	<i>\$55,450,000</i>
<i>Pennsylvania</i>	<i>DEF Distribution Depot New Cumberland</i>	<i>\$17,400,000</i>
<i>South Carolina</i>	<i>Shaw AFB</i>	<i>\$57,200,000</i>
<i>Texas</i>	<i>Red River Army Depot</i>	<i>\$16,715,000</i>
<i>Virginia</i>	<i>Joint Expeditionary Base Little Creek - Story</i>	<i>\$11,132,000</i>
	<i>Norfolk</i>	<i>\$8,500,000</i>
<i>Washington</i>	<i>Fort Lewis</i>	<i>\$50,520,000</i>

7 (b) *OUTSIDE THE UNITED STATES.—Using amounts*
 8 *appropriated pursuant to the authorization of appropri-*
 9 *ations in section 2403 and available for military construc-*
 10 *tion projects outside the United States as specified in the*

1 *funding table in section 4601, the Secretary of Defense may*
 2 *acquire real property and carry out military construction*
 3 *projects for the installations or locations outside the United*
 4 *States, and in the amounts, set forth in the following table:*

Defense Agencies: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Belgium</i>	<i>Brussels</i>	<i>\$26,969,000</i>
<i>Germany</i>	<i>Stuttgart-Patch Barracks</i>	<i>\$2,413,000</i>
	<i>Vogelweh</i>	<i>\$61,415,000</i>
	<i>Weisbaden</i>	<i>\$52,178,000</i>
<i>Guantanamo Bay,</i> <i>Cuba</i>	<i>Guantanamo Bay</i>	<i>\$40,200,000</i>
<i>Japan</i>	<i>Camp Zama</i>	<i>\$13,273,000</i>
	<i>Kadena AB</i>	<i>\$143,545,000</i>
	<i>Sasebo</i>	<i>\$35,733,000</i>
	<i>Zukeran</i>	<i>\$79,036,000</i>
<i>Korea</i>	<i>Kunsan AB</i>	<i>\$13,000,000</i>
	<i>Osan AB</i>	<i>\$77,292,000</i>
<i>Romania</i>	<i>Deveselu</i>	<i>\$157,900,000</i>
<i>United Kingdom</i> ..	<i>Menwith Hill Station</i>	<i>\$50,283,000</i>
	<i>RAF Feltwell</i>	<i>\$30,811,000</i>
	<i>RAF Mildenhall</i>	<i>\$6,490,000</i>

5 **SEC. 2402. AUTHORIZED ENERGY CONSERVATION**
 6 **PROJECTS.**

7 *Using amounts appropriated pursuant to the author-*
 8 *ization of appropriations in section 2403 and available for*
 9 *energy conservation projects as specified in the funding*
 10 *table in 4601, the Secretary of Defense may carry out en-*
 11 *ergy conservation projects under chapter 173 of title 10,*
 12 *United States Code, in the amount of \$150,000,000.*

13 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE**
 14 **AGENCIES.**

15 *Funds are hereby authorized to be appropriated for fis-*
 16 *cal years beginning after September 30, 2012, for military*
 17 *construction, land acquisition, and military family housing*

1 *functions of the Department of Defense (other than the mili-*
2 *tary departments), as specified in the funding table in*
3 *4601, including incremental funding for the following*
4 *projects in the following amounts:*

5 (1) *For the construction of increment 7 of the*
6 *Army Medical Research Institute of Infectious Dis-*
7 *eases Stage I at Fort Detrick, Maryland, authorized*
8 *by section 2401(a) of the Military Construction Au-*
9 *thorization Act for Fiscal Year 2007 (division B of*
10 *Public Law 109–364; 120 Stat. 2457), \$19,000,000.*

11 (2) *For the construction of increment 4 of a Na-*
12 *tional Security Agency data center at Camp Wil-*
13 *liams, Utah, authorized as a Military Construction,*
14 *Defense-Wide project by title X of the Supplemental*
15 *Appropriations Act, 2009 (Public Law 111–32; 123*
16 *Stat. 1888), \$191,414,000.*

17 (3) *For the construction of increment 4 of the*
18 *hospital at Fort Bliss, Texas, authorized by section*
19 *2401(a) of the Military Construction Authorization*
20 *Act for Fiscal Year 2010 (division B of Public Law*
21 *111–84; 123 Stat. 2642), \$107,400,000.*

22 (4) *For the construction of increment 2 of the*
23 *high performance computing center at Fort Meade,*
24 *Maryland, authorized by section 2401(a) of the Mili-*
25 *tary Construction Authorization Act for Fiscal Year*

1 2012 (division B of Public Law 112–81; 125 Stat.
2 1672), as amended by section 2405(a) of this Act,
3 \$225,521,000.

4 (5) For the construction of increment 2 of the
5 ambulatory care center phase 3 at Joint Base San
6 Antonio, Texas, authorized by section 2401(a) of the
7 Military Construction Authorization Act for Fiscal
8 Year 2012 (division B of Public Law 112–81; 125
9 Stat. 1672), \$80,700,000.

10 (6) For the construction of increment 2 of the
11 medical center replacement at Rhine Ordnance Bar-
12 racks, Germany, authorized by section 2401(b) of the
13 Military Construction Authorization Act for Fiscal
14 Year 2012 (division B of Public Law 112–81; 125
15 Stat. 1673), \$127,000,000.

16 **SEC. 2404. EXTENSION OF AUTHORIZATION OF CERTAIN**
17 **FISCAL YEAR 2010 PROJECT.**

18 (a) *EXTENSION.*—Notwithstanding section 2002 of the
19 Military Construction Authorization Act for Fiscal Year
20 2010 (division B of Public Law 111–84; 123 Stat. 2627),
21 authorizations set forth in the table in subsection (b), as
22 provided in section 2401(a) of that Act (123 Stat. 2640),
23 shall remain in effect until October 1, 2013, or the date
24 of the enactment of an Act authorizing funds for military
25 construction for fiscal year 2014, whichever is later:

1 (b) *TABLE.*—The table referred to in subsection (a) is
 2 as follows:

**Washington Headquarters Services: Extension of 2010 Project
 Authorization**

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
Virginia	Pentagon Res- ervation	Pentagon electrical upgrade	\$19,272,000

3 **SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT**
 4 **CERTAIN FISCAL YEAR 2012 PROJECT.**

5 The table in section 2401(a) of the Military Construc-
 6 tion Authorization Act for Fiscal Year 2012 (division B
 7 of Public Law 112–81; 125 Stat. 1672), is amended in the
 8 item relating to Fort Meade, Maryland, by striking
 9 “\$29,640,000” in the amount column and inserting
 10 “\$792,200,000”.

11 **SEC. 2406. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
 12 **TAIN FISCAL YEAR 2013 PROJECT.**

13 (a) *PROJECT AUTHORIZATION.*—The Secretary of De-
 14 fense may carry out a military construction project to con-
 15 struct an Upgrade Fuel Pipeline at Andersen Air Force
 16 Base, Guam, in the amount of \$67,500,000.

17 (b) *LIMITATION.*—No funds may be obligated or ex-
 18 pended for the project described in subsection (a) until the
 19 Commander of the United States Pacific Command pro-
 20 vides to the congressional defense committees a report, with
 21 classified annex if necessary, detailing the strategic and
 22 operational requirements satisfied by the construction of

1 *this project and a certification that this project is a bona*
 2 *fide need for meeting national security objectives for fiscal*
 3 *year 2013.*

4 *(c) USE OF UNOBLIGATED PRIOR-YEAR MILITARY*
 5 *CONSTRUCTION FUNDS.—The Secretary of Defense shall use*
 6 *available, unobligated military construction funds appro-*
 7 *priated for a fiscal year before fiscal year 2013 for the*
 8 *project described in subsection (a).*

9 *(d) CONGRESSIONAL NOTIFICATION.—The Secretary of*
 10 *Defense shall provide information in accordance with sec-*
 11 *tion 2851(c) of title 10, United States Code, regarding the*
 12 *project described in subsection (a). If it becomes necessary*
 13 *to exceed the estimated project cost, the Secretary shall uti-*
 14 *lize the authority provided by section 2853 of such title re-*
 15 *garding authorized cost and scope of work variations.*

16 ***Subtitle B—Chemical***
 17 ***Demilitarization Authorizations***

18 ***SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEM-***
 19 ***ICAL DEMILITARIZATION CONSTRUCTION,***
 20 ***DEFENSE-WIDE.***

21 *Funds are hereby authorized to be appropriated for fis-*
 22 *cal years beginning after September 30, 2012, for military*
 23 *construction and land acquisition for chemical demili-*
 24 *tarization, as specified in the funding table in section 4601,*

1 *including incremental funding for the following projects in*
2 *the following amounts:*

3 (1) *For the construction of phase 14 of a chem-*
4 *ical munitions demilitarization facility at Pueblo*
5 *Chemical Activity, Colorado, authorized by section*
6 *2401(a) of the Military Construction Authorization*
7 *Act for Fiscal Year 1997 (division B of Public Law*
8 *104–201; 110 Stat. 2775), as amended by section*
9 *2406 of the Military Construction Authorization Act*
10 *for Fiscal Year 2000 (division B of Public Law 106–*
11 *65; 113 Stat. 839), section 2407 of the Military Con-*
12 *struction Authorization Act for Fiscal Year 2003 (di-*
13 *vision B of Public Law 107–314; 116 Stat. 2698),*
14 *and section 2413 of the Military Construction Author-*
15 *ization Act for Fiscal Year 2009 (division B of Public*
16 *Law 110–417; 122 Stat. 4697), \$36,000,000.*

17 (2) *For the construction of phase 13 of a muni-*
18 *tions demilitarization facility at Blue Grass Army*
19 *Depot, Kentucky, authorized by section 2401(a) of the*
20 *Military Construction Authorization Act for Fiscal*
21 *Year 2000 (division B of Public Law 106–65; 113*
22 *Stat. 835), as amended by section 2405 of the Mili-*
23 *tary Construction Authorization Act for Fiscal Year*
24 *2002 (division B of Public Law 107–107; 115 Stat.*
25 *1298), section 2405 of the Military Construction Au-*

1 *thorization Act for Fiscal Year 2003 (division B of*
2 *Public Law 107–314; 116 Stat. 2698), section 2414 of*
3 *the Military Construction Authorization Act for Fis-*
4 *cal Year 2009 (division B of Public Law 110–417;*
5 *122 Stat. 4697), and section 2412 of the Military*
6 *Construction Authorization Act for Fiscal Year 2011*
7 *(division B Public Law 111–383; 124 Stat. 4450),*
8 *\$115,000,000.*

9 **SEC. 2412. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **CERTAIN FISCAL YEAR 1997 PROJECT.**

11 *(a) MODIFICATIONS.—The table in section 2401(a) of*
12 *the Military Construction Authorization Act for Fiscal Year*
13 *1997 (division B of Public Law 104–201; 110 Stat. 2775),*
14 *as amended by section 2406 of the Military Construction*
15 *Authorization Act for Fiscal Year 2000 (division B of Pub-*
16 *lic Law 106–65; 113 Stat. 839), section 2407 of the Military*
17 *Construction Authorization Act for Fiscal Year 2003 (divi-*
18 *sion B of Public Law 107–314; 116 Stat. 2699), and section*
19 *2413 of the Military Construction Authorization Act for*
20 *Fiscal Year 2009 (division B of Public Law 110–417; 122*
21 *Stat. 4697), is amended—*

22 *(1) under the agency heading relating to Chem-*
23 *ical Demilitarization Program, in the item relating*
24 *to Pueblo Army Depot, Colorado, by striking*

1 “\$484,000,000” in the amount column and inserting
2 “\$520,000,000”; and

3 (2) by striking the amount identified as the total
4 in the amount column and inserting “\$866,454,000”.

5 (b) *CONFORMING AMENDMENT.*—Section 2406(b)(2) of
6 the Military Construction Authorization Act for Fiscal Year
7 1997 (110 Stat. 2779), as so amended, is further amended
8 by striking “\$484,000,000” and inserting “\$520,000,000”.

9 **TITLE XXV—NORTH ATLANTIC**
10 **TREATY ORGANIZATION SE-**
11 **CURITY INVESTMENT PRO-**
12 **GRAM**

13 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
14 **ACQUISITION PROJECTS.**

15 *The Secretary of Defense may make contributions for*
16 *the North Atlantic Treaty Organization Security Invest-*
17 *ment Program as provided in section 2806 of title 10,*
18 *United States Code, in an amount not to exceed the sum*
19 *of the amount authorized to be appropriated for this pur-*
20 *pose in section 2502 and the amount collected from the*
21 *North Atlantic Treaty Organization as a result of construc-*
22 *tion previously financed by the United States.*

23 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

24 *Funds are hereby authorized to be appropriated for fis-*
25 *cal years beginning after September 30, 2012, for contribu-*

1 tions by the Secretary of Defense under section 2806 of title
 2 10, United States Code, for the share of the United States
 3 of the cost of projects for the North Atlantic Treaty Organi-
 4 zation Security Investment Program authorized by section
 5 2501, as specified in the funding table in section 4601.

6 **TITLE XXVI—GUARD AND**
 7 **RESERVE FORCES FACILITIES**
 8 **Subtitle A—Project Authorizations**
 9 **and Authorization of Appropria-**
 10 **tions**

11 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**
 12 **STRUCTION AND LAND ACQUISITION**
 13 **PROJECTS.**

14 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 15 propriated pursuant to the authorization of appropriations
 16 in section 2606 and available for the National Guard and
 17 Reserve as specified in the funding table in section 4601,
 18 the Secretary of the Army may acquire real property and
 19 carry out military construction projects for the Army Na-
 20 tional Guard locations inside the United States, and in the
 21 amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Fort McClellan	\$5,400,000
Arkansas	Searcy	\$6,800,000
California	Fort Irwin	\$25,000,000
Connecticut	Camp Hartell	\$32,000,000
Delaware	Bethany Beach	\$5,500,000
Florida	Camp Blanding	\$9,000,000
	Miramar	\$20,000,000
Hawaii	Kapolei	\$28,000,000

Army National Guard: Inside the United States—Continued

State	Location	Amount
Idaho	Orchard Training Area	\$40,000,000
Indiana	South Bend	\$21,000,000
	Terre Haute	\$9,000,000
Iowa	Camp Dodge	\$3,000,000
Kansas	Topeka	\$9,500,000
Kentucky	Frankfort	\$32,000,000
Massachusetts	Camp Edwards	\$22,000,000
Minnesota	Camp Ripley	\$17,000,000
	St. Paul	\$17,000,000
Missouri	Fort Leonard Wood	\$18,000,000
	Kansas City	\$1,900,000
	Monett	\$820,000
	Perryville	\$700,000
Montana	Miles City	\$11,000,000
New Jersey	Sea Girt	\$34,000,000
New York	Stormville	\$24,000,000
Ohio	Chillicothe	\$3,100,000
	Delaware	\$12,000,000
Oklahoma	Camp Gruber	\$25,000,000
Utah	Camp Williams	\$36,000,000
Washington	Fort Lewis	\$35,000,000
West Virginia	Logan	\$14,200,000
Wisconsin	Wausau	\$10,000,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropri-
3 ations in section 2606 and available for the National Guard
4 and Reserve as specified in the funding table in section
5 4601, the Secretary of the Army may acquire real property
6 and carry out military construction projects for the Army
7 National Guard locations outside the United States, and
8 in the amounts, set forth in the following table:

Army National Guard: Outside the United States

Country	Installation	Amount
Guam	Barrigada	\$8,500,000
Puerto Rico	Camp Santiago	\$3,800,000
	Ceiba	\$2,200,000
	Guaynabo	\$15,000,000
	Gurabo	\$14,700,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 2 **AND LAND ACQUISITION PROJECTS.**

3 *Using amounts appropriated pursuant to the author-*
 4 *ization of appropriations in section 2606 and available for*
 5 *the National Guard and Reserve as specified in the funding*
 6 *table in section 4601, the Secretary of the Army may ac-*
 7 *quire real property and carry out military construction*
 8 *projects for the Army Reserve locations inside the United*
 9 *States, and in the amounts, set forth in the following table:*

Army Reserve

State	Location	Amount
<i>California</i>	<i>Fort Hunter Liggett</i>	<i>\$68,300,000</i>
	<i>Tustin</i>	<i>\$27,000,000</i>
<i>Illinois</i>	<i>Fort Sheridan</i>	<i>\$28,000,000</i>
<i>Maryland</i>	<i>Aberdeen Proving Ground</i>	<i>\$21,000,000</i>
	<i>Baltimore</i>	<i>\$10,000,000</i>
<i>Massachusetts</i>	<i>Devens Reserve Forces Training Area</i> ...	<i>\$8,500,000</i>
<i>Nevada</i>	<i>Las Vegas</i>	<i>\$21,000,000</i>
<i>New Jersey</i>	<i>Joint Base McGuire-Dix-Lakehurst</i>	<i>\$7,400,000</i>
<i>Washington</i>	<i>Joint Base Lewis-McChord</i>	<i>\$40,000,000</i>
<i>Wisconsin</i>	<i>Fort McCoy</i>	<i>\$47,800,000</i>

10 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 11 **CORPS RESERVE CONSTRUCTION AND LAND**
 12 **ACQUISITION PROJECTS.**

13 *Using amounts appropriated pursuant to the author-*
 14 *ization of appropriations in section 2606 and available for*
 15 *the National Guard and Reserve as specified in the funding*
 16 *table in section 4601, the Secretary of the Navy may ac-*
 17 *quire real property and carry out military construction*
 18 *projects for the Navy Reserve and Marine Corps Reserve*
 19 *locations inside the United States, and in the amounts, set*
 20 *forth in the following table:*

Navy Reserve Marine Corps Reserve

State	Location	Amount
<i>Arizona</i>	<i>Yuma</i>	\$5,379,000
<i>Iowa</i>	<i>Fort Des Moines</i>	\$19,162,000
<i>Louisiana</i>	<i>New Orleans</i>	\$7,187,000
<i>New York</i>	<i>Brooklyn</i>	\$4,430,000
<i>Texas</i>	<i>Fort Worth</i>	\$11,256,000

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

2
 3 *Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:*

Air National Guard

State	Location	Amount
<i>California</i>	<i>Fresno Yosemite IAP ANG</i>	\$11,000,000
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	\$6,500,000
<i>New Mexico</i>	<i>Kirtland AFB</i>	\$8,500,000
<i>Wyoming</i>	<i>Cheyenne MAP</i>	\$6,486,000

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

12
 13 *Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction*

1 *projects for the Air Force Reserve locations inside the*
 2 *United States, and in the amounts, set forth in the following*
 3 *table:*

Air Force Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>New York</i>	<i>Niagara Falls IAP</i>	<i>\$6,100,000</i>

4 ***SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-***
 5 ***TIONAL GUARD AND RESERVE.***

6 *Funds are hereby authorized to be appropriated for fis-*
 7 *cal years beginning after September 30, 2012, for the costs*
 8 *of acquisition, architectural and engineering services, and*
 9 *construction of facilities for the Guard and Reserve Forces,*
 10 *and for contributions therefor, under chapter 1803 of title*
 11 *10, United States Code (including the cost of acquisition*
 12 *of land for those facilities), as specified in the funding table*
 13 *in section 4601.*

14 ***Subtitle B—Other Matters***

15 ***SEC. 2611. EXTENSION OF AUTHORIZATION OF CERTAIN***
 16 ***FISCAL YEAR 2009 PROJECT.***

17 *(a) EXTENSION.—Notwithstanding section 2002 of the*
 18 *Military Construction Authorization Act for Fiscal Year*
 19 *2009 (division B of Public Law 110–417; 122 Stat. 4658),*
 20 *the authorization set forth in the table in subsection (b),*
 21 *as provided in section 2604 of that Act (122 Stat. 4706),*
 22 *shall remain in effect until October 1, 2013, or the date*

1 of the enactment of an Act authorizing funds for military
 2 construction for fiscal year 2014, whichever is later.

3 (b) *TABLE.*—The table referred to in subsection (a) is
 4 as follows:

Air National Guard: Extension of 2009 Project Authorizations

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Mississippi</i>	<i>Gulfport-Biloxi Airport ..</i>	<i>Relocate Munitions Complex</i>	<i>\$3,400,000</i>

5 ***SEC. 2612. EXTENSION OF AUTHORIZATION OF CERTAIN***
 6 ***FISCAL YEAR 2010 PROJECTS.***

7 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 8 *Military Construction Authorization Act for Fiscal Year*
 9 *2010 (division B of Public Law 111–84; 123 Stat. 2627),*
 10 *the authorizations set forth in the tables in subsection (b),*
 11 *as provided in sections 2602 and 2604 of that Act (123*
 12 *Stat. 2649, 2651), shall remain in effect until October 1,*
 13 *2013, or the date of the enactment of an Act authorizing*
 14 *funds for military construction for fiscal year 2014, which-*
 15 *ever is later.*

16 (b) *TABLE.*—The tables referred to in subsection (a)
 17 are as follows:

Army Reserve: Extension of 2010 Project Authorizations

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>California</i>	<i>Camp Pendleton</i>	<i>Army Reserve Center</i>	<i>\$19,500,000</i>
<i>Connecticut</i>	<i>Bridgeport</i>	<i>Army Reserve Center/ Land</i>	<i>\$18,500,000</i>

Air National Guard: Extension of 2010 Project Authorization

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Mississippi</i>	<i>Gulfport-Biloxi Airport ..</i>	<i>Relocate Base Entrance</i>	<i>\$6,500,000</i>

1 ***SEC. 2613. MODIFICATION OF AUTHORITY TO CARRY OUT***
2 ***CERTAIN FISCAL YEAR 2011 PROJECT.***

3 *In the case of the authorization contained in the table*
4 *in section 2604 of the Military Construction Authorization*
5 *Act for Fiscal Year 2011 (division B of Public Law 111–*
6 *383; 124 Stat. 4453) for Nashville International Airport,*
7 *Tennessee, for renovation of an Intelligence Squadron Fa-*
8 *cility, the Secretary of the Air Force may convert up to*
9 *4,023 square meters of existing facilities to bed down Intel-*
10 *ligence Group and Remotely Piloted Aircraft Remote Split*
11 *Operations Group missions, consistent with the Air Na-*
12 *tional Guard’s construction guidelines for these missions.*

13 ***TITLE XXVII—BASE REALIGN-***
14 ***MENT AND CLOSURE ACTIVI-***
15 ***TIES***

16 ***SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE***
17 ***REALIGNMENT AND CLOSURE ACTIVITIES***
18 ***FUNDED THROUGH DEPARTMENT OF DE-***
19 ***FENSE BASE CLOSURE ACCOUNT 1990.***

20 *Funds are hereby authorized to be appropriated for fis-*
21 *cal years beginning after September 30, 2012, for base re-*
22 *alignment and closure activities, including real property*

1 *acquisition and military construction projects, as author-*
2 *ized by the Defense Base Closure and Realignment Act of*
3 *1990 (part A of title XXIX of Public Law 101–510; 10*
4 *U.S.C. 2687 note) and funded through the Department of*
5 *Defense Base Closure Account 1990 established by section*
6 *2906 of such Act, as specified in the funding table in section*
7 *4601.*

8 **SEC. 2702. AUTHORIZATION OF APPROPRIATIONS FOR BASE**
9 **REALIGNMENT AND CLOSURE ACTIVITIES**
10 **FUNDED THROUGH DEPARTMENT OF DE-**
11 **FENSE BASE CLOSURE ACCOUNT 2005.**

12 *Funds are hereby authorized to be appropriated for fis-*
13 *cal years beginning after September 30, 2012, for base re-*
14 *alignment and closure activities, including real property*
15 *acquisition and military construction projects, as author-*
16 *ized by the Defense Base Closure and Realignment Act of*
17 *1990 (part A of title XXIX of Public Law 101–510; 10*
18 *U.S.C. 2687 note) and funded through the Department of*
19 *Defense Base Closure Account 2005 established by section*
20 *2906A of such Act, as specified in the funding table in sec-*
21 *tion 4601.*

22 **SEC. 2703. TECHNICAL AMENDMENTS TO SECTION 2702 OF**
23 **FISCAL YEAR 2012 ACT.**

24 *(a) CORRECTION.—Section 2702 of the Military Con-*
25 *struction Authorization Act for Fiscal Year 2012 (division*

1 *B of Public Law 112–81; 125 Stat. 1681) is amended by*
 2 *striking “Using amounts” and all that follows through*
 3 *“may carry out” and inserting “Funds are hereby author-*
 4 *ized to be appropriated for fiscal years beginning after Sep-*
 5 *tember 30, 2011, for”.*

6 (b) *CONFORMING AMENDMENT.—The heading of such*
 7 *section is amended by striking “AUTHORIZED” and in-*
 8 *serting “AUTHORIZATION OF APPROPRIATIONS FOR”.*

9 **SEC. 2704. CRITERIA FOR DECISIONS INVOLVING CERTAIN**
 10 **BASE CLOSURE AND REALIGNMENT ACTIVI-**
 11 **TIES.**

12 (a) *CRITERIA.—Not later than March 31, 2013, the*
 13 *Comptroller General of the United States shall submit to*
 14 *the congressional defense committees a report including ob-*
 15 *jective criteria to be used by the Department of Defense to*
 16 *make decisions relating to realignments of units employed*
 17 *at military installations that are not covered by the require-*
 18 *ments of section 2687 of title 10, United States Code, and*
 19 *closures of military installations that are not covered by*
 20 *such requirements.*

21 (b) **ONE-YEAR MORATORIUM ON CERTAIN ACTIONS**
 22 **RESULTING IN PERSONNEL REDUCTIONS.—**

23 (1) *IN GENERAL.—Except as provided in para-*
 24 *graph (2), no action may be taken before October 1,*
 25 *2013, that would result in a military installation*

1 covered under paragraph (1) of section 2687(a) of
2 title 10, United States Code, to no longer be covered
3 by such paragraph.

4 (2) NATIONAL SECURITY WAIVER.—The Sec-
5 retary of Defense may waive the prohibition under
6 paragraph (1) if the Secretary certifies to the congres-
7 sional defense committees that is in the national secu-
8 rity interests of the United States.

9 **SEC. 2705. MODIFICATION OF NOTICE REQUIREMENTS IN**
10 **ADVANCE OF PERMANENT REDUCTION OF**
11 **SIZABLE NUMBERS OF MEMBERS OF THE**
12 **ARMED FORCES AT MILITARY INSTALLA-**
13 **TIONS.**

14 (a) CALCULATION OF NUMBER OF AFFECTED MEM-
15 BERS.—Subsection (a) of section 993 of title 10, United
16 States Code, is amended by adding at the end the following
17 new sentence: “In calculating the number of members to be
18 reduced, the Secretary shall take into consideration both di-
19 rect reductions and indirect reductions.”.

20 (b) NOTICE REQUIREMENTS.—Subsection (b) of such
21 section is amended by striking paragraphs (1) through (3)
22 and inserting the following new paragraphs:

23 “(1) the Secretary of Defense or the Secretary of
24 the military department concerned—

1 “(A) submits to Congress a notice of the
2 proposed reduction and the number of military
3 and civilian personnel assignments affected, in-
4 cluding reductions in base operations support
5 services and personnel to occur because of the
6 proposed reduction; and

7 “(B) includes in the notice a justification
8 for the reduction and an evaluation of the costs
9 and benefits of the reduction and of the local eco-
10 nomic, strategic, and operational consequences of
11 the reduction; and

12 “(2) a period of 90 days expires following the
13 day on which the notice is submitted to Congress.”.

14 (c) *DEFINITIONS.*—Such section is further amended by
15 adding at the end the following new subsection:

16 “(d) *DEFINITIONS.*—In this section:

17 “(1) The term ‘direct reduction’ means a reduc-
18 tion involving one or more members of a unit.

19 “(2) The term ‘indirect reduction’ means subse-
20 quent planned reductions or relocations in base oper-
21 ations support services and personnel able to occur
22 due to the direct reductions.

23 “(3) The term ‘military installation’ means a
24 base, camp, post, station, yard, center, homeport facil-
25 ity for any ship, or other activity under the jurisdic-

1 *tion of the Department of Defense, including any*
2 *leased facility, which is located within any of the sev-*
3 *eral States, the District of Columbia, the Common-*
4 *wealth of Puerto Rico, American Samoa, the Virgin*
5 *Islands, the Commonwealth of the Northern Mariana*
6 *Islands, or Guam. Such term does not include any fa-*
7 *cility used primarily for civil works, rivers and har-*
8 *bors projects, or flood control projects.*

9 *“(4) The term ‘unit’ means a unit of the armed*
10 *forces at the battalion, squadron, or an equivalent*
11 *level (or a higher level).”.*

12 **SEC. 2706. REPORT ON REORGANIZATION OF AIR FORCE**
13 **MATERIEL COMMAND ORGANIZATIONS.**

14 *(a) IN GENERAL.—Not later than 180 days after the*
15 *date of the enactment of this Act, the Secretary of Defense*
16 *shall submit to the congressional defense committees a re-*
17 *port on the reorganization of Air Force Materiel Command*
18 *organizations.*

19 *(b) CONTENT.—The report required under subsection*
20 *(a) shall include the following elements:*

21 *(1) An assessment of the efficiencies and effec-*
22 *tiveness associated with the reorganization of Air*
23 *Force Materiel Command organizations.*

24 *(2) An assessment of the organizational construct*
25 *to determine how institutional synergies that were*

1 *previously available in a collocated center can be rep-*
2 *licated in the new Air Force Materiel Command Cen-*
3 *ter reorganization, including an assessment of the fol-*
4 *lowing Air Force Materiel Command capabilities:*

5 *(A) Science and Technology, Acquisition.*

6 *(B) Developmental Test and Evaluation.*

7 *(3) An assessment of synergistic efficiencies asso-*
8 *ciated with capabilities of collocated organizations of*
9 *other commands, including an assessment of the im-*
10 *act of the Air Force Materiel Command's reorga-*
11 *nization on other commands' responsibilities for—*

12 *(A) Operational Test and Evaluation; and*

13 *(B) Follow-on Operational Test and Eval-*
14 *uation.*

15 *(4) An assessment of how the Air Force reorga-*
16 *nization of Air Force Materiel Command is in adher-*
17 *ence with section 2687 of title 10, United States Code.*

18 *(5) An analysis of the extent to which the pro-*
19 *posed changes in the Air Force management structure*
20 *were coordinated with the Office of the Secretary of*
21 *Defense and the Director, Test Resource Management*
22 *Center and the degree to which their concerns, if any,*
23 *were addressed in the approach selected by the Air*
24 *Force.*

1 **TITLE XXVIII—MILITARY CON-**
2 **STRUCTION GENERAL PROVI-**
3 **SIONS**

4 **Subtitle A—Military Construction**
5 **Program and Military Family**
6 **Housing Changes**

7 **SEC. 2801. AUTHORIZED COST AND SCOPE VARIATIONS.**

8 *Section 2853 of title 10, United States Code, is amend-*
9 *ed—*

10 *(1) in subsection (a), by striking “was approved*
11 *originally” and inserting “was authorized”;*

12 *(2) in subsection (b)—*

13 *(A) in paragraph (1), by adding at the end*
14 *the following: “Any reduction in scope of work*
15 *for a military construction project shall not re-*
16 *sult in a facility or item of infrastructure that*
17 *is not complete and useable or does not fully*
18 *meet the mission requirement contained in the*
19 *justification data provided to Congress as part of*
20 *the request for authorization of the project, con-*
21 *struction, improvement, or acquisition.”; and*

22 *(B) by adding at the end the following new*
23 *paragraph:*

24 *“(3) In this subsection, the term ‘scope of work’ refers*
25 *to the function, size, or quantity of the primary facility,*

1 *any associated facility, or item of complete and useable in-*
 2 *frastructure contained in the justification data provided to*
 3 *Congress as part of the request for authorization of the*
 4 *project, construction, improvement, or acquisition.”;*

5 (3) *in subsection (c)(1)(A), by striking “and the*
 6 *reasons therefor, including a description” and insert-*
 7 *ing “, the reasons therefor, a certification that the*
 8 *mission requirement identified in the justification*
 9 *data provided to Congress can be still be met with the*
 10 *reduced scope, and a description”;* and

11 (4) *by adding at the end the following new sub-*
 12 *section:*

13 “(e) *Notwithstanding the authority under subsections*
 14 *(a) through (d), the Secretary concerned shall ensure com-*
 15 *pliance of contracts for military construction projects and*
 16 *for the construction, improvement, and acquisition of mili-*
 17 *tary family housing projects with section 1341 of title 31,*
 18 *United States Code (commonly referred to as the ‘Anti-Defi-*
 19 *ciency Act’).”.*

20 **SEC. 2802. COMPTROLLER GENERAL REPORT ON IN-KIND**
 21 **PAYMENTS.**

22 (a) *REPORTS REQUIRED.—*

23 (1) *INITIAL REPORT.—Not later than 180 days*
 24 *after the date of the enactment of this Act, the Comp-*
 25 *troller General of the United States shall submit to*

1 *the congressional defense committees a report on the*
2 *construction or renovation of Department of Defense*
3 *facilities with in-kind payments. The report shall*
4 *cover construction or renovation projects begun dur-*
5 *ing the preceding two years.*

6 (2) *UPDATES.*—*Not later than one year after*
7 *submitting the report required under paragraph (1),*
8 *and annually thereafter for 3 years, the Comptroller*
9 *General shall submit to the congressional defense com-*
10 *mittees a report covering projects begun since the*
11 *most recent report.*

12 (b) *CONTENT.*—*Each report required under subsection*
13 (a) *shall include the following elements:*

14 (1) *A listing of each facility constructed or ren-*
15 *ovated for the Department of Defense as payment in*
16 *kind.*

17 (2) *The value in United States dollars of that*
18 *construction or renovation.*

19 (3) *The source of the in-kind payment.*

20 (4) *The agreement pursuant to which the in-kind*
21 *payment was made.*

22 (5) *A description of the purpose and need for the*
23 *construction or renovation.*

1 **SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHOR-**
2 **ITY TO USE OPERATION AND MAINTENANCE**
3 **FUNDS FOR CONSTRUCTION PROJECTS IN**
4 **CERTAIN AREAS OUTSIDE THE UNITED**
5 **STATES.**

6 *Section 2808 of the Military Construction Authoriza-*
7 *tion Act for Fiscal Year 2004 (division B of Public Law*
8 *108–136; 117 Stat. 1723), as most recently amended by sec-*
9 *tion 2804 of the Military Construction Authorization Act*
10 *for Fiscal Year 2012 (division B of Public Law 112–81;*
11 *125 Stat. 1685), is further amended—*

12 *(1) in subsection (c)—*

13 *(A) by striking paragraph (2);*

14 *(B) by redesignating paragraph (3) as*
15 *paragraph (2); and*

16 *(C) in paragraph (2), as so redesignated, by*
17 *striking the second sentence; and*

18 *(2) in subsection (h)—*

19 *(A) in paragraph (1), by striking “Sep-*
20 *tember 30, 2012” and inserting “September 30,*
21 *2013”; and*

22 *(B) in paragraph (2), by striking “fiscal*
23 *year 2013” and inserting “fiscal year 2014”.*

1 ***Subtitle B—Real Property and***
2 ***Facilities Administration***

3 ***SEC. 2811. AUTHORITY TO ACCEPT AS CONSIDERATION FOR***
4 ***LEASES OF NON-EXCESS PROPERTY OF MILI-***
5 ***TARY DEPARTMENTS AND DEFENSE AGEN-***
6 ***CIES REAL PROPERTY INTERESTS AND NAT-***
7 ***URAL RESOURCE MANAGEMENT SERVICES***
8 ***RELATED TO AGREEMENTS TO LIMIT EN-***
9 ***CROACHMENT.***

10 *Section 2667 of title 10, United States Code, is amend-*
11 *ed—*

12 *(1) in subsection (c)—*

13 *(A) in paragraph (1), by adding at the end*
14 *the following new subparagraph:*

15 *“(G) Provision of interests in real property for*
16 *the purposes specified in section 2684a of this title*
17 *and provision of natural resource management serv-*
18 *ices on such real property.”; and*

19 *(B) in paragraph (2), by striking “accepted*
20 *at any property or facilities” and inserting “ac-*
21 *cepted at or for the benefit of any property or fa-*
22 *cilities”;* and

23 *(2) in subsection (e)(1)(C), by adding at the end*
24 *the following new clause:*

1 “(vi) Provision of funds pursuant to an agree-
2 ment under section 2684a of this title.”.

3 **SEC. 2812. CLARIFICATION OF PARTIES WITH WHOM DE-**
4 **PARTMENT OF DEFENSE MAY CONDUCT EX-**
5 **CHANGES OF REAL PROPERTY AT MILITARY**
6 **INSTALLATIONS.**

7 Section 2869(a)(1) of title 10, United States Code is
8 amended—

9 (1) by striking “eligible”; and

10 (2) by striking “entity” both places it appears
11 and inserting “person”.

12 **Subtitle C—Energy Security**

13 **SEC. 2821. GUIDANCE ON FINANCING FOR RENEWABLE EN-**
14 **ERGY PROJECTS.**

15 (a) **GUIDANCE ON USE OF AVAILABLE FINANCING AP-**
16 **PROACHES.**—Not later than 180 days after the date of the
17 enactment of this Act, the Secretary of Defense, in consulta-
18 tion with the Under Secretary of Defense for Acquisition,
19 Technology, and Logistics and the Deputy Under Secretary
20 of Defense for Installations and Environment, shall issue
21 guidance about the use of available financing approaches
22 for financing renewable energy projects and direct the Sec-
23 retaries of the military departments to update their guid-
24 ance accordingly. The guidance should describe the require-
25 ments and restrictions applicable to the underlying authori-

1 *ties and any Department of Defense-specific guidelines for*
2 *using appropriated funds and alternative-financing ap-*
3 *proaches for renewable energy projects.*

4 **(b) GUIDANCE ON USE OF BUSINESS CASE ANAL-**
5 **YSES.**—*Not later than 180 days after the date of the enact-*
6 *ment of this Act, the Secretary of Defense, in consultation*
7 *with the Under Secretary of Defense for Acquisition, Tech-*
8 *nology, and Logistics, the Deputy Under Secretary of De-*
9 *fense for Installations and Environment, and the Secre-*
10 *taries of the military departments, shall issue guidance that*
11 *establishes and clearly describes the processes used by the*
12 *military departments to select financing approaches for re-*
13 *newable energy projects to ensure that business case anal-*
14 *yses are completed to maximize benefits and mitigate draw-*
15 *backs and risks associated with different financing ap-*
16 *proaches.*

17 **(c) INFORMATION SHARING.**—*Not later than 180 days*
18 *after the date of the enactment of this Act, the Secretary*
19 *of Defense, in consultation with the Under Secretary of De-*
20 *fense for Acquisition, Technology, and Logistics and the*
21 *Deputy Under Secretary of Defense for Installations and*
22 *Environment, shall develop a formalized communications*
23 *process, such as a shared Internet website, that will enable*
24 *officials at military installations to have timely access on*
25 *an ongoing basis to information related to financing renew-*

1 *able energy projects on other installations, including best*
 2 *practices and lessons that officials at other installations*
 3 *have learned from their experiences in financing renewable*
 4 *energy projects.*

5 **SEC. 2822. CONTINUATION OF LIMITATION ON USE OF**
 6 **FUNDS FOR LEADERSHIP IN ENERGY AND EN-**
 7 **VIRONMENTAL DESIGN (LEED) GOLD OR**
 8 **PLATINUM CERTIFICATION.**

9 *Section 2830(b)(1) of the Military Construction Au-*
 10 *thorization Act for Fiscal Year 2012 (division B of Public*
 11 *Law 112–81; 125 Stat. 1695) is amended—*

12 *(1) by striking “authorized to be appropriated*
 13 *by this Act” and inserting “authorized to be appro-*
 14 *priated”; and*

15 *(2) by inserting before the period at the end the*
 16 *following: “until the date that is six months after the*
 17 *date of the submittal to the congressional defense com-*
 18 *mittees of the report required by subsection (a)”.*

19 ***Subtitle D—Land Conveyances***

20 **SEC. 2831. LAND CONVEYANCE, LOCAL TRAINING AREA FOR**
 21 **BROWNING ARMY RESERVE CENTER, UTAH.**

22 *(a) CONVEYANCE AUTHORIZED.—The Secretary of the*
 23 *Army may convey, without consideration, to the Depart-*
 24 *ment of Veterans Affairs (in this section referred to as the*
 25 *“Department”) all right, title, and interest of the United*

1 *States in and to a parcel of unimproved real property con-*
2 *sisting of approximately 5 acres of the Local Training Area*
3 *for the Browning Army Reserve Center, Utah, for the pur-*
4 *pose of constructing and operating a Community Based*
5 *Outpatient Clinic adjacent to the George E. Wahlen Vet-*
6 *erans Home in Ogden, Utah.*

7 (b) *PAYMENT OF COSTS OF CONVEYANCE.—*

8 (1) *PAYMENT REQUIRED.—The Secretary may*
9 *require the Department to cover costs to be incurred*
10 *by the Secretary, or to reimburse the Secretary for*
11 *costs incurred by the Secretary, to carry out the con-*
12 *veyance under subsection (a), including survey costs,*
13 *costs related to environmental documentation, and*
14 *other administrative costs related to the conveyance.*
15 *If amounts paid to the Secretary in advance exceed*
16 *the costs actually incurred by the Secretary to carry*
17 *out the conveyance, the Secretary shall refund the ex-*
18 *cess amount to the Department.*

19 (2) *TREATMENT OF AMOUNTS RECEIVED.—*
20 *Amounts received as reimbursement under paragraph*
21 *(1) shall be credited to the fund or account that was*
22 *used to cover the costs incurred by the Department.*
23 *Amounts so credited shall be merged with amounts in*
24 *such fund or account, and shall be available for the*

1 same purposes, and subject to the same conditions
2 and limitations, as amounts in such fund or account.

3 (c) *DESCRIPTION OF PROPERTY.*—The exact acreage
4 and legal description of the real property to be conveyed
5 under subsection (a) shall be determined by a survey satis-
6 factory to the Secretary.

7 (d) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-
8 retary may require such additional terms and conditions
9 in connection with the conveyance under subsection (a) as
10 the Secretary considers appropriate to protect the interests
11 of the United States.

12 **SEC. 2832. USE OF PROCEEDS, LAND CONVEYANCE, TYN-**
13 **DALL AIR FORCE BASE, FLORIDA.**

14 Section 2862(c) of the National Defense Authorization
15 Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat.
16 868) is amended—

17 (1) by striking “and to improve” and inserting
18 “; to improve”; and

19 (2) by inserting before the period at the end the
20 following: “, or for other purposes, subject to the limi-
21 tations described in section 2667(e) of title 10, United
22 States Code”.

1 ***Subtitle E—Other Matters***

2 ***SEC. 2841. CLARIFICATION OF AUTHORITY OF SECRETARY***
3 ***TO ASSIST WITH DEVELOPMENT OF PUBLIC***
4 ***INFRASTRUCTURE IN CONNECTION WITH THE***
5 ***ESTABLISHMENT OR EXPANSION OF A MILI-***
6 ***TARY INSTALLATION.***

7 *Section 2391 of title 10, United States Code, is amend-*
8 *ed—*

9 (1) *by redesignating subsections (d) and (e) as*
10 *subsections (e) and (f), respectively;*

11 (2) *by inserting after subsection (c) the following*
12 *new subsection:*

13 “(d) *AUTHORIZATION REQUIREMENT.—If the Sec-*
14 *retary of Defense determines that any grant, cooperative*
15 *agreement, or supplement of funds available under Federal*
16 *programs administered by agencies other than the Depart-*
17 *ment of Defense provided under this section will result in*
18 *the development (including repair, replacement, renovation,*
19 *conversion, improvement, expansion, or construction) of*
20 *public infrastructure, such grant, cooperative agreement, or*
21 *supplemental funding shall be specifically authorized by*
22 *law.”; and*

23 (3) *in subsection (e), as redesignated by para-*
24 *graph (1), by adding at the end the following new*
25 *paragraph:*

1 “(4) *The term ‘public infrastructure’ means any*
2 *utility, road, method of transportation, or facility*
3 *under the control of a State or local government or*
4 *a private entity that is used by, or constructed for the*
5 *benefit of, the general public.”.*

6 **SEC. 2842. PETERSBURG NATIONAL BATTLEFIELD BOUND-**
7 **ARY MODIFICATION.**

8 *(a) IN GENERAL.—The boundary of Petersburg Na-*
9 *tional Battlefield is modified to include the properties as*
10 *generally depicted on the map titled “Petersburg National*
11 *Battlefield Boundary Expansion”, numbered 325/80,080,*
12 *and dated June 2007. The map shall be on file and avail-*
13 *able for inspection in the appropriate offices of the National*
14 *Park Service.*

15 *(b) ACQUISITION OF PROPERTIES.—The Secretary of*
16 *the Interior (referred to in this section as the “Secretary”)*
17 *is authorized to acquire the lands or interests in land, de-*
18 *scribed in subsection (a), from willing sellers only by dona-*
19 *tion, purchase with donated or appropriated funds, ex-*
20 *change, or transfer.*

21 *(c) ADMINISTRATION.—The Secretary shall administer*
22 *any land or interests in land acquired under subsection (b)*
23 *as part of the Petersburg National Battlefield in accordance*
24 *with applicable laws and regulations.*

25 *(d) ADMINISTRATIVE JURISDICTION TRANSFER.—*

1 (1) *IN GENERAL.*—*There is transferred—*

2 (A) *from the Secretary to the Secretary of*
3 *the Army administrative jurisdiction over the*
4 *approximately 1.170-acre parcel of land depicted*
5 *as “Area to be transferred to Fort Lee Military*
6 *Reservation” on the map described in paragraph*
7 *(2)(A); and*

8 (B) *from the Secretary of the Army to the*
9 *Secretary administrative jurisdiction over the*
10 *approximately 1.171-acre parcel of land depicted*
11 *as “Area to be transferred to Petersburg National*
12 *Battlefield” on the map described in paragraph*
13 *(2)(A).*

14 (2) *MAP.*—

15 (A) *IN GENERAL.*—*The land to be trans-*
16 *ferred under paragraph (1) is depicted on the*
17 *map entitled “Petersburg National Battlefield*
18 *Proposed Transfer of Administrative Jurisdic-*
19 *tion”, numbered 325/081A, and dated May 2011.*

20 (B) *AVAILABILITY.*—*The map described in*
21 *subparagraph (A) shall be available for public*
22 *inspection in the appropriate offices of the Na-*
23 *tional Park Service.*

1 (3) *CONDITIONS OF TRANSFER.*—*The transfer of*
2 *administrative jurisdiction authorized in paragraph*
3 *(1) shall be subject to the following conditions:*

4 (A) *NO REIMBURSEMENT OR CONSIDER-*
5 *ATION.*—*The transfer shall occur without reim-*
6 *bursement or consideration.*

7 (B) *MANAGEMENT.*—*The land conveyed to*
8 *the Secretary under paragraph (1) shall be in-*
9 *cluded within the boundary of the Petersburg*
10 *National Battlefield and shall be administered as*
11 *part of the park in accordance with applicable*
12 *laws and regulations.*

13 **SEC. 2843. CONGRESSIONAL NOTIFICATION WITH RESPECT**
14 **TO OVERSIGHT AND MAINTENANCE OF BASE**
15 **CEMETERIES FOLLOWING CLOSURE OF OVER-**
16 **SEAS MILITARY INSTALLATIONS.**

17 (a) *NOTIFICATION REQUIREMENT.*—*Not later than 30*
18 *days after closure of a United States military installation*
19 *overseas, the Secretary of Defense shall submit to the appro-*
20 *priate congressional committees a report that details a plan*
21 *to ensure the oversight and continued maintenance of the*
22 *cemetery located on the military installation. The plan*
23 *shall clearly detail which Federal agency or private entity*
24 *will assume responsibility for the operation and mainte-*
25 *nance of the cemetery following the closure of the installa-*

1 tion and what information with regard to the cemetery has
2 been provided to the responsible agency or private entity.

3 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
4 *FINED.*—*In this section, the term “appropriate congres-*
5 *sional committees” means the Committees on Armed Serv-*
6 *ices of the Senate and the House of Representatives.*

7 **SEC. 2844. ADDITIONAL EXEMPTIONS FROM CERTAIN RE-**
8 **QUIREMENTS APPLICABLE TO FUNDING FOR**
9 **DATA SERVERS AND CENTERS.**

10 Section 2867(c) of the Military Construction Author-
11 ization Act for Fiscal Year 2012 (division B of Public Law
12 112–81; 125 Stat. 1706; 10 U.S.C. 2223a note) is amend-
13 ed—

14 (1) by striking “EXCEPTION.—The Chief” and
15 inserting the following: “EXCEPTIONS.—

16 “(1) EXEMPTION AUTHORITY.—The Chief”; and

17 (2) by inserting at the end the following new
18 paragraph:

19 “(2) The Chief Information Officer of the De-
20 partment may exempt from the applicability of this
21 section research, development, test, and evaluation
22 programs that use authorization or appropriations
23 for the High Performance Computing Modernization
24 Program (Program Element 0603461A), if the Chief

1 *Information Officer determines that the exemption is*
 2 *in the best interest of national security.”.*

3 ***DIVISION C—DEPARTMENT OF***
 4 ***ENERGY NATIONAL SECURITY***
 5 ***AUTHORIZATIONS AND***
 6 ***OTHER AUTHORIZATIONS***

7 ***TITLE XXXI—DEPARTMENT OF***
 8 ***ENERGY NATIONAL SECURITY***
 9 ***PROGRAMS***

10 ***Subtitle A—National Security***
 11 ***Programs Authorizations***

12 ***SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-***
 13 ***TION.***

14 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 15 *hereby authorized to be appropriated to the Department of*
 16 *Energy for fiscal year 2013 for the activities of the National*
 17 *Nuclear Security Administration in carrying out programs*
 18 *as specified in the funding table in section 4601.*

19 *(b) AUTHORIZATION OF NEW PLANT PROJECTS.—*
 20 *From funds referred to in subsection (a) that are available*
 21 *for carrying out plant projects, the Secretary of Energy*
 22 *may carry out the following new plant projects for the Na-*
 23 *tional Nuclear Security Administration:*

1 *Project 13–D–301, Electrical Infrastructure Up-*
2 *grades, Lawrence Livermore National Laboratory/Los*
3 *Alamos National Laboratory, \$23,000,000.*

4 *Project 13–D–903, Kesselring Site Prototype*
5 *Staff Building, Kesselring Site, West Milton, New*
6 *York, \$14,000,000.*

7 *Project 13–D–904, Kesselring Site Radiological*
8 *Work and Storage Building, Kesselring Site, West*
9 *Milton, New York, \$2,000,000.*

10 *Project 13–D–905, Remote-Handled Low-Level*
11 *Waste Disposal Project, Idaho National Laboratory,*
12 *Idaho, \$8,900,000.*

13 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

14 *Funds are hereby authorized to be appropriated to the*
15 *Department of Energy for fiscal year 2013 for defense envi-*
16 *ronmental cleanup activities in carrying out programs as*
17 *specified in the funding table in section 4601.*

18 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

19 *Funds are hereby authorized to be appropriated to the*
20 *Department of Energy for fiscal year 2013 for other defense*
21 *activities in carrying out programs as specified in the fund-*
22 *ing table in section 4601.*

1 **Subtitle B—Program Authoriza-**
2 **tions, Restrictions, and Limita-**
3 **tions**

4 **SEC. 3111. REPLACEMENT PROJECT FOR CHEMISTRY AND**
5 **METALLURGY RESEARCH BUILDING, LOS ALA-**
6 **MOS NATIONAL LABORATORY, NEW MEXICO.**

7 (a) *PROJECT REQUIRED.*—

8 (1) *IN GENERAL.*—*Subtitle A of title XLII of the*
9 *Atomic Energy Defense Act (50 U.S.C. 2521 et seq.)*
10 *is amended by adding at the end the following new*
11 *section:*

12 **“SEC. 4215. REPLACEMENT PROJECT FOR CHEMISTRY AND**
13 **METALLURGY RESEARCH BUILDING, LOS ALA-**
14 **MOS NATIONAL LABORATORY, NEW MEXICO.**

15 *“(a) REPLACEMENT BUILDING REQUIRED.*—*The Sec-*
16 *retary of Energy shall construct at Los Alamos National*
17 *Laboratory, New Mexico a building to replace the functions*
18 *of the existing Chemistry and Metallurgy Research building*
19 *at Los Alamos National Laboratory associated with De-*
20 *partment of Energy Hazard Category 2 special nuclear ma-*
21 *terial operations.*

22 *“(b) LIMITATION ON COST.*—*The cost of the building*
23 *constructed under subsection (a) may not exceed*
24 *\$3,700,000,000.*

1 “(c) *PROJECT BASIS.*—*The construction authorized by*
2 *subsection (a) shall use as its basis the facility project in*
3 *the Department of Energy Readiness and Technical Base*
4 *designated 04–D–125 (chemistry and metallurgy facility*
5 *replacement project at Los Alamos National Laboratory).*

6 “(d) *DEADLINE FOR COMMENCEMENT OF OPER-*
7 *ATIONS.*—*The building constructed under subsection (a)*
8 *shall commence operations not later than December 31,*
9 *2024.”.*

10 (2) *CLERICAL AND TECHNICAL AMENDMENT.*—
11 *The table of contents in section 4001(b) of such Act*
12 *is amended by inserting after the item relating to*
13 *4213 the following new items:*

 “*Sec. 4214. Plan for transformation of National Nuclear Security Administration*
 nuclear weapons complex.”

 “*Sec. 4215. Replacement project for Chemistry and Metallurgy Research Build-*
 ing, Los Alamos National Laboratory, New Mexico.”.”

14 (b) *FUNDING.*—

15 (1) *FISCAL YEAR 2013 FUNDS.*—

16 (A) *IN GENERAL.*—*Except as provided in*
17 *subparagraph (B), of the amounts authorized to*
18 *be appropriated by this division for fiscal year*
19 *2013 for the National Nuclear Security Adminis-*
20 *tration, \$150,000,000 shall be available for the*
21 *construction of the building authorized by section*
22 *4215 of the Atomic Energy Defense Act (as*
23 *added by subsection (a)).*

1 (B) *EXCEPTION.*—*The following amounts*
2 *authorized to be appropriated by this division*
3 *for fiscal year 2013 for the National Nuclear Se-*
4 *curity Administration shall not be available for*
5 *the construction of the building:*

6 (i) *Amounts available for Directed*
7 *Stockpile Work.*

8 (ii) *Amounts available for Naval Reac-*
9 *tors.*

10 (iii) *Amounts available for the facility*
11 *project in the Department of Energy Readi-*
12 *ness and Technical Base designated 06-D-*
13 *141.*

14 (2) *PRIOR FISCAL YEAR FUNDS.*—*Amounts au-*
15 *thorized to be appropriated for the Department of En-*
16 *ergy for a fiscal year before fiscal year 2013 and*
17 *available for the facility project in the Department of*
18 *Energy Readiness and Technical Base designated 04-*
19 *D-125 (chemistry and metallurgy facility replace-*
20 *ment project at Los Alamos National Laboratory,*
21 *New Mexico) shall be available for the construction of*
22 *the building authorized by section 4215 of the Atomic*
23 *Energy Defense Act (as so added).*

1 **SEC. 3112. SUBMITTAL TO CONGRESS OF SELECTED ACQUI-**
2 **SITION REPORTS AND INDEPENDENT COST**
3 **ESTIMATES ON NUCLEAR WEAPON SYSTEMS**
4 **UNDERGOING LIFE EXTENSION.**

5 (a) *SUBMITTAL REQUIRED.*—*Subtitle A of title XLII*
6 *of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.),*
7 *as amended by section 3111 of this Act, is further amended*
8 *by adding at the end the following new section:*

9 **“SEC. 4216. SELECTED ACQUISITION REPORTS AND INDE-**
10 **PENDENT COST ESTIMATES ON NUCLEAR**
11 **WEAPON SYSTEMS UNDERGOING LIFE EXTEN-**
12 **SION.**

13 *“(a) SELECTED ACQUISITION REPORTS.—(1) The Sec-*
14 *retary of Energy shall, acting through the Administrator*
15 *of the National Nuclear Security Administration, submit*
16 *to the congressional defense committees at the end of each*
17 *fiscal-year quarter a report on each nuclear weapon system*
18 *undergoing life extension. The reports shall be known as Se-*
19 *lected Acquisition Reports for the weapon system concerned.*

20 *“(2) The information contained in the Selected Acqui-*
21 *sition Report for a fiscal-year quarter for a nuclear weapon*
22 *system shall be the information contained in the Selected*
23 *Acquisition Report for such fiscal-year quarter for a major*
24 *defense acquisition program under section 2432 of title 10,*
25 *United States Code, expressed in terms of the nuclear weap-*
26 *on system.*

1 “(b) *INDEPENDENT COST ESTIMATES.*—(1) *The Sec-*
 2 *retary of Energy shall, acting through the Administrator*
 3 *of the National Nuclear Security Administration, submit*
 4 *to the congressional defense committees a cost estimate on*
 5 *each nuclear weapon system undergoing life extension at*
 6 *the times in production as follows:*

7 “(A) *At the completion of phase 6.2A, relating to*
 8 *design definition and cost study.*

9 “(B) *Before initiation of phase 6.5, relating to*
 10 *first production.*

11 “(2) *A cost estimate for purposes of this subsection*
 12 *may not be prepared by the Department of Energy or the*
 13 *National Nuclear Security Administration.”.*

14 “(b) *CLERICAL AMENDMENT.*—*The table of contents in*
 15 *section 4001(b) of such Act, as so amended, is further*
 16 *amended by inserting after the item relating to 4215 the*
 17 *following new item:*

 “*Sec. 4216. Selected Acquisition Reports and independent cost estimates on nu-*
 clear weapon systems undergoing life extension.”.

18 **SEC. 3113. TWO-YEAR EXTENSION OF SCHEDULE FOR DIS-**
 19 **POSITION OF WEAPONS-USABLE PLUTONIUM**
 20 **AT SAVANNAH RIVER SITE, AIKEN, SOUTH**
 21 **CAROLINA.**

22 *Section 4306 of the Atomic Energy Defense Act (50*
 23 *U.S.C. 2566) is amended—*

24 (1) *in subsection (a)(3)—*

1 (A) in subparagraph (C), by striking
2 “2012” and inserting “2014”; and

3 (B) in subparagraph (D), by striking
4 “2017” and inserting “2019”;

5 (2) in subsection (b)—

6 (A) in paragraph (1), by striking “by Jan-
7 uary 1, 2012”; and

8 (B) in paragraph (5), by striking “2012”
9 and inserting “2014”;

10 (3) in subsection (c)—

11 (A) in the matter preceding paragraph (1),
12 by striking “2012” and inserting “2014”;

13 (B) in paragraph (1), by striking “2014”
14 and inserting “2016”; and

15 (C) in paragraph (2), by striking “2020”
16 each place it appears and inserting “2022”;

17 (4) in subsection (d)—

18 (A) in paragraph (1)—

19 (i) by striking “2014” and inserting
20 “2016”; and

21 (ii) by striking “2019” and inserting
22 “2021”; and

23 (B) in paragraph (2)(A), by striking
24 “2020” each place it appears and inserting
25 “2022”; and

1 (5) in subsection (e), by striking “2023” and in-
2 serting “2025”.

3 **SEC. 3114. PROGRAM ON SCIENTIFIC ENGAGEMENT FOR**
4 **NONPROLIFERATION.**

5 (a) *PROGRAM REQUIRED.*—

6 (1) *IN GENERAL.*—*Title XLIII of the Atomic En-*
7 *ergy Defense Act (50 U.S.C. 2562 et seq.) is amended*
8 *by adding at the end the following new section:*

9 **“SEC. 4309. PROGRAM ON SCIENTIFIC ENGAGEMENT FOR**
10 **NONPROLIFERATION.**

11 “(a) *PROGRAM REQUIRED.*—(1) *The Secretary of En-*
12 *ergy shall, acting through the Administrator of the National*
13 *Nuclear Security Administration, carry out a program on*
14 *scientific engagement in countries selected by the Secretary*
15 *for purposes of the program in order to advance global non-*
16 *proliferation and nuclear security efforts.*

17 “(2) *The program required by this section shall be a*
18 *distinct program from the Global Initiatives for Prolifera-*
19 *tion Prevention program.*

20 “(b) *ELEMENTS.*—*The program shall include the ele-*
21 *ments as follows:*

22 “(1) *Training and capacity-building to strenght-*
23 *en nonproliferation and security best practices.*

1 “(2) *Engagement of United States scientists with*
2 *foreign counterparts to advance nonproliferation*
3 *goals.*

4 “(c) *REPORT ON COMMENCEMENT OF PROGRAM.—*
5 *Funds may not be expended under the program required*
6 *by this section until the Administrator submits to the ap-*
7 *propriate congressional committees a report setting forth*
8 *the following:*

9 “(1) *For each country selected for the program*
10 *as of the date of such report—*

11 “(A) *a proliferation threat assessment pre-*
12 *pared by the Director of National Intelligence;*
13 *and*

14 “(B) *metrics for evaluating the success of*
15 *the program.*

16 “(2) *Accounting standards for the conduct of the*
17 *program approved by the Comptroller General of the*
18 *United States.*

19 “(d) *REPORTS ON MODIFICATION OF PROGRAM.—Be-*
20 *fore making any modification in the program (whether se-*
21 *lecting a new country for the program, ceasing the selection*
22 *of a country for the program, or modifying an element of*
23 *the program), the Administrator shall submit to the appro-*
24 *priate congressional committees a report on the modifica-*
25 *tion. If the modification consists of the selection for the pro-*

1 gram of a country not previously selected for the program,
 2 the report shall include the matters specified in subsection
 3 (c)(1) for the country.

4 “(e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 5 *FINED.*—In this section, the term ‘appropriate congres-
 6 sional committees’ means—

7 “(1) the Committee on Appropriations, the Com-
 8 mittee on Armed Services, the Committee on Foreign
 9 Relations, and the Select Committee on Intelligence of
 10 the Senate; and

11 “(2) the Committee on Appropriations, the Com-
 12 mittee on Armed Services, the Committee on Foreign
 13 Affairs, and the Permanent Select Committee on In-
 14 telligence of the House of Representatives.”.

15 (2) *CLERICAL AMENDMENT.*—The table of con-
 16 tents in section 4001(b) of such Act (division D of
 17 Public Law 107–314) is amended by inserting after
 18 the item relating to section 4308 the following new
 19 item:

“Sec. 4309. Program on scientific engagement for nonproliferation.”.

20 (b) *REPORT ON COORDINATION WITH OTHER UNITED*
 21 *STATES NONPROLIFERATION PROGRAMS.*—Not later than
 22 180 days after the date of the enactment of this Act, the
 23 Administrator of the National Nuclear Security Adminis-
 24 tration shall submit to the appropriate congressional com-
 25 mittees a report describing the manner in which the pro-

1 *gram on scientific engagement for nonproliferation under*
2 *section 4309 of the Atomic Energy Defense Act (as added*
3 *by subsection (a)) coordinates with and complements, but*
4 *does not duplicate, other nonproliferation programs of the*
5 *United States Government.*

6 (c) *COMPTROLLER GENERAL OF THE UNITED STATES*
7 *REPORT.*—*Not later than two years after the date of the*
8 *enactment of this Act, the Comptroller General of the United*
9 *States shall submit to the appropriate congressional com-*
10 *mittees a report on the program on scientific engagement*
11 *for nonproliferation under section 4309 of the Atomic En-*
12 *ergy Defense Act (as so added). The report shall include*
13 *an assessment by the Comptroller General of the success of*
14 *the program, as determined in accordance with the metrics*
15 *for evaluating the success of the program under subsection*
16 *(c)(1)(B) of such section 4309, and such other matters on*
17 *the program as the Comptroller General considers appro-*
18 *priate.*

19 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
20 *FINED.*—*In this section, the term “appropriate congres-*
21 *sional committees” means—*

22 (1) *the Committee on Appropriations, the Com-*
23 *mittee on Armed Services, the Committee on Foreign*
24 *Relations, and the Select Committee on Intelligence of*
25 *the Senate; and*

1 (2) *the Committee on Appropriations, the Com-*
2 *mittee on Armed Services, the Committee on Foreign*
3 *Affairs, and the Permanent Select Committee on In-*
4 *telligence of the House of Representatives.*

5 **SEC. 3115. REPEAL OF REQUIREMENT FOR ANNUAL UPDATE**
6 **OF DEPARTMENT OF ENERGY DEFENSE NU-**
7 **CLEAR FACILITIES WORKFORCE RESTRUC-**
8 **TURING PLAN.**

9 *Section 4604 of the Atomic Energy Defense Act (50*
10 *U.S.C. 2704) is amended—*

11 (1) *in subsection (b)(1), by striking “and any*
12 *updates of the plan under subsection (e)”;*

13 (2) *by striking subsection (e);*

14 (3) *by redesignating subsections (f) and (g) as*
15 *subsections (e) and (f), respectively; and*

16 (4) *in subsection (e), as redesignated by para-*
17 *graph (3)—*

18 (A) *by striking “(1)” before “The Sec-*
19 *retary”;* and

20 (B) *by striking paragraph (2).*

1 “(4) *The amount obligated, but uncosted.*

2 “(c) *PRESENTATION.—Each report under subsection*
3 *(a) shall present information as follows:*

4 “(1) *For each program, in summary form and*
5 *by fiscal year.*

6 “(2) *With financial balances in connection with*
7 *funding under recurring DoE national security au-*
8 *thorizations (as that term is defined in section*
9 *4701(1)) presented separately from balances in con-*
10 *nection with funding under any other provisions of*
11 *law.”.*

12 “(b) *CLERICAL AMENDMENT.—The table of contents in*
13 *section 4001(b) of such Act is amended by inserting after*
14 *the item relating to section 4731 the following new item:*

“Sec. 4732. Quarterly reports on financial balances for atomic energy defense ac-
tivities.”.

15 **SEC. 3117. TRANSPARENCY IN CONTRACTOR PERFORMANCE**
16 **EVALUATIONS BY THE NATIONAL NUCLEAR**
17 **SECURITY ADMINISTRATION LEADING TO**
18 **AWARD FEES.**

19 “(a) *PUBLICATION REQUIRED.—*

20 “(1) *IN GENERAL.—Subtitle A of title XLVIII of*
21 *the Atomic Energy Defense Act (50 U.S.C. 2781 et*
22 *seq.) is amended by adding at the end the following*
23 *new section:*

1 **“SEC. 4805. PUBLICATION OF CONTRACTOR PERFORMANCE**
2 **EVALUATIONS BY THE NATIONAL NUCLEAR**
3 **SECURITY ADMINISTRATION LEADING TO**
4 **AWARD FEES.**

5 “(a) *IN GENERAL.*—*The Administrator of the National*
6 *Nuclear Security Administration shall take appropriate ac-*
7 *tions to make available, to the maximum extent practicable,*
8 *to the public each contractor performance evaluation con-*
9 *ducted by the Administration of a national laboratory, pro-*
10 *duction plant, or single user facility under the management*
11 *responsibility of the Administration that results in the*
12 *award of an award fee to the contractor concerned.*

13 “(b) *FORMAT.*—*Performance evaluations shall be made*
14 *public under this section in a common format that facili-*
15 *tates comparisons of performance evaluations between and*
16 *among similar management contracts.”.*

17 (2) *CLERICAL AMENDMENT.*—*The table of con-*
18 *tents in section 4001(b) of that Act is amended by in-*
19 *serting after the item relating to section 4804 the fol-*
20 *lowing new item:*

*“Sec. 4805. Publication of contractor performance evaluations by the National
Nuclear Security Administration leading to award fees.”.*

21 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
22 *section (a) shall take effect on the date of the enactment*
23 *of this Act, and shall apply with respect to contractor per-*

1 *formance evaluations conducted by the National Nuclear*
2 *Security Administration on or after that date.*

3 **SEC. 3118. EXPANSION OF AUTHORITY TO ESTABLISH CER-**
4 **TAIN SCIENTIFIC, ENGINEERING, AND TECH-**
5 **NICAL POSITIONS.**

6 (a) *NUMBER OF POSITIONS.*—*Section 3241 of the Na-*
7 *tional Nuclear Security Administration Act (50 U.S.C.*
8 *2441) is amended by striking “300” and inserting “700”.*

9 (b) *EXTENSION TO CONTRACTING POSITIONS.*—*Such*
10 *section is further amended by inserting “contracting,” be-*
11 *fore “scientific”.*

12 (c) *CONFORMING AMENDMENT.*—*The heading of such*
13 *section is amended to read as follows:*

14 **“SEC. 3241. AUTHORITY TO ESTABLISH CERTAIN CON-**
15 **TRACTING, SCIENTIFIC, ENGINEERING, AND**
16 **TECHNICAL POSITIONS.”.**

17 (d) *CLERICAL AMENDMENT.*—*The table of contents for*
18 *the National Nuclear Security Administration Act is*
19 *amended by striking the item relating to section 3241 and*
20 *inserting the following new item:*

*“Sec. 3241. Authority to establish certain contracting, scientific, engineering, and
technical positions.”.*

1 **SEC. 3119. MODIFICATION AND EXTENSION OF AUTHORITY**
2 **ON ACCEPTANCE OF CONTRIBUTIONS FOR**
3 **ACCELERATION OF REMOVAL OR SECURITY**
4 **OF FISSILE MATERIALS, RADIOLOGICAL MA-**
5 **TERIALS, AND RELATED EQUIPMENT AT VUL-**
6 **NERABLE SITES WORLDWIDE.**

7 (a) *PROGRAMS FOR WHICH FUNDS MAY BE ACCEPT-*
8 *ED.—Paragraph (2) of section 3132(f) of the Ronald W.*
9 *Reagan National Defense Authorization Act for Fiscal Year*
10 *2005 (50 U.S.C. 2569(f)) is amended to read as follows:*

11 “(2) *PROGRAMS COVERED.—The programs de-*
12 *scribed in this paragraph are any programs within*
13 *the Office of Defense Nuclear Nonproliferation of the*
14 *National Nuclear Security Administration.”.*

15 (b) *EXTENSION.—Paragraph (7) of such section is*
16 *amended by striking “December 31, 2013” and inserting*
17 *“December 31, 2018”.*

18 **SEC. 3120. COST CONTAINMENT FOR Y-12 URANIUM PROC-**
19 **ESSING FACILITY, Y-12 NATIONAL SECURITY**
20 **COMPLEX, OAK RIDGE, TENNESSEE.**

21 (a) *EXECUTION PHASES FOR PROJECT.—Project 06–*
22 *D-141 for the Y-12 Uranium Processing Facility, Y-12*
23 *National Security Complex, Oak Ridge, Tennessee, shall be*
24 *broken into separate execution phases as follows*

1 (1) *Phase I, which shall consist of processes asso-*
2 *ciated with building 9212, including uranium casting*
3 *and uranium chemical processing.*

4 (2) *Phase II, which shall consist of processes as-*
5 *sociated with buildings 9215 and 9998, including*
6 *uranium metal working, machining, and inspection.*

7 (3) *Phase III, which shall consist of processes as-*
8 *sociated with building 9204–2E. including radiog-*
9 *raphy, assembly, disassembly, quality evaluation, and*
10 *production certification operations of nuclear weapon*
11 *secondaries.*

12 (b) *BUDGETING AND AUTHORIZATION FOR EACH*
13 *PHASE.—*

14 (1) *BUDGETING FOR EACH PHASE REQUIRED.—*
15 *The Secretary of Energy shall budget separately for*
16 *each phase under subsection (a) of the project referred*
17 *to in that subsection.*

18 (2) *FUNDING PURSUANT TO SEPARATE AUTHOR-*
19 *IZATIONS OF APPROPRIATIONS.—The Secretary may*
20 *not proceed with a phase under subsection (a) of the*
21 *project referred to in that subsection except with*
22 *funds expressly authorized to be appropriated for that*
23 *phase by law.*

24 (c) *COMPLIANCE OF PHASES WITH DOE ORDER ON*
25 *PROGRAM AND PROJECT MANAGEMENT.—Each phase*

1 *under subsection (a) of the project referred to in that sub-*
2 *section shall comply with Department of Energy Order*
3 *413.3, relating to Program Management and Project Man-*
4 *agement for the Acquisition of Capital Assets.*

5 *(d) LIMITATION ON COST OF PHASE I.—The total cost*
6 *of Phase I under subsection (a) of the project referred to*
7 *in that subsection may not exceed \$4,200,000,000.*

8 **SEC. 3121. AUTHORITY TO RESTORE CERTAIN FORMERLY**
9 **RESTRICTED DATA TO THE RESTRICTED**
10 **DATA CATEGORY.**

11 *(a) IN GENERAL.—Section 142 of the Atomic Energy*
12 *Act of 1954 (42 U.S.C. 2162) is amended—*

13 *(1) in subsection d.—*

14 *(A) by inserting “(1)” before “The Commis-*
15 *sion”; and*

16 *(B) by adding at the end the following new*
17 *paragraphs:*

18 *“(2) The Commission may restore to the Restricted*
19 *Data category any information related to the design of nu-*
20 *clear weapons removed under paragraph (1) if the Commis-*
21 *sion and the Department of Defense jointly determine*
22 *that—*

23 *“(A) the programmatic requirements that caused*
24 *the information to be removed from the Restricted*

1 *Data category are no longer applicable or have di-*
2 *minished;*

3 “(B) *the information would be more appro-*
4 *priately protected as Restricted Data; and*

5 “(C) *restoring the information to the Restricted*
6 *Data category is in the interest of national security.*

7 “(3) *Information related to the design of nuclear weap-*
8 *ons shall be restored to the Restricted Data category under*
9 *paragraph (2) in accordance with regulations prescribed by*
10 *the Commission for purposes of that paragraph.”; and*

11 *(2) in subsection e.—*

12 *(A) by inserting “(1)” before “The Commis-*
13 *sion”; and*

14 *(B) by adding at the end the following new*
15 *paragraphs:*

16 “(2) *The Commission may restore to the Restricted*
17 *Data category any information concerning atomic energy*
18 *programs of other nations removed under paragraph (1) if*
19 *the Commission and the Director of National Intelligence*
20 *jointly determine that—*

21 “(A) *the programmatic requirements that caused*
22 *the information to be removed from the Restricted*
23 *Data category are no longer applicable or have di-*
24 *minished;*

1 “(B) the information would be more appro-
2 priately protected as *Restricted Data*; and

3 “(C) restoring the information to the *Restricted*
4 *Data* category is in the interest of national security.

5 “(3) Information concerning atomic energy programs
6 of other nations shall be restored to the *Restricted Data* cat-
7 egory under paragraph (2) in accordance with regulations
8 prescribed by the Commission for purposes of that para-
9 graph.”.

10 (b) *TECHNICAL AMENDMENT.*—Paragraph (1) of sub-
11 section (e) of such section, as designated by subsection
12 (a)(2)(A) of this section, is further amended by striking
13 “Director of Central Intelligence” and inserting “Director
14 of National Intelligence”.

15 **SEC. 3122. RENEWABLE ENERGY.**

16 Section 203(b)(2) of the *Energy Policy Act of 2005* (42
17 U.S.C. 15852(b)(2)) is amended by striking “geothermal,”
18 and inserting “geothermal (including geothermal heat
19 pumps),”.

1 **Subtitle C—Reports**

2 **SEC. 3131. REPORT ON ACTIONS REQUIRED FOR TRANSI-**
3 **TION OF REGULATION OF NON-NUCLEAR AC-**
4 **TIVITIES OF THE NATIONAL NUCLEAR SECU-**
5 **RITY ADMINISTRATION TO OTHER FEDERAL**
6 **AGENCIES.**

7 *Not later than February 28, 2013, the Secretary of En-*
8 *ergy shall, acting through the Administrator of the National*
9 *Nuclear Security Administration, submit to Congress a re-*
10 *port on the actions required to transition, to the maximum*
11 *extent practicable, the regulation of the non-nuclear activi-*
12 *ties of the National Nuclear Security Administration to*
13 *other appropriate agencies of the Federal Government by*
14 *not later than October 1, 2017.*

15 **SEC. 3132. REPORT ON CONSOLIDATION OF FACILITIES OF**
16 **THE NATIONAL NUCLEAR SECURITY ADMINIS-**
17 **TRATION.**

18 *(a) REPORT REQUIRED.—Not later than 180 days*
19 *after the date of the enactment of this Act, the Nuclear*
20 *Weapons Council shall submit to the congressional defense*
21 *committees a report setting forth the assessment of the*
22 *Council as to the feasibility of consolidating facilities and*
23 *functions of the National Nuclear Security Administration*
24 *in order to reduce costs.*

1 **(b) PROCESS FOR CONSOLIDATION.**—*If the assessment*
2 *of the Council in the report under subsection (a) is that*
3 *excess facilities exist and the consolidation of facilities and*
4 *functions of the Administration is feasible and would reduce*
5 *cost, the report shall include recommendations for a process*
6 *to determine the manner in which the consolidation should*
7 *be accomplished, including an estimate of the time to be*
8 *required to complete the process.*

9 **(c) LIMITATION ON AVAILABILITY OF CERTAIN FUNDS**
10 **PENDING REPORT.**—*Amounts authorized to be appro-*
11 *priated by this title and available for the facility projects*
12 *in the Department of Energy Readiness and Technical Base*
13 *designated 04-D-125 and 06-D-141 may not be obligated*
14 *or expended for CD-3, Start of Construction (as found in*
15 *Department of Energy Order 413.3 B Program and Project*
16 *Management for the Acquisition of Capital Assets,) until*
17 *the submittal under subsection (a) of the report required*
18 *by that subsection.*

19 **SEC. 3133. REGIONAL RADIOLOGICAL SECURITY ZONES.**

20 **(a) FINDINGS.**—*Congress makes the following findings:*
21 **(1)** *A terrorist attack using high-activity radio-*
22 *logical materials, such as in a dirty bomb, could in-*
23 *fllict billions of dollars of economic costs and consider-*
24 *able societal and economic dislocation, with effects*
25 *and costs possibly lasting for years.*

1 (2) *It may be easier for terrorists to obtain the*
2 *materials for, and to fabricate, a dirty bomb than an*
3 *improvised nuclear device.*

4 (3) *Radiological materials are in widespread use*
5 *worldwide, with estimates of the number of radio-*
6 *logical sources ranging from 100,000 to millions.*

7 (4) *Many nations have a security and regulatory*
8 *regime for their radiological sources that is much less*
9 *developed than that of the United States.*

10 (5) *Radiological materials are used at many ci-*
11 *vilian sites including hospitals, industrial sites, and*
12 *other locations that have little security, placing these*
13 *materials at risk of theft.*

14 (6) *Many radiological materials have become*
15 *lost, disused, unwanted, or abandoned, with the Glob-*
16 *al Threat Reduction Initiative of the National Nu-*
17 *clear Security Administration having recovered more*
18 *than 30,000 radioactive sources in the United States,*
19 *repatriated more than 2,400 United States-origin*
20 *sources from other countries, and helped recover more*
21 *than 13,000 radioactive sources and radioisotope ther-*
22 *moelectric generators in other countries.*

23 (7) *High-activity radiological materials can be*
24 *used in a dirty bomb.*

1 **(b) SENSE OF CONGRESS.**—*It is the sense of Congress*
2 *that United States and global nonproliferation efforts*
3 *should place a high priority on programs to secure high-*
4 *activity radiological sources to reduce the threat of radio-*
5 *logical terrorism.*

6 **(c) STUDY.**—

7 **(1) IN GENERAL.**—*Not later than 180 days after*
8 *the date of the enactment of this Act, the Adminis-*
9 *trator of the National Nuclear Security Administra-*
10 *tion shall submit to the appropriate committees of*
11 *Congress a study in accordance with paragraph (3).*

12 **(2) CONSULTATION.**—*The Administrator may, in*
13 *conducting the study required under paragraph (1),*
14 *consult with the Secretary of Homeland Security, the*
15 *Secretary of State, the Nuclear Regulatory Commis-*
16 *sion, and such other departments and agencies of the*
17 *United States Government as the Administrator con-*
18 *siders appropriate.*

19 **(3) MATTERS INCLUDED.**—*The study under*
20 *paragraph (1) shall include the following:*

21 **(A)** *An assessment of the radioactive iso-*
22 *topes and associated activity levels that present*
23 *the greatest risk to national and international*
24 *security.*

1 (B) *A review of current United States Gov-*
2 *ernment efforts to secure radiological materials*
3 *abroad, including coordination with foreign gov-*
4 *ernments, the European Union, the Inter-*
5 *national Atomic Energy Agency, other inter-*
6 *national programs, and nongovernmental orga-*
7 *nizations that identify, register, secure, remove,*
8 *and provide for the disposition of high-risk radi-*
9 *ological materials worldwide.*

10 (C) *A review of current United States Gov-*
11 *ernment efforts to secure radiological materials*
12 *domestically at civilian sites, including hos-*
13 *pitals, industrial sites, and other locations.*

14 (D) *A definition of regional radiological se-*
15 *curity zones, including the subset of the mate-*
16 *rials of concern to be the immediate focus and*
17 *the security best practices required to achieve*
18 *that goal.*

19 (E) *An assessment of the feasibility, cost,*
20 *desirability, and added benefit of establishing re-*
21 *gional radiological security zones in high pri-*
22 *ority areas worldwide in order to facilitate re-*
23 *gional collaboration in—*

1 (i) identifying and inventorying high-
2 activity radiological sources at high-risk
3 sites;

4 (ii) reviewing national level regula-
5 tions, inspections, transportation security,
6 and security upgrade options; and

7 (iii) assessing opportunities for the
8 harmonization of regulations and security
9 practices among the nations of the region.

10 (F) An assessment of the feasibility, cost,
11 desirability, and added benefit of establishing re-
12 mote regional monitoring centers that would re-
13 ceive real-time data from radiological security
14 sites, would be staffed by trained personnel from
15 the countries in the region, and would alert local
16 law enforcement in the event of a potential or ac-
17 tual terrorist incident or other emergency.

18 (G) A list and assessment of the best prac-
19 tices used in the United States that are most
20 critical in enhancing domestic radiological mate-
21 rial security and could be used to enhance radio-
22 logical security worldwide.

23 (H) An assessment of the United States en-
24 tity or entities that would be best suited to lead

1 *efforts to establish a radiological security zone*
 2 *program.*

3 *(I) An estimate of the costs associated with*
 4 *the implementation of a radiological security*
 5 *zone program.*

6 *(J) An assessment of the known locations*
 7 *outside the United States housing high-risk radi-*
 8 *ological materials in excess of 1,000 curies.*

9 *(4) FORM.—The study required under paragraph*
 10 *(1) shall be submitted in unclassified form, but may*
 11 *include a classified annex.*

12 *(d) APPROPRIATE COMMITTEES OF CONGRESS DE-*
 13 *FINED.—In this section, the term “appropriate committees*
 14 *of Congress” means—*

15 *(1) the Committee on Armed Services, the Com-*
 16 *mittee on Homeland Security and Governmental Af-*
 17 *airs, and the Committee on Foreign Relations of the*
 18 *Senate; and*

19 *(2) the Committee on Armed Services, the Com-*
 20 *mittee on Homeland Security, and the Committee on*
 21 *Foreign Affairs of the House of Representatives.*

22 **SEC. 3134. REPORT ON LEGACY URANIUM MINES.**

23 *(a) REPORT.—*

24 *(1) IN GENERAL.—The Secretary of Energy shall*
 25 *undertake a review of, and prepare a report on, aban-*

1 *doned uranium mines at which uranium ore was*
2 *mined for the weapons program of the United States*
3 *(hereinafter referred to as “legacy uranium mines”).*

4 (2) *MATTERS TO BE ADDRESSED.—The report*
5 *shall describe and analyze—*

6 (A) *the location of the legacy uranium*
7 *mines on Federal, State, tribal, and private*
8 *land, taking into account any existing inven-*
9 *tories undertaken by Federal agencies, States,*
10 *and Indian tribes, and any additional informa-*
11 *tion available to the Secretary;*

12 (B) *the extent to which the legacy uranium*
13 *mines—*

14 (i) *may pose a potential and signifi-*
15 *cant radiation health hazard to the public;*

16 (ii) *may pose some other threat to pub-*
17 *lic health and safety hazard;*

18 (iii) *have caused, or may cause, deg-*
19 *radation of water quality; and*

20 (iv) *have caused, or may cause, envi-*
21 *ronmental degradation;*

22 (C) *a ranking of priority by category for*
23 *the remediation and reclamation of the legacy*
24 *uranium mines;*

1 (D) the potential cost and feasibility of re-
2 mediating and reclaiming, in accordance with
3 applicable Federal law, each category of legacy
4 uranium mines; and

5 (E) the status of any efforts to remediate
6 and reclaim legacy uranium mines.

7 (b) *RECOMMENDATIONS.*—The report shall—

8 (1) make recommendations as to how to ensure
9 most feasibly and effectively and expeditiously that
10 the public health and safety, water resources, and the
11 environment will be protected from the adverse effects
12 of legacy uranium mines; and

13 (2) make recommendations on changes, if any, to
14 Federal law to address the remediation and reclama-
15 tion of legacy uranium mines.

16 (c) *CONSULTATION.*—In preparing the report, the Sec-
17 retary of Energy shall consult with any other relevant Fed-
18 eral agencies, affected States and Indian tribes, and inter-
19 ested members of the public.

20 (d) *REPORT TO CONGRESS.*—Not later than 18 months
21 after the date of enactment of this Act, the Secretary of En-
22 ergy shall submit to the Committee on Armed Services and
23 the Committee on Energy and Natural Resources of the Sen-
24 ate and the appropriate Committees of the House of Rep-
25 resentatives—

1 (1) *the report; and*

2 (2) *the plan and timeframe of the Secretary of*
3 *Energy for implementing those recommendations of*
4 *the report that do not require legislation.*

5 **SEC. 3135. COMPTROLLER GENERAL OF THE UNITED**
6 **STATES REVIEW OF PROJECTS CARRIED OUT**
7 **BY OFFICE OF ENVIRONMENTAL MANAGE-**
8 **MENT OF THE DEPARTMENT OF ENERGY PUR-**
9 **SUANT TO THE AMERICAN RECOVERY AND**
10 **REINVESTMENT ACT OF 2009.**

11 *Section 3134 of the National Defense Authorization*
12 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
13 *2713) is amended—*

14 (1) *in subsection (c)—*

15 (A) *in paragraph (1), by striking “The*
16 *Comptroller General shall conduct a review dur-*
17 *ing the period described in paragraph (2), of the*
18 *following:” and inserting “Beginning on the date*
19 *of the submittal of the report required under sub-*
20 *section (b)(2), the Comptroller General shall con-*
21 *duct a review of the following:”;*

22 (B) *by striking paragraph (2);*

23 (C) *by redesignating paragraph (3) as*
24 *paragraph (2); and*

1 (D) in paragraph (2), as redesignated by
2 subparagraph (C), by striking “the end of the pe-
3 riod described in paragraph (2)” and inserting
4 “August 30, 2012”; and
5 (2) in subsection (d)—

6 (A) in paragraph (1), by striking “Begin-
7 ning on the date on which the Comptroller Gen-
8 eral submits the last report required under sub-
9 section (c)(3), the Comptroller General shall con-
10 duct a review of the following:” and inserting
11 “Following the submittal of the final report re-
12 quired under subsection (c)(2), the Comptroller
13 General shall conduct a review of the following:”;
14 and

15 (B) in paragraph (2), by striking “Not
16 later than 90 days after submitting the last re-
17 port required under subsection (c)(3)” and in-
18 serting “Within seven months after receiving no-
19 tification that all American Recovery and Rein-
20 vestment Act funds have been expended, but not
21 later than April 30, 2016”.

22 **Subtitle D—Other Matters**

23 **SEC. 3141. SENSE OF CONGRESS ON OVERSIGHT OF THE** 24 **NUCLEAR SECURITY ENTERPRISE.**

25 (a) *FINDINGS.*—Congress makes the following findings:

1 (1) *In 2000, the National Nuclear Security Ad-*
2 *ministration was established as an independent entity*
3 *within the Department of Energy to manage and se-*
4 *cure the nuclear weapons stockpile of the United*
5 *States and to manage nuclear nonproliferation and*
6 *naval reactor programs.*

7 (2) *Serious security and health incidents con-*
8 *tinue to occur at sites of the National Nuclear Secu-*
9 *rity Administration.*

10 (3) *In September 2012, an official of the Govern-*
11 *ment Accountability Office testified to Congress that*
12 *lax laboratory attitudes toward safety procedures, labo-*
13 *ratory inadequacies in identifying and addressing*
14 *safety problems with appropriate corrective actions,*
15 *and inadequate oversight by site offices of the Na-*
16 *tional Nuclear Security Administration were respon-*
17 *sible for nearly 100 safety incidents since 2000.*

18 (4) *On July 28, 2012, three unarmed individuals*
19 *compromised security at the Y-12 National Security*
20 *Complex in Oak Ridge, Tennessee, and according to*
21 *the Government Accountability Office, “gained access*
22 *to the protected security area directly adjacent to one*
23 *of the nation’s most critically important nuclear*
24 *weapons-related facilities”.*

1 (5) *In June 2006, hackers attacked an unclassi-*
2 *fied computer system at the National Nuclear Secu-*
3 *rity Administration’s Service Center in Albuquerque,*
4 *New Mexico, and gained access to a file containing*
5 *the names and social security numbers of more than*
6 *1,500 employees of the National Nuclear Security Ad-*
7 *ministration.*

8 (6) *As early as February 2005, the Inspector*
9 *General of the Department of Energy identified prob-*
10 *lems with the retrieval of badges from terminated em-*
11 *ployees at Los Alamos National Laboratory and other*
12 *sites of the National Nuclear Security Administra-*
13 *tion.*

14 (7) *In 2004, a pattern of safety and security in-*
15 *cidents that occurred over the course of a year*
16 *prompted the stand-down of Los Alamos National*
17 *Laboratory.*

18 (8) *The National Nuclear Security Administra-*
19 *tion, independent of the safety and security reform ef-*
20 *forts of the Department of Energy, has launched an*
21 *overhaul of its contracting oversight, placing an em-*
22 *phasis on contractor self-policing through an untested*
23 *“contractor assurance” approach.*

24 (9) *The Government Accountability Office has*
25 *given the contractor administration and project man-*

1 *agement capabilities of the National Nuclear Security*
2 *Administration a “high risk” designation and found*
3 *there to be insufficient qualified Federal acquisition*
4 *professionals to “plan, direct, and oversee project exe-*
5 *cution”.*

6 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
7 *that—*

8 *(1) there is a need for strong, independent over-*
9 *sight of the United States nuclear security enterprise;*

10 *(2) any attempt to reform oversight of the nu-*
11 *clear security enterprise that transfers oversight from*
12 *the Department of Energy to the National Nuclear*
13 *Security Administration, reduces protections for*
14 *worker health and safety at facilities of the National*
15 *Nuclear Security Administration to levels below the*
16 *standards of the Department of Energy, or transfers*
17 *construction appropriations for the nuclear security*
18 *enterprise from the Department of Energy appropria-*
19 *tion account to the military construction appropria-*
20 *tion account, should be carefully evaluated;*

21 *(3) the Office of Health, Safety, and Security of*
22 *the Department of Energy, which reports to the Sec-*
23 *retary of Energy but is also accountable for routinely*
24 *reporting to Congress on the performance with respect*
25 *to safety and security of the Department, including*

1 *the National Nuclear Security Administration, and*
2 *the role of that Office in overseeing safety and secu-*
3 *urity at the National Nuclear Security Administra-*
4 *tion, should not be diminished but should be routinely*
5 *evaluated;*

6 *(4) any future modifications to the management*
7 *or structure of the nuclear security enterprise should*
8 *be done in a way that maintains or increases over-*
9 *sight of critical construction, security, and acquisi-*
10 *tion capabilities;*

11 *(5) to the extent possible, oversight of programs*
12 *of the National Nuclear Security Administration by*
13 *the Department of Defense should increase to ensure*
14 *current and future warfighting requirements are met;*
15 *and*

16 *(6) the Nuclear Weapons Council should provide*
17 *proper oversight in the execution of its responsibilities*
18 *under section 179 of title 10, United States Code.*

19 ***Subtitle E—American Medical***
20 ***Isotopes Production***

21 ***SEC. 3151. SHORT TITLE.***

22 *This subtitle may be cited as the “American Medical*
23 *Isotopes Production Act of 2012”.*

24 ***SEC. 3152. DEFINITIONS.***

25 *In this subtitle:*

1 (1) *DEPARTMENT.*—*The term “Department”*
2 *means the Department of Energy.*

3 (2) *HIGHLY ENRICHED URANIUM.*—*The term*
4 *“highly enriched uranium” means uranium enriched*
5 *to 20 percent or greater in the isotope U-235.*

6 (3) *LOW ENRICHED URANIUM.*—*The term “low*
7 *enriched uranium” means uranium enriched to less*
8 *than 20 percent in the isotope U-235.*

9 (4) *SECRETARY.*—*The term “Secretary” means*
10 *the Secretary of Energy.*

11 **SEC. 3153. IMPROVING THE RELIABILITY OF DOMESTIC**
12 **MEDICAL ISOTOPE SUPPLY.**

13 (a) *MEDICAL ISOTOPE DEVELOPMENT PROJECTS.*—

14 (1) *IN GENERAL.*—*The Secretary shall carry out*
15 *a technology-neutral program—*

16 (A) *to evaluate and support projects for the*
17 *production in the United States, without the use*
18 *of highly enriched uranium, of significant quan-*
19 *ties of molybdenum-99 for medical uses;*

20 (B) *to be carried out in cooperation with*
21 *non-Federal entities; and*

22 (C) *the costs of which shall be shared in ac-*
23 *cordance with section 988 of the Energy Policy*
24 *Act of 2005 (42 U.S.C. 16352).*

1 (2) *CRITERIA.*—*Projects shall be judged against*
2 *the following primary criteria:*

3 (A) *The length of time necessary for the pro-*
4 *posed project to begin production of molyb-*
5 *denum-99 for medical uses within the United*
6 *States.*

7 (B) *The capability of the proposed project*
8 *to produce a significant percentage of United*
9 *States demand for molybdenum-99 for medical*
10 *uses.*

11 (C) *The cost of the proposed project.*

12 (3) *EXEMPTION.*—*An existing reactor in the*
13 *United States fueled with highly enriched uranium*
14 *shall not be disqualified from the program if the Sec-*
15 *retary determines that—*

16 (A) *there is no alternative nuclear reactor*
17 *fuel, enriched in the isotope U-235 to less than*
18 *20 percent, that can be used in that reactor;*

19 (B) *the reactor operator has provided assur-*
20 *ances that, whenever an alternative nuclear reac-*
21 *tor fuel, enriched in the isotope U-235 to less*
22 *than 20 percent, can be used in that reactor, it*
23 *will use that alternative in lieu of highly en-*
24 *riched uranium; and*

1 (C) *the reactor operator has provided a cur-*
2 *rent report on the status of its efforts to convert*
3 *the reactor to an alternative nuclear reactor fuel*
4 *enriched in the isotope U-235 to less than 20*
5 *percent, and an anticipated schedule for comple-*
6 *tion of conversion.*

7 (4) *PUBLIC PARTICIPATION AND REVIEW.—The*
8 *Secretary shall—*

9 (A) *develop a program plan and annually*
10 *update the program plan through public work-*
11 *shops; and*

12 (B) *use the Nuclear Science Advisory Com-*
13 *mittee to conduct annual reviews of the progress*
14 *made in achieving the program goals.*

15 (b) *DEVELOPMENT ASSISTANCE.—The Secretary shall*
16 *carry out a program to provide assistance for—*

17 (1) *the development of fuels, targets, and proc-*
18 *esses for domestic molybdenum-99 production that do*
19 *not use highly enriched uranium; and*

20 (2) *commercial operations using the fuels, tar-*
21 *gets, and processes described in paragraph (1).*

22 (c) *URANIUM LEASE AND TAKE-BACK.—*

23 (1) *IN GENERAL.—The Secretary shall establish*
24 *a program to make low-enriched uranium available,*

1 *through lease contracts, for irradiation for the pro-*
2 *duction of molybdenum-99 for medical uses.*

3 (2) *TITLE.—The lease contracts shall provide for*
4 *the producers of the molybdenum-99 to take title to*
5 *and be responsible for the molybdenum-99 created by*
6 *the irradiation, processing, or purification of ura-*
7 *anium leased under this section.*

8 (3) *DUTIES.—*

9 (A) *SECRETARY.—The lease contracts shall*
10 *require the Secretary—*

11 (i) *to retain responsibility for the final*
12 *disposition of spent nuclear fuel created by*
13 *the irradiation, processing, or purification*
14 *of uranium leased under this section for the*
15 *production of medical isotopes; and*

16 (ii) *to take title to and be responsible*
17 *for the final disposition of radioactive waste*
18 *created by the irradiation, processing, or*
19 *purification of uranium leased under this*
20 *section for which the Secretary determines*
21 *the producer does not have access to a dis-*
22 *posal path.*

23 (B) *PRODUCER.—The producer of the spent*
24 *nuclear fuel and radioactive waste shall accu-*
25 *rately characterize, appropriately package, and*

1 *transport the spent nuclear fuel and radioactive*
2 *waste prior to acceptance by the Department.*

3 (4) *COMPENSATION.*—

4 (A) *IN GENERAL.*—*Subject to subparagraph*
5 *(B), the lease contracts shall provide for com-*
6 *penetration in cash amounts equivalent to pre-*
7 *vailing market rates for the sale of comparable*
8 *uranium products and for compensation in cash*
9 *amounts equivalent to the net present value of*
10 *the cost to the Federal Government for—*

11 (i) *the final disposition of spent nu-*
12 *clear fuel and radioactive waste for which*
13 *the Department is responsible under para-*
14 *graph (3); and*

15 (ii) *other costs associated with car-*
16 *rying out the uranium lease and take-back*
17 *program authorized by this subsection.*

18 (B) *DISCOUNT RATE.*—*The discount rate*
19 *used to determine the net present value of costs*
20 *described in subparagraph (A)(ii) shall be not*
21 *greater than the average interest rate on market-*
22 *able Treasury securities.*

23 (5) *AUTHORIZED USE OF FUNDS.*—*The Secretary*
24 *may obligate and expend funds received under leases*
25 *entered into under this subsection, which shall remain*

1 *available until expended, for the purpose of carrying*
2 *out the activities authorized by this subtitle, including*
3 *activities related to the final disposition of spent nu-*
4 *clear fuel and radioactive waste for which the Depart-*
5 *ment is responsible under paragraph (3).*

6 (6) *EXCHANGE OF URANIUM FOR SERVICES.—*
7 *The Secretary shall not barter or otherwise sell or*
8 *transfer uranium in any form in exchange for—*

9 (A) *services related to the final disposition*
10 *of the spent nuclear fuel and radioactive waste*
11 *for which the Department is responsible under*
12 *paragraph (3); or*

13 (B) *any other services associated with car-*
14 *rying out the uranium lease and take-back pro-*
15 *gram authorized by this subsection.*

16 (d) *COORDINATION OF ENVIRONMENTAL REVIEWS.—*
17 *The Department and the Nuclear Regulatory Commission*
18 *shall ensure to the maximum extent practicable that envi-*
19 *ronmental reviews for the production of the medical isotopes*
20 *shall complement and not duplicate each review.*

21 (e) *OPERATIONAL DATE.—The Secretary shall estab-*
22 *lish a program as described in subsection (c)(3) not later*
23 *than 3 years after the date of enactment of this Act.*

24 (f) *RADIOACTIVE WASTE.—Notwithstanding section 2*
25 *of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101),*

1 *radioactive material resulting from the production of med-*
2 *ical isotopes that has been permanently removed from a re-*
3 *actor or subcritical assembly and for which there is no fur-*
4 *ther use shall be considered low-level radioactive waste if*
5 *the material is acceptable under Federal requirements for*
6 *disposal as low-level radioactive waste.*

7 **SEC. 3154. EXPORTS.**

8 *Section 134 of the Atomic Energy Act of 1954 (42*
9 *U.S.C. 2160d) is amended by striking subsection c. and in-*
10 *serting the following:*

11 *“c. Effective 7 years after the date of enactment of the*
12 *American Medical Isotopes Production Act of 2012, the*
13 *Commission may not issue a license for the export of highly*
14 *enriched uranium from the United States for the purposes*
15 *of medical isotope production.*

16 *“d. The period referred to in subsection b. may be ex-*
17 *tended for no more than 6 years if, no earlier than 6 years*
18 *after the date of enactment of the American Medical Iso-*
19 *topes Production Act of 2012, the Secretary of Energy cer-*
20 *tifies to the Committee on Energy and Commerce of the*
21 *House of Representatives and the Committee on Energy and*
22 *Natural Resources of the Senate that—*

23 *“(1) there is insufficient global supply of molyb-*
24 *denum-99 produced without the use of highly enriched*

1 *uranium available to satisfy the domestic United*
2 *States market; and*

3 *“(2) the export of United States-origin highly en-*
4 *riched uranium for the purposes of medical isotope*
5 *production is the most effective temporary means to*
6 *increase the supply of molybdenum-99 to the domestic*
7 *United States market.*

8 *“e. To ensure public review and comment, the develop-*
9 *ment of the certification described in subsection c. shall be*
10 *carried out through announcement in the Federal Register.*

11 *“f. At any time after the restriction of export licenses*
12 *provided for in subsection b. becomes effective, if there is*
13 *a critical shortage in the supply of molybdenum-99 avail-*
14 *able to satisfy the domestic United States medical isotope*
15 *needs, the restriction of export licenses may be suspended*
16 *for a period of no more than 12 months, if—*

17 *“(1) the Secretary of Energy certifies to the Con-*
18 *gress that the export of United States-origin highly*
19 *enriched uranium for the purposes of medical isotope*
20 *production is the only effective temporary means to*
21 *increase the supply of molybdenum-99 necessary to*
22 *meet United States medical isotope needs during that*
23 *period; and*

1 “(2) the Congress enacts a Joint Resolution ap-
2 proving the temporary suspension of the restriction of
3 export licenses.

4 “g. As used in this section—

5 “(1) the term ‘alternative nuclear reactor fuel or
6 target’ means a nuclear reactor fuel or target which
7 is enriched to less than 20 percent in the isotope U-
8 235;

9 “(2) the term ‘highly enriched uranium’ means
10 uranium enriched to 20 percent or more in the iso-
11 tope U-235;

12 “(3) a fuel or target ‘can be used’ in a nuclear
13 research or test reactor if—

14 “(A) the fuel or target has been qualified by
15 the Reduced Enrichment Research and Test Re-
16 actor Program of the Department of Energy; and

17 “(B) use of the fuel or target will permit the
18 large majority of ongoing and planned experi-
19 ments and medical isotope production to be con-
20 ducted in the reactor without a large percentage
21 increase in the total cost of operating the reactor;
22 and

23 “(4) the term ‘medical isotope’ includes molyb-
24 denum-99, iodine-131, xenon-133, and other radio-
25 active materials used to produce a radiopharma-

1 *ceutical for diagnostic or therapeutic procedures or*
2 *for research and development.”.*

3 **SEC. 3155. REPORT ON DISPOSITION OF EXPORTS.**

4 *Not later than 1 year after the date of the enactment*
5 *of this Act, the Chairman of the Nuclear Regulatory Com-*
6 *mission, after consulting with other relevant agencies, shall*
7 *submit to the Congress a report detailing the current dis-*
8 *position of previous United States exports of highly en-*
9 *riched uranium used as fuel or targets in a nuclear research*
10 *or test reactor, including—*

11 *(1) their location;*

12 *(2) whether they are irradiated;*

13 *(3) whether they have been used for the purpose*
14 *stated in their export license;*

15 *(4) whether they have been used for an alter-*
16 *native purpose and, if so, whether such alternative*
17 *purpose has been explicitly approved by the Commis-*
18 *sion;*

19 *(5) the year of export, and reimportation, if ap-*
20 *plicable;*

21 *(6) their current physical and chemical forms;*
22 *and*

23 *(7) whether they are being stored in a manner*
24 *which adequately protects against theft and unauthor-*
25 *ized access.*

1 **SEC. 3156. DOMESTIC MEDICAL ISOTOPE PRODUCTION.**

2 (a) *IN GENERAL.*—Chapter 10 of the Atomic Energy
3 Act of 1954 (42 U.S.C. 2131 et seq.) is amended by adding
4 at the end the following:

5 “SEC. 112. DOMESTIC MEDICAL ISOTOPE PRODUC-
6 TION.—

7 “a. *The Commission may issue a license, or grant an*
8 *amendment to an existing license, for the use in the United*
9 *States of highly enriched uranium as a target for medical*
10 *isotope production in a nuclear reactor, only if, in addition*
11 *to any other requirement of this Act—*

12 “(1) *the Commission determines that—*

13 “(A) *there is no alternative medical isotope*
14 *production target, enriched in the isotope U-235*
15 *to less than 20 percent, that can be used in that*
16 *reactor; and*

17 “(B) *the proposed recipient of the medical*
18 *isotope production target has provided assur-*
19 *ances that, whenever an alternative medical iso-*
20 *tope production target can be used in that reac-*
21 *tor, it will use that alternative in lieu of highly*
22 *enriched uranium; and*

23 “(2) *the Secretary of Energy has certified that*
24 *the United States Government is actively supporting*
25 *the development of an alternative medical isotope pro-*
26 *duction target that can be used in that reactor.*

1 *“b. As used in this section—*

2 *“(1) the term ‘alternative medical isotope pro-*
3 *duction target’ means a nuclear reactor target which*
4 *is enriched to less than 20 percent of the isotope U-*
5 *235;*

6 *“(2) a target ‘can be used’ in a nuclear research*
7 *or test reactor if—*

8 *“(A) the target has been qualified by the Re-*
9 *duced Enrichment Research and Test Reactor*
10 *Program of the Department of Energy; and*

11 *“(B) use of the target will permit the large*
12 *majority of ongoing and planned experiments*
13 *and medical isotope production to be conducted*
14 *in the reactor without a large percentage in-*
15 *crease in the total cost of operating the reactor;*

16 *“(3) the term ‘highly enriched uranium’ means*
17 *uranium enriched to 20 percent or more in the iso-*
18 *tope U-235; and*

19 *“(4) the term ‘medical isotope’ includes molyb-*
20 *denum-99, iodine-131, xenon-133, and other radio-*
21 *active materials used to produce a radiopharma-*
22 *ceutical for diagnostic or therapeutic procedures or*
23 *for research and development.”.*

24 *(b) TABLE OF CONTENTS.—The table of contents for*
25 *the Atomic Energy Act of 1954 is amended by inserting*

1 *the following new item at the end of the items relating to*
2 *chapter 10 of title I:*

“Sec. 112. Domestic medical isotope production.”.

3 **SEC. 3157. ANNUAL DEPARTMENT REPORTS.**

4 (a) *IN GENERAL.*—*Not later than 1 year after the date*
5 *of enactment of this Act, and annually thereafter for 5*
6 *years, the Secretary shall report to Congress on Department*
7 *actions to support the production in the United States,*
8 *without the use of highly enriched uranium, of molyb-*
9 *denum-99 for medical uses.*

10 (b) *CONTENTS.*—*The reports shall include the fol-*
11 *lowing:*

12 (1) *For medical isotope development projects—*

13 (A) *the names of any recipients of Depart-*
14 *ment support under section 3143;*

15 (B) *the amount of Department funding*
16 *committed to each project;*

17 (C) *the milestones expected to be reached for*
18 *each project during the year for which support*
19 *is provided;*

20 (D) *how each project is expected to support*
21 *the increased production of molybdenum-99 for*
22 *medical uses;*

23 (E) *the findings of the evaluation of projects*
24 *under section 3143(a)(2); and*

1 (F) *the ultimate use of any Department*
2 *funds used to support projects under section*
3 *3143.*

4 (2) *A description of actions taken in the previous*
5 *year by the Secretary to ensure the safe disposition of*
6 *spent nuclear fuel and radioactive waste for which the*
7 *Department is responsible under section 3143(c).*

8 **SEC. 3158. NATIONAL ACADEMY OF SCIENCES REPORT.**

9 (a) *IN GENERAL.—The Secretary shall enter into an*
10 *arrangement with the National Academy of Sciences to con-*
11 *duct a study of the state of molybdenum-99 production and*
12 *utilization, to be provided to Congress not later than 5*
13 *years after the date of enactment of this Act.*

14 (b) *CONTENTS.—The report shall include the following:*

15 (1) *For molybdenum-99 production—*

16 (A) *a list of all facilities in the world pro-*
17 *ducing molybdenum-99 for medical uses, includ-*
18 *ing an indication of whether these facilities use*
19 *highly enriched uranium in any way;*

20 (B) *a review of international production of*
21 *molybdenum-99 over the previous 5 years, in-*
22 *cluding—*

23 (i) *whether any new production was*
24 *brought online;*

1 (ii) whether any facilities halted pro-
2 duction unexpectedly; and

3 (iii) whether any facilities used for
4 production were decommissioned or other-
5 wise permanently removed from service; and

6 (C) an assessment of progress made in the
7 previous 5 years toward establishing domestic
8 production of molybdenum-99 for medical uses,
9 including the extent to which other medical iso-
10 topes that have been produced with molybdenum-
11 99, such as iodine-131 and xenon-133, are being
12 used for medical purposes.

13 (2) An assessment of the progress made by the
14 Department and others to eliminate all worldwide use
15 of highly enriched uranium in reactor fuel, reactor
16 targets, and medical isotope production facilities.

17 **SEC. 3159. REPEAL.**

18 *The Nuclear Safety Research, Development, and Dem-*
19 *onstration Act of 1980 (42 U.S.C. 9701 et seq.) is repealed.*

Subtitle F—Other Matters

1 **Subtitle F—Other Matters**
2 **SEC. 3161. CONGRESSIONAL ADVISORY PANEL ON THE GOV-**
3 **ERNANCE STRUCTURE OF THE NATIONAL NU-**
4 **CLEAR SECURITY ADMINISTRATION AND ITS**
5 **RELATIONSHIP TO OTHER FEDERAL AGEN-**
6 **CIES.**

7 (a) *ESTABLISHMENT.*—*There is established a congres-*
8 *sional advisory panel (in this section referred to as the “ad-*
9 *visory panel”)* to assess the feasibility and advisability of,
10 *and make recommendations with respect to, revising the*
11 *governance structure of the National Nuclear Security Ad-*
12 *ministration (in this section referred to as the “Administra-*
13 *tion”)* to permit the Administration to operate more effec-
14 *tively.*

15 (b) *COMPOSITION.*—

16 (1) *MEMBERSHIP.*—*The advisory panel shall be*
17 *composed of 12 members appointed as follows:*

18 (A) *Three by the Speaker of the House of*
19 *Representatives.*

20 (B) *Three by the Minority Leader of the*
21 *House of Representatives.*

22 (C) *Three by the Majority Leader of the*
23 *Senate.*

24 (D) *Three by the Minority Leader of the*
25 *Senate.*

1 (2) *CHAIRMAN; VICE CHAIRMAN.*—

2 (A) *CHAIRMAN.*—*The Speaker of the House*
3 *of Representatives and the Majority Leader of*
4 *the Senate shall jointly designate one member of*
5 *the advisory panel to serve as chairman of the*
6 *advisory panel.*

7 (B) *VICE CHAIRMAN.*—*The Minority Leader*
8 *of the House of Representatives and the Minority*
9 *Leader of the Senate shall jointly designate one*
10 *member of the advisory panel to serve as vice*
11 *chairman of the advisory panel.*

12 (3) *PERIOD OF APPOINTMENT; VACANCIES.*—
13 *Each member of the advisory panel shall be appointed*
14 *for a term of one year and may be reappointed for*
15 *an additional period lasting until the termination of*
16 *the advisory panel in accordance with subsection (f).*
17 *Any vacancy in the advisory panel shall be filled in*
18 *the same manner as the original appointment.*

19 (c) *COOPERATION FROM FEDERAL AGENCIES.*—

20 (1) *COOPERATION.*—*The advisory panel shall re-*
21 *ceive the full and timely cooperation of the Secretary*
22 *of Defense, the Secretary of Energy, and any other*
23 *Federal official in providing the advisory panel with*
24 *analyses, briefings, and other information necessary*

1 *for the advisory panel to carry out its duties under*
2 *this section.*

3 (2) *ACCESS TO INFORMATION.*—*Members of the*
4 *advisory panel shall have access to all information,*
5 *including classified information, necessary to carry*
6 *out the duties of the advisory panel under this sec-*
7 *tion. The security clearance process shall be expedited*
8 *for members and staff of the advisory panel to the ex-*
9 *tent necessary to permit the advisory panel to carry*
10 *out its duties under this section.*

11 (3) *LIAISON.*—*The Secretary of Defense, the Sec-*
12 *retary of State, and the Secretary of Energy shall*
13 *each designate at least one officer or employee of the*
14 *Department of Defense, Department of State, and the*
15 *Department of Energy, respectively, to serve as a liai-*
16 *son officer between the department and the advisory*
17 *panel.*

18 (d) *REPORT REQUIRED.*—*Not later than 120 days*
19 *after the date that each of the members of the advisory panel*
20 *has been appointed, the advisory panel shall submit to the*
21 *President, the Secretary of Defense, the Secretary of Energy,*
22 *the Committee on Armed Services of the Senate, and the*
23 *Committee on Armed Services of the House of Representa-*
24 *tives an interim report on the feasibility and advisability*
25 *of revising the governance structure of the Administration*

1 *to permit the Administration to operate more effectively,*
2 *to be followed by a final report prior to the termination*
3 *of the advisory panel in accordance with subsection (f). The*
4 *reports shall include the following:*

5 (1) *Recommendations with respect to the fol-*
6 *lowing:*

7 (A) *The organization and structure of the*
8 *Administration, including the roles, responsibil-*
9 *ities, and authorities of the Administration and*
10 *mechanisms for holding the Administration ac-*
11 *countable.*

12 (B) *The allocation of roles and responsibil-*
13 *ities with respect to the safety and security of the*
14 *nuclear weapons complex.*

15 (C) *The relationship of the Administration*
16 *to the National Security Council, the Nuclear*
17 *Weapons Council, the Department of Energy, the*
18 *Department of Defense, and other Federal agen-*
19 *cies, as well as the national security laboratories,*
20 *as appropriate.*

21 (D) *The role of the Administration in the*
22 *interagency process for planning, programming,*
23 *and budgeting with respect to the nuclear weap-*
24 *ons complex.*

1 (E) *Legislative changes necessary for revis-*
2 *ing the governance structure of the Administra-*
3 *tion.*

4 (F) *The appropriate structure for oversight*
5 *of the Administration by congressional commit-*
6 *tees.*

7 (G) *The length of the term of the Adminis-*
8 *trator for Nuclear Security.*

9 (H) *The authority of the Administrator to*
10 *appoint senior members of the Administrator's*
11 *staff.*

12 (I) *Whether the nonproliferation activities*
13 *of the Administration on the day before the date*
14 *of the enactment of this Act should remain with*
15 *the Administration or be transferred to another*
16 *agency.*

17 (J) *Infrastructure, rules, and standards*
18 *that will better protect the safety and health of*
19 *nuclear workers, while also permitting those*
20 *workers the appropriate freedom to efficiently*
21 *and safely carry out their mission.*

22 (K) *Legislative or regulatory changes re-*
23 *quired to improve contracting best practices in*
24 *order to reduce the cost of programs without*
25 *eroding mission requirements.*

1 (L) *Whether the Administration should op-*
2 *erate more independently of the Department of*
3 *Energy while reporting to the President through*
4 *Secretary of Energy.*

5 (2) *An assessment of how revisions to the govern-*
6 *ance structure of the Administration will lead to a*
7 *more mission-focused management structure capable*
8 *of keeping programs on schedule and within cost esti-*
9 *mates.*

10 (3) *An assessment of the disadvantages and bene-*
11 *fits of each organizational structure for the Adminis-*
12 *tration considered by the advisory panel.*

13 (4) *An assessment of how the national security*
14 *laboratories can expand basic science in support of*
15 *ancillary national security missions in a manner*
16 *that mutually reinforces the stockpile stewardship*
17 *mission of the Administration and encourages the re-*
18 *tenition of top performers.*

19 (5) *An assessment of how to better retain and re-*
20 *cruit personnel, including recommendations for cre-*
21 *ating an improved professional culture that empha-*
22 *sizes the scientific, engineering, and national security*
23 *objectives of the United States.*

24 (6) *Any other information or recommendations*
25 *relating to revising the governance structure of the*

1 *Administration that the advisory panel considers ap-*
 2 *propriate.*

3 *(e) FUNDING.—Of the amounts authorized to be appro-*
 4 *priated for fiscal year 2013 and made available to the De-*
 5 *partment of Defense pursuant to this Act, not more than*
 6 *\$1,000,000 shall be made available to the advisory panel*
 7 *to carry out this section.*

8 *(f) SUNSET.—The advisory panel established by sub-*
 9 *section (a) of this section shall be terminated on the date*
 10 *that is 365 days after the date that each of the twelve mem-*
 11 *bers of the advisory panel has first been appointed.*

12 **TITLE XXXII—DEFENSE NU-**
 13 **CLEAR FACILITIES SAFETY**
 14 **BOARD**

15 **SEC. 3201. AUTHORIZATION.**

16 *There are authorized to be appropriated for fiscal year*
 17 *2013, \$29,415,000 for the operation of the Defense Nuclear*
 18 *Facilities Safety Board under chapter 21 of the Atomic En-*
 19 *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

20 **TITLE XXXV—MARITIME**
 21 **ADMINISTRATION**

22 **SEC. 3501. SHORT TITLE.**

23 *This title may be cited as the “Maritime Administra-*
 24 *tion Authorization Act for Fiscal Year 2013”.*

1 **SEC. 3502. CONTAINER-ON-BARGE TRANSPORTATION.**

2 (a) *ASSESSMENT.*—*The Administrator of the Maritime*
3 *Administration shall assess the potential for using con-*
4 *tainer-on-barge transportation in short sea transportation*
5 *(as such term is defined in section 55605 of title 46, United*
6 *States Code).*

7 (b) *FACTORS.*—*In conducting the assessment under*
8 *subsection (a), the Administrator shall consider—*

9 (1) *the environmental benefits of increasing con-*
10 *tainer-on-barge movements in short sea transpor-*
11 *tation;*

12 (2) *the regional differences in the use of short sea*
13 *transportation;*

14 (3) *the existing programs established at coastal*
15 *and Great Lakes ports for establishing awareness of*
16 *deep sea shipping operations;*

17 (4) *the mechanisms necessary to ensure that im-*
18 *plementation of a plan under subsection (c) will not*
19 *be inconsistent with antitrust laws; and*

20 (5) *the potential frequency of container-on-barge*
21 *service at short sea transportation ports.*

22 (c) *RECOMMENDATIONS.*—*The assessment under sub-*
23 *section (a) may include recommendations for a plan to in-*
24 *crease awareness of the potential for use of container-on-*
25 *barge transportation.*

1 (d) *DEADLINE.*—Not later than 180 days after the date
2 of enactment of this title, the Administrator shall submit
3 the assessment required under this section to the Committee
4 on Commerce, Science, and Transportation of the Senate
5 and the Committee on Transportation and Infrastructure
6 of the House of Representatives.

7 **SEC. 3503. SHORT SEA TRANSPORTATION.**

8 (a) *PURPOSE.*—Section 55601 of title 46, United
9 States Code, is amended—

10 (1) in subsection (a), by striking “landside con-
11 gestion.” and inserting “landside congestion or to
12 promote short sea transportation.”;

13 (2) in subsection (c), by striking “coastal cor-
14 ridors” and inserting “coastal corridors or to promote
15 short sea transportation”;

16 (3) in subsection (d), by striking “that the
17 project may” and all that follows through the end of
18 the subsection and inserting “that the project uses
19 documented vessels and—

20 “*(1) mitigates landside congestion; or*

21 “*(2) promotes short sea transportation.*”; and

22 (4) in subsection (f), by striking “shall” each
23 place it appears and inserting “may”.

24 (b) *DOCUMENTATION.*—Section 55605 of title 46,
25 United States Code, is amended in the matter preceding

1 *paragraph (1) by striking “by vessel” and inserting “by*
2 *a documented vessel”.*

3 **SEC. 3504. MARITIME ENVIRONMENTAL AND TECHNICAL AS-**
4 **SISTANCE.**

5 *(a) IN GENERAL.—Chapter 503 of title 46, United*
6 *States Code, is amended by adding at the end the following:*

7 **“§50307. Maritime environmental and technical as-**
8 **sistance**

9 *“(a) IN GENERAL.—The Secretary of Transportation*
10 *may engage in the environmental study, research, develop-*
11 *ment, assessment, and deployment of emerging marine tech-*
12 *nologies and practices related to the marine transportation*
13 *system through the use of public vessels under the control*
14 *of the Maritime Administration or private vessels under*
15 *United States registry, and through partnerships and coop-*
16 *erative efforts with academic, public, private, and non-gov-*
17 *ernmental entities and facilities.*

18 *“(b) REQUIREMENTS.—The Secretary of Transpor-*
19 *tation may—*

20 *“(1) identify, study, evaluate, test, demonstrate,*
21 *or improve emerging marine technologies and prac-*
22 *tices that are likely to achieve environmental im-*
23 *provements by—*

24 *“(A) reducing air emissions, water emis-*
25 *sions, or other ship discharges;*

1 “(B) increasing fuel economy or the use of
2 alternative fuels and alternative energy (includ-
3 ing the use of shore power); or

4 “(C) controlling aquatic invasive species;
5 and

6 “(2) coordinate with the Environmental Protec-
7 tion Agency, the United States Coast Guard, and
8 other Federal, State, local, or tribal agencies, as ap-
9 propriate.

10 “(c) COORDINATION.—Coordination under subsection
11 (b)(2) may include—

12 “(1) activities that are associated with the devel-
13 opment or approval of validation and testing regimes;
14 and

15 “(2) certification or validation of emerging tech-
16 nologies or practices that demonstrate significant en-
17 vironmental benefits.

18 “(d) ASSISTANCE.—The Secretary of Transportation
19 may accept gifts, or enter into cooperative agreements, con-
20 tracts, or other agreements with academic, public, private,
21 and non-governmental entities to carry out the activities
22 authorized under subsection (a).”.

23 (b) CONFORMING AMENDMENT.—The table of contents
24 for chapter 503 of title 46, United States Code, is amended

1 *by inserting after the item relating to section 50306 the fol-*
 2 *lowing:*

“50307. Maritime environmental and technical assistance.”.

3 **SEC. 3505. IDENTIFICATION OF ACTIONS TO ENABLE QUALI-**
 4 **FIED UNITED STATES FLAG CAPACITY TO**
 5 **MEET NATIONAL DEFENSE REQUIREMENTS.**

6 *Section 501(b) of title 46, United States Code, is*
 7 *amended—*

8 *(1) by striking “When the head” and inserting*
 9 *the following:*

10 *“(1) IN GENERAL.—When the head”; and*

11 *(2) by adding at the end the following:*

12 *“(2) DETERMINATIONS.—The Maritime Admin-*
 13 *istrator shall—*

14 *“(A) for each determination referred to in*
 15 *paragraph (1), identify any actions that could be*
 16 *taken to enable qualified United States flag ca-*
 17 *capacity to meet national defense requirements;*

18 *“(B) provide notice of each such determina-*
 19 *tion to the Secretary of Transportation and the*
 20 *head of the agency referred to in paragraph (1)*
 21 *for which the determination is made; and*

22 *“(C) publish each such determination on the*
 23 *Internet Web site of the Department of Transpor-*
 24 *tation not later than 48 hours after notice of the*

1 *determination is provided to the Secretary of*
2 *Transportation.*

3 “(3) *NOTICE TO CONGRESS.*—

4 “(A) *IN GENERAL.*—*The head of an agency*
5 *referred to in paragraph (1) shall notify the*
6 *Committee on Transportation and Infrastructure*
7 *of the House of Representatives and the Com-*
8 *mittee on Commerce, Science, and Transpor-*
9 *tation of the Senate—*

10 “(i) *of any request for a waiver of the*
11 *navigation or vessel-inspection laws under*
12 *this section not later than 48 hours after re-*
13 *ceiving such a request; and*

14 “(ii) *of the issuance of any such waiver*
15 *not later than 48 hours after such issuance.*

16 “(B) *CONTENTS.*—*Such head of an agency*
17 *shall include in each notification under subpara-*
18 *graph (A)(ii) an explanation of—*

19 “(i) *the reasons the waiver is nec-*
20 *essary; and*

21 “(ii) *the reasons actions referred to in*
22 *paragraph (2)(A) are not feasible.”.*

1 **SEC. 3506. MARITIME WORKFORCE STUDY.**

2 (a) *TRAINING STUDY.*—*The Comptroller General of the*
3 *United States shall conduct a study on the training needs*
4 *of the maritime workforce.*

5 (b) *STUDY COMPONENTS.*—*The study shall—*

6 (1) *analyze the impact of maritime training re-*
7 *quirements imposed by domestic and international*
8 *regulations and conventions, companies, and govern-*
9 *ment agencies that charter or operate vessels;*

10 (2) *evaluate the ability of the United States mar-*
11 *itime training infrastructure to meet the needs of the*
12 *maritime industry;*

13 (3) *identify trends in maritime training;*

14 (4) *compare the training needs of United States*
15 *mariners with the vocational training and edu-*
16 *cational assistance programs available from Federal*
17 *agencies to evaluate the ability of Federal programs*
18 *to meet the training needs of United States mariners;*

19 (5) *include recommendations to enhance the ca-*
20 *pabilities of the United States maritime training in-*
21 *frastructure; and*

22 (6) *include recommendations to assist United*
23 *States mariners and those entering the maritime pro-*
24 *fession to achieve the required training.*

25 (c) *FINAL REPORT.*—*Not later than 1 year after the*
26 *date of enactment of this title, the Comptroller General shall*

1 *submit a report on the results of the study to the Committee*
2 *on Commerce, Science, and Transportation of the Senate*
3 *and the Committee on Transportation and Infrastructure*
4 *of the House of Representatives.*

5 **SEC. 3507. MARITIME ADMINISTRATION VESSEL RECYCLING**
6 **CONTRACT AWARD PRACTICES.**

7 (a) *IN GENERAL.*—*Not later than 12 months after the*
8 *date of enactment of this title, the Comptroller General of*
9 *the Government Accountability Office shall conduct an as-*
10 *essment of the source selection procedures and practices*
11 *used to award the Maritime Administration’s National De-*
12 *fense Reserve Fleet vessel recycling contracts. The Comp-*
13 *troller General shall assess the process, procedures, and*
14 *practices used for the Maritime Administration’s qualifica-*
15 *tion of vessel recycling facilities. The Comptroller General*
16 *shall report the findings to the Committee on Commerce,*
17 *Science, and Transportation and the Committee on Armed*
18 *Services of the Senate, and the Committee on Transpor-*
19 *tation and Infrastructure and the Committee on Armed*
20 *Services of the House of Representatives.*

21 (b) *ASSESSMENT.*—*The assessment under subsection*
22 *(a) shall include a review of whether the Maritime Adminis-*
23 *tration’s contract source selection procedures and practices*
24 *are consistent with law, the Federal Acquisition Regula-*

1 tions (*FAR*), and Federal best practices associated with
2 making source selection decisions.

3 (c) *CONSIDERATIONS.*—In making the assessment
4 under subsection (a), the Comptroller General may consider
5 any other aspect of the Maritime Administration’s vessel
6 recycling process that the Comptroller General deems ap-
7 propriate to review.

8 **SEC. 3508. REQUIREMENT FOR BARGE DESIGN.**

9 Not later than 270 days after the date of enactment
10 of this title, the Administrator of the Maritime Administra-
11 tion shall complete the design for a containerized, articu-
12 lated barge, as identified in the dual-use vessel study car-
13 ried out by the Administrator and the Secretary of Defense,
14 that is able to utilize roll-on/roll-off or load-on/load-off tech-
15 nology in marine highway maritime commerce.

16 **SEC. 3509. ELIGIBILITY TO RECEIVE SURPLUS TRAINING**
17 **EQUIPMENT.**

18 Section 51103(b)(2)(C) of title 46, United States Code,
19 is amended by inserting “or a training institution that is
20 an instrumentality of a State, Territory, or Commonwealth
21 of the United States or District of Columbia or a unit of
22 local government thereof” after “a non-profit training insti-
23 tution”.

1 ***DIVISION D—FUNDING TABLES***

2 ***SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-***
3 ***BLES.***

4 *(a) IN GENERAL.—Whenever a funding table in this*
5 *division specifies a dollar amount authorized for a project,*
6 *program, or activity, the obligation and expenditure of the*
7 *specified dollar amount for the project, program, or activity*
8 *is hereby authorized, subject to the availability of appro-*
9 *priations.*

10 *(b) MERIT-BASED DECISIONS.—Decisions by agency*
11 *heads to commit, obligate, or expend funds with or to a*
12 *specific entity on the basis of a dollar amount authorized*
13 *pursuant to subsection (a) shall be based on authorized,*
14 *transparent, statutory criteria, or merit-based selection pro-*
15 *cedures in accordance with the requirements of sections*
16 *2304(k) and 2374 of title 10, United States Code, and other*
17 *applicable provisions of law.*

18 *(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING*
19 *AUTHORITY.—An amount specified in the funding tables in*
20 *this division may be transferred or reprogrammed under*
21 *a transfer or reprogramming authority provided by another*
22 *provision of this Act or by other law. The transfer or re-*
23 *programming of an amount specified in such funding tables*
24 *shall not count against a ceiling on such transfers or*
25 *reprogrammings under section 1001 of this Act or any other*

1 *provision of law, unless such transfer or reprogramming*
2 *would move funds between appropriation accounts.*

3 (d) *ORAL AND WRITTEN COMMUNICATIONS.—No oral*
4 *or written communication concerning any amount specified*
5 *in the funding tables in this division shall supercede the*
6 *requirements of this section.*

1 **TITLE XLI—PROCUREMENT**2 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT <i>(In Thousands of Dollars)</i>			
Line	Item	FY 2013 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
001	UTILITY F/W AIRCRAFT	18,639	18,639
002	C-12 CARGO AIRPLANE	0	0
003	MQ-1 UAV	518,088	518,088
004	RQ-11 (RAVEN)	25,798	25,798
005	BCT UNMANNED AERIAL VEH (UAVS) INCR 1	0	0
ROTARY			
006	HELICOPTER, LIGHT UTILITY (LUH)	271,983	271,983
007	AH-64 APACHE BLOCK IIIA REMAN	577,115	577,115
008	ADVANCE PROCUREMENT (CY)	107,707	107,707
009	AH-64 APACHE BLOCK IIIB NEW BUILD	153,993	153,993
010	ADVANCE PROCUREMENT (CY)	146,121	146,121
011	AH-64 BLOCK II/WRA	0	0
012	KIOWA WARRIOR (OH-58F) WRA	0	0
013	UH-60 BLACKHAWK M MODEL (MYP)	1,107,087	1,107,087
014	ADVANCE PROCUREMENT (CY)	115,113	115,113
015	CH-47 HELICOPTER	1,076,036	1,076,036
016	ADVANCE PROCUREMENT (CY)	83,346	83,346
MODIFICATION OF AIRCRAFT			
017	C12 AIRCRAFT MODS	0	0
018	MQ-1 PAYLOAD—UAS	231,508	231,508
019	MQ-1 WEAPONIZATION—UAS	0	0
020	GUARDRAIL MODS (MIP)	16,272	16,272
021	MULTI SENSOR ABN RECON (MIP)	4,294	4,294
022	AH-64 MODS	178,805	178,805
023	CH-47 CARGO HELICOPTER MODS (MYP)	39,135	39,135
024	UTILITY/CARGO AIRPLANE MODS	24,842	24,842
025	AIRCRAFT LONG RANGE MODS	0	0
026	UTILITY HELICOPTER MODS	73,804	73,804
027	KIOWA WARRIOR MODS	192,484	192,484
028	AIRBORNE AVIONICS	0	0
029	NETWORK AND MISSION PLAN	190,789	190,789
030	COMMS, NAV SURVEILLANCE	133,191	89,191
	JTRS integration delayed		[-44,000]
031	GATM ROLLUP	87,280	87,280
032	RQ-7 UAV MODS	104,339	104,339
SPARES AND REPAIR PARTS			
033	SPARE PARTS (AIR)	0	0
GROUND SUPPORT AVIONICS			
034	AIRCRAFT SURVIVABILITY EQUIPMENT	34,037	34,037
035	SURVIVABILITY CM	0	0
036	CMWS	127,751	127,751
OTHER SUPPORT			
037	AVIONICS SUPPORT EQUIPMENT	4,886	4,886
038	COMMON GROUND EQUIPMENT	82,511	82,511
039	AIRCREW INTEGRATED SYSTEMS	77,381	77,381
040	AIR TRAFFIC CONTROL	47,235	47,235
041	INDUSTRIAL FACILITIES	1,643	1,643
042	LAUNCHER, 2.75 ROCKET	516	516
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	5,853,729	5,809,729
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
001	PATRIOT SYSTEM SUMMARY	646,590	646,590
002	MSE MISSILE	12,850	12,850
003	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY	0	0
004	HELLFIRE SYS SUMMARY	1,401	1,401
005	JAVELIN (AAWS-M) SYSTEM SUMMARY	81,121	81,121
006	TOW 2 SYSTEM SUMMARY	64,712	64,712
007	ADVANCE PROCUREMENT (CY)	19,931	19,931
008	GUIDED MLRS ROCKET (GMLRS)	218,679	218,679
009	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,767	18,767
010	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	12,051	12,051
011	PATRIOT MODS	199,565	199,565
012	ITAS/TOW MODS	0	0
013	MLRS MODS	2,466	2,466
014	HIMARS MODIFICATIONS	6,068	6,068
015	HELLFIRE MODIFICATIONS	0	0
016	SPARES AND REPAIR PARTS	7,864	7,864
017	AIR DEFENSE TARGETS	3,864	3,864

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
018	ITEMS LESS THAN \$5 MILLION (MISSILES)	1,560	1,560
019	PRODUCTION BASE SUPPORT	5,200	5,200
	TOTAL, MISSILE PROCUREMENT, ARMY	1,302,689	1,302,689
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	286,818	286,818
002	FCS SPIN OUTS	0	0
	MODIFICATION OF TRACKED COMBAT VEHICLES		
003	STRYKER (MOD)	60,881	60,881
004	F1ST VEHICLE (MOD)	57,257	57,257
005	BRADLEY PROGRAM (MOD)	148,193	148,193
006	HOWITZER, MED SP FT 155MM M109A6 (MOD)	10,341	10,341
007	PALADIN P1M MOD IN SERVICE	206,101	206,101
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	107,909	230,909
	Increased production		[123,000]
009	ASSAULT BREACHER VEHICLE	50,039	50,039
010	M88 FOV MODS	29,930	29,930
011	M1 ABRAMS TANK (MOD)	129,090	129,090
012	ABRAMS UPGRADE PROGRAM	74,433	74,433
012A	ADVANCE PROCUREMENT (CY)		91,000
	Advanced procurement Abrams upgrade program		[91,000]
	SUPPORT EQUIPMENT & FACILITIES		
013	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,145	1,145
	WEAPONS & OTHER COMBAT VEHICLES		
014	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	506	506
015	M240 MEDIUM MACHINE GUN (7.62MM)	0	0
016	MACHINE GUN, CAL .50 M2 ROLL	0	0
017	LIGHTWEIGHT .50 CALIBER MACHINE GUN	25,183	0
	Program termination		[-25,183]
018	MK-19 GRENADE MACHINE GUN (40MM)	0	0
019	MORTAR SYSTEMS	8,104	8,104
020	M107, CAL. 50, SNIPER RIFLE	0	0
021	XM320 GRENADE LAUNCHER MODULE (GLM)	14,096	14,096
022	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	0	0
023	M4 CARBINE	0	0
024	CARBINE	21,272	21,272
025	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,598	6,598
026	COMMON REMOTELY OPERATED WEAPONS STATION	56,725	56,725
027	HOWITZER LT WT 155MM (T)	13,827	13,827
	MOD OF WEAPONS AND OTHER COMBAT VEH		
028	MK-19 GRENADE MACHINE GUN MODS	0	0
029	M777 MODS	26,843	26,843
030	M4 CARBINE MODS	27,243	27,243
031	M2 50 CAL MACHINE GUN MODS	39,974	39,974
032	M249 SAW MACHINE GUN MODS	4,996	4,996
033	M240 MEDIUM MACHINE GUN MODS	6,806	6,806
034	SNIPER RIFLES MODIFICATIONS	14,113	14,113
035	M119 MODIFICATIONS	20,727	20,727
036	M16 RIFLE MODS	3,306	3,306
037	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	3,072	3,072
	SUPPORT EQUIPMENT & FACILITIES		
038	ITEMS LESS THAN \$5 MILLION (WOCV-WTCV)	2,026	2,026
039	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,115	10,115
040	INDUSTRIAL PREPAREDNESS	442	442
	SUPPORT EQUIPMENT & FACILITIES		
041	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,378	2,378
	SPARES		
042	SPARES AND REPAIR PARTS (WTCV)	31,217	31,217
	TOTAL, PROCUREMENT OF W&TCV, ARMY	1,501,706	1,690,523
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	158,313	158,313
002	CTG, 7.62MM, ALL TYPES	91,438	91,438
003	CTG, HANDGUN, ALL TYPES	8,954	8,954
004	CTG, .50 CAL, ALL TYPES	109,604	109,604
005	CTG, 20MM, ALL TYPES	4,041	4,041
006	CTG, 25MM, ALL TYPES	12,654	12,654
007	CTG, 30MM, ALL TYPES	72,154	35,154
	Decrease for excess		[-37,000]
008	CTG, 40MM, ALL TYPES	60,138	0
	Decrease for excess		[-60,138]
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	44,375	44,375
010	81MM MORTAR, ALL TYPES	27,471	27,471
011	120MM MORTAR, ALL TYPES	87,811	87,811
	TANK AMMUNITION		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	112,380	112,380
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	50,861	50,861
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	26,227	26,227
015	PROJ 155MM EXTENDED RANGE XM982	110,329	55,329
	Ereclibar 1-b round schedule delay		[-55,000]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	43,924	43,924
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES	3,775	3,775
	NETWORKED MUNITIONS		
018	SPIDER NETWORK MUNITIONS, ALL TYPES	17,408	3,108
	Program decrease		[-14,300]
	ROCKETS		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	1,005	1,005
020	ROCKET, HYDRA 70, ALL TYPES	123,433	123,433
	OTHER AMMUNITION		
021	DEMOLITION MUNITIONS, ALL TYPES	35,189	35,189
022	GRENADERS, ALL TYPES	33,477	33,477
023	SIGNALS, ALL TYPES	9,991	9,991
024	SIMULATORS, ALL TYPES	10,388	10,388
	MISCELLANEOUS		
025	AMMO COMPONENTS, ALL TYPES	19,383	19,383
026	NON-LETHAL AMMUNITION, ALL TYPES	7,336	7,336
027	CAD/PAD ALL TYPES	6,641	6,641
028	ITEMS LESS THAN \$5 MILLION	15,092	15,092
029	AMMUNITION PECULIAR EQUIPMENT	15,692	15,692
030	FIRST DESTINATION TRANSPORTATION (AMMO)	14,107	14,107
031	CLOSEOUT LIABILITIES	106	106
	PRODUCTION BASE SUPPORT		
032	PROVISION OF INDUSTRIAL FACILITIES	220,171	220,171
033	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	182,461	182,461
034	ARMS INITIATIVE	3,377	3,377
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	1,739,706	1,573,268
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	SEMITRAILERS, FLATBED	7,097	7,097
002	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	346,115	396,115
	Program increase for USAR		[50,000]
003	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	19,292	19,292
004	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	52,933	52,933
005	PLS ESP	18,035	18,035
006	ARMORED SECURITY VEHICLES (ASV)	0	0
007	MINE PROTECTION VEHICLE FAMILY	0	0
008	FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP)	0	0
009	TRUCK, TRACTOR, LINE HAUL, M915/M916	3,619	3,619
010	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	26,859	26,859
011	HMMWV RECAPITALIZATION PROGRAM	0	0
012	TACTICAL WHEELED VEHICLE PROTECTION KITS	69,163	69,163
013	MODIFICATION OF IN SVC EQUIP	91,754	91,754
014	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	0	0
015	TOWING DEVICE-FIFTH WHEEL	0	0
016	AMC CRITICAL ITEMS, OPA1	0	0
	NON-TACTICAL VEHICLES		
017	HEAVY ARMORED SEDAN	0	0
018	PASSENGER CARRYING VEHICLES	2,548	2,548
019	NONTACTICAL VEHICLES, OTHER	16,791	16,791
	COMM—JOINT COMMUNICATIONS		
020	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	10,061	10,061
021	WIN-T—GROUND FORCES TACTICAL NETWORK	892,635	892,635
022	SIGNAL MODERNIZATION PROGRAM	45,626	45,626
023	JCSE EQUIPMENT (USREDCOM)	5,143	5,143
	COMM—SATELLITE COMMUNICATIONS		
024	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	151,636	151,636
025	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	6,822	6,822
026	SHF TERM	9,108	9,108
027	SAT TERM, EMUT (SPACE)	0	0
028	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	27,353	27,353
029	SMART-T (SPACE)	98,656	98,656
030	SCAMP (SPACE)	0	0
031	GLOBAL BRDCST SVC—GBS	47,131	47,131
032	MOD OF IN-SVC EQUIP (TAC SAT)	23,281	23,281
	COMM—COMBAT SUPPORT COMM		
033	MOD-IN-SERVICE PROFILER	0	0
	COMM—C3 SYSTEM		
034	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	10,848	10,848
	COMM—COMBAT COMMUNICATIONS		
035	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	979	979

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
036	JOINT TACTICAL RADIO SYSTEM	556,250	526,250
	AMF integration ahead of need		[-30,000]
037	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	86,219	86,219
038	RADIO TERMINAL SET, MIDS LVT(2)	7,798	7,798
039	SINCGARS FAMILY	9,001	9,001
040	AMC CRITICAL ITEMS—OPA2	24,601	24,601
041	TRACTOR DESK	7,779	7,779
042	CMMS-ELEC EQUIP FIELDING	0	0
043	SPIDER APLA REMOTE CONTROL UNIT	34,365	13,365
	Funding ahead of need		[-21,000]
044	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,833	1,833
045	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	12,984	12,984
046	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	0	0
047	GUNSHOT DETECTION SYSTEM (GDS)	2,332	2,332
048	RADIO, IMPROVED HF (COTS) FAMILY	1,132	1,132
049	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	22,899	22,899
	COMM—INTELLIGENCE COMM		
051	CI AUTOMATION ARCHITECTURE	1,564	1,564
052	RESERVE CA/MISO GPF EQUIPMENT	28,781	28,781
	INFORMATION SECURITY		
053	TSEC—ARMY KEY MGT SYS (AKMS)	23,432	23,432
054	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	43,897	43,897
055	BIOMETRICS ENTERPRISE	0	0
	COMM—LONG HAUL COMMUNICATIONS		
056	TERRESTRIAL TRANSMISSION	2,891	2,891
057	BASE SUPPORT COMMUNICATIONS	13,872	13,872
058	WW TECH CON IMP PROG (WWTCIP)	9,595	9,595
	COMM—BASE COMMUNICATIONS		
059	INFORMATION SYSTEMS	142,133	142,133
060	DEFENSE MESSAGE SYSTEM (DMS)	0	0
061	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	57,727	57,727
062	PENTAGON INFORMATION MGT AND TELECOM	5,000	5,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
065	JTT/CIBS-M	1,641	1,641
066	PROPHET GROUND	48,797	48,797
067	DIGITAL TOPOGRAPHIC SPT SYS (DTSS)	0	0
068	DRUG INTERDICTION PROGRAM (DIP) (TIARA)	0	0
069	DCGS-A (MIP)	184,007	184,007
070	JOINT TACTICAL GROUND STATION (JTAGS)	2,680	2,680
071	TROJAN (MIP)	21,483	21,483
072	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,412	2,412
073	CI HUMINT AUTO REPRINTING AND COLLECTION	7,077	7,077
074	ITEMS LESS THAN \$5 MILLION (MIP)	0	0
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
075	LIGHTWEIGHT COUNTER MORTAR RADAR	72,594	72,594
076	CREW	15,446	15,446
077	FMLY OF PERSISTENT SURVEILLANCE CAPABILITIES	0	0
078	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,470	1,470
079	CI MODERNIZATION	1,368	1,368
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
080	FAAD GBS	7,980	7,980
081	SENTINEL MODS	33,444	33,444
082	SENSE THROUGH THE WALL (STTW)	6,212	0
	Slow execution of prior years appropriations		[-6,212]
083	NIGHT VISION DEVICES	166,516	166,516
084	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	0	0
085	NIGHT VISION, THERMAL WPN SIGHT	82,162	82,162
086	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	20,717	20,717
087	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)	0	0
088	BASE EXPEDITARY TARGETING AND SURV SYS	0	0
089	GREEN LASER INTERDICTION SYSTEM (GLIS)	1,014	1,014
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	29,881	29,881
091	PROFILER	12,482	12,482
092	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	3,075	3,075
093	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	0	0
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	141,385	141,385
095	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	0	0
096	MOD OF IN-SVC EQUIP (LLDR)	22,403	22,403
097	COMPUTER BALLISTICS: LHMC XM32	0	0
098	MORTAR FIRE CONTROL SYSTEM	29,505	29,505
099	COUNTERFIRE RADARS	244,409	244,409
100	ENHANCED SENSOR & MONITORING SYSTEM (WMD)	2,426	2,426
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
101	TACTICAL OPERATIONS CENTERS	30,196	30,196
102	FIRE SUPPORT C2 FAMILY	58,903	58,903
103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	8,111	8,111
104	FAAD C2	5,031	5,031
105	AIR & MSL DEFENSE PLANNING & CONTROL SYS	64,144	64,144

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
106	KNIGHT FAMILY	11,999	11,999
107	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,853	1,853
108	AUTOMATIC IDENTIFICATION TECHNOLOGY	14,377	14,377
109	TC AIMS II	0	0
110	TACTICAL INTERNET MANAGER	0	0
111	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	59,821	59,821
112	MANEUVER CONTROL SYSTEM (MCS)	51,228	51,228
113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	176,901	176,901
114	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	15,209	15,209
	ELECT EQUIP—AUTOMATION		
115	ARMY TRAINING MODERNIZATION	8,866	8,866
116	AUTOMATED DATA PROCESSING EQUIP	129,438	129,438
117	GENERAL FUND ENTERPRISE BUSINESS SYS FAM	9,184	9,184
118	CSS COMMUNICATIONS	20,639	20,639
119	RESERVE COMPONENT AUTOMATION SYS (RCAS)	35,493	35,493
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
120	ITEMS LESS THAN \$5 MILLION (A/V)	8,467	8,467
121	ITEMS LESS THAN \$5 MILLION	5,309	5,309
	ELECT EQUIP—SUPPORT		
122	PRODUCTION BASE SUPPORT (C-E)	586	586
123	BCT NETWORK	0	0
124	DEFENSE RAPID INNOVATION PROGRAM	0	0
	CLASSIFIED PROGRAMS		
124A	CLASSIFIED PROGRAMS	3,435	3,435
	CHEMICAL DEFENSIVE EQUIPMENT		
125	PROTECTIVE SYSTEMS	0	0
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	3,960	3,960
127	BASE DEFENSE SYSTEMS (BDS)	4,374	4,374
128	CBRN SOLDIER PROTECTION	9,259	9,259
129	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	0	0
	BRIDGING EQUIPMENT		
130	TACTICAL BRIDGING	35,499	35,499
131	TACTICAL BRIDGE, FLOAT-RIBBON	32,893	32,893
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
132	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	0	0
133	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	0	0
134	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	29,106	29,106
135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	25,459	25,459
136	REMOTE DEMOLITION SYSTEMS	8,044	8,044
137	<\$5M, COUNTERMINE EQUIPMENT	3,698	3,698
	COMBAT SERVICE SUPPORT EQUIPMENT		
138	HEATERS AND ECUS	12,210	12,210
139	SOLDIER ENHANCEMENT	6,522	6,522
140	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	11,222	11,222
141	GROUND SOLDIER SYSTEM	103,317	103,317
142	MOUNTED SOLDIER SYSTEM	0	0
143	FORCE PROVIDER	0	0
144	FIELD FEEDING EQUIPMENT	27,417	27,417
145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	52,065	52,065
146	MORTUARY AFFAIRS SYSTEMS	2,358	2,358
147	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	31,573	31,573
148	ITEMS LESS THAN \$5 MILLION	14,093	14,093
	PETROLEUM EQUIPMENT		
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	36,266	36,266
	MEDICAL EQUIPMENT		
150	COMBAT SUPPORT MEDICAL	34,101	34,101
151	MEDEVAC MISSION EQUIPMENT PACKAGE (MEP)	20,540	20,540
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	2,495	2,495
153	ITEMS LESS THAN \$5 MILLION (MAINT EQ)	0	0
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,028	2,028
155	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	0	0
156	SCRAPERS, EARTHMOVING	6,146	6,146
157	MISSION MODULES—ENGINEERING	31,200	31,200
158	COMPACTOR	0	0
159	LOADERS	0	0
160	HYDRAULIC EXCAVATOR	0	0
161	TRACTOR, FULL TRACKED	20,867	20,867
162	ALL TERRAIN CRANES	4,003	4,003
163	PLANT, ASPHALT MIXING	3,679	3,679
164	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	30,042	30,042
165	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPA	13,725	13,725
166	CONST EQUIP ESP	13,351	13,351
167	ITEMS LESS THAN \$5 MILLION (CONST EQUIP)	9,134	9,134
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
168	JOINT HIGH SPEED VESSEL (JHSV)	0	0
169	HARBORMASTER COMMAND AND CONTROL CENTER	0	0

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
170	ITEMS LESS THAN \$5 MILLION (FLOAT/RAIL)	10,552	10,552
	GENERATORS		
171	GENERATORS AND ASSOCIATED EQUIP	60,302	60,302
	MATERIAL HANDLING EQUIPMENT		
172	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	0	0
173	FAMILY OF FORKLIFTS	5,895	5,895
174	ALL TERRAIN LIFTING ARMY SYSTEM	0	0
	TRAINING EQUIPMENT		
175	COMBAT TRAINING CENTERS SUPPORT	104,649	104,649
176	TRAINING DEVICES, NONSYSTEM	125,251	125,251
177	CLOSE COMBAT TACTICAL TRAINER	19,984	19,984
178	AVIATION COMBINED ARMS TACTICAL TRAINER	10,977	10,977
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	4,056	4,056
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
180	CALIBRATION SETS EQUIPMENT	10,494	10,494
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	45,508	45,508
182	TEST EQUIPMENT MODERNIZATION (TEMOD)	24,334	24,334
	OTHER SUPPORT EQUIPMENT		
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	5,078	5,078
184	PHYSICAL SECURITY SYSTEMS (OPA3)	46,301	46,301
185	BASE LEVEL COMMON EQUIPMENT	1,373	1,373
186	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	59,141	59,141
187	PRODUCTION BASE SUPPORT (OTH)	2,446	2,446
188	SPECIAL EQUIPMENT FOR USER TESTING	12,920	12,920
189	AMC CRITICAL ITEMS OPA3	19,180	19,180
190	TRACTOR YARD	7,368	7,368
191	UNMANNED GROUND VEHICLE	83,937	71,937
	<i>Transfer to PE 0604641A at Army request</i>		[-12,000]
192	TRAINING LOGISTICS MANAGEMENT	0	0
	OPA2		
193	INITIAL SPARES—C&E	64,507	64,507
	TOTAL, OTHER PROCUREMENT, ARMY	6,326,245	6,307,033
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	0	0
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	0	0
	FORCE TRAINING		
003	TRAIN THE FORCE	0	0
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	227,414	0
	<i>Transfer to OCO</i>		[-227,414]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	227,414	0
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	EA-18G	1,027,443	1,027,443
002	ADVANCE PROCUREMENT (CY)	0	0
003	FA-18E/F (FIGHTER) HORNET	2,035,131	2,035,131
004	ADVANCE PROCUREMENT (CY)	30,296	90,296
	<i>Retain option for additional FY 14 aircraft</i>		[60,000]
005	JOINT STRIKE FIGHTER CV	1,007,632	1,007,632
006	ADVANCE PROCUREMENT (CY)	65,180	65,180
007	JSPF STOVL	1,404,737	1,404,737
008	ADVANCE PROCUREMENT (CY)	106,199	106,199
009	V-22 (MEDIUM LIFT)	1,303,120	1,303,120
010	ADVANCE PROCUREMENT (CY)	154,202	154,202
011	H-1 UPGRADES (UH-1Y/AH-1Z)	720,933	720,933
012	ADVANCE PROCUREMENT (CY)	69,658	69,658
013	MH-60S (MYP)	384,792	384,792
014	ADVANCE PROCUREMENT (CY)	69,277	69,277
015	MH-60R (MYP)	656,866	656,866
016	ADVANCE PROCUREMENT (CY)	185,896	185,896
017	P-8A POSEIDON	2,420,755	2,420,755
018	ADVANCE PROCUREMENT (CY)	325,679	325,679
019	E-2D ADV HAWKEYE	861,498	861,498
020	ADVANCE PROCUREMENT (CY)	123,179	123,179
	AIRLIFT AIRCRAFT		
021	C-10A	0	0
	TRAINER AIRCRAFT		
022	JPATS	278,884	278,884
	OTHER AIRCRAFT		
023	KC-130J	3,000	3,000
024	ADVANCE PROCUREMENT (CY)	22,995	22,995
025	ADVANCE PROCUREMENT (CY)	51,124	51,124
026	MQ-8 UAV	124,573	124,573
027	STUASLo UAV	9,593	9,593

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
MODIFICATION OF AIRCRAFT			
028	EA-6 SERIES	30,062	30,062
029	AEA SYSTEMS	49,999	49,999
030	AV-8 SERIES	38,703	38,703
031	ADVERSARY	4,289	4,289
032	F-18 SERIES	647,306	647,306
033	H-46 SERIES	2,343	2,343
034	AH-1W SERIES	8,721	8,721
035	H-53 SERIES	45,567	45,567
036	SH-60 SERIES	83,527	83,527
037	H-1 SERIES	6,508	6,508
038	EP-3 SERIES	66,374	66,374
039	P-3 SERIES	148,405	148,405
040	E-2 SERIES	16,322	16,322
041	TRAINER A/C SERIES	34,284	34,284
042	C-2A	4,743	4,743
043	C-130 SERIES	60,302	60,302
044	FEWSG	670	670
045	CARGO/TRANSPORT A/C SERIES	26,311	26,311
046	E-6 SERIES	158,332	158,332
047	EXECUTIVE HELICOPTERS SERIES	58,163	58,163
048	SPECIAL PROJECT AIRCRAFT	12,421	12,421
049	T-45 SERIES	64,488	64,488
050	POWER PLANT CHANGES	21,569	21,569
051	JPATS SERIES	1,552	1,552
052	AVIATION LIFE SUPPORT MODS	2,473	2,473
053	COMMON ECM EQUIPMENT	114,690	114,690
054	COMMON AVIONICS CHANGES	96,183	96,183
055	COMMON DEFENSIVE WEAPON SYSTEM	0	0
056	ID SYSTEMS	39,846	39,846
057	P-8 SERIES	5,302	5,302
058	MAGTF EW FOR AVIATION	34,127	34,127
059	RQ-7 SERIES	49,324	49,324
060	V-22 (TILT/ROTOR ACFT) OSPREY	95,856	95,856
AIRCRAFT SPARES AND REPAIR PARTS			
061	SPARES AND REPAIR PARTS	1,166,430	1,166,430
AIRCRAFT SUPPORT EQUIP & FACILITIES			
062	COMMON GROUND EQUIPMENT	387,195	387,195
063	AIRCRAFT INDUSTRIAL FACILITIES	23,469	23,469
064	WAR CONSUMABLES	43,383	43,383
065	OTHER PRODUCTION CHARGES	3,399	3,399
066	SPECIAL SUPPORT EQUIPMENT	32,274	32,274
067	FIRST DESTINATION TRANSPORTATION	1,742	1,742
068	CANCELLED ACCOUNT ADJUSTMENTS	0	0
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	17,129,296	17,189,296
WEAPONS PROCUREMENT, NAVY			
MODIFICATION OF MISSILES			
001	TRIDENT II MODS	1,224,683	1,224,683
SUPPORT EQUIPMENT & FACILITIES			
002	MISSILE INDUSTRIAL FACILITIES	5,553	5,553
STRATEGIC MISSILES			
003	TOMAHAWK	308,970	308,970
TACTICAL MISSILES			
004	AMRAAM	102,683	102,683
005	SIDEWINDER	80,226	80,226
006	JSOW	127,609	127,609
007	STANDARD MISSILE	399,482	399,482
008	RAM	66,769	66,769
009	HELLFIRE	74,501	74,501
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	0	0
011	AERIAL TARGETS	61,518	61,518
012	OTHER MISSILE SUPPORT	3,585	3,585
MODIFICATION OF MISSILES			
013	ESSM	58,194	58,194
014	HARM MODS	86,721	86,721
015	STANDARD MISSILES MODS	0	0
SUPPORT EQUIPMENT & FACILITIES			
016	WEAPONS INDUSTRIAL FACILITIES	2,014	2,014
017	FLEET SATELLITE COMM FOLLOW-ON	21,454	21,454
ORDNANCE SUPPORT EQUIPMENT			
018	ORDNANCE SUPPORT EQUIPMENT	54,945	54,945
TORPEDOES AND RELATED EQUIP			
019	SSTD	2,700	2,700
020	ASW TARGETS	10,385	10,385
MOD OF TORPEDOES AND RELATED EQUIP			
021	MK-54 TORPEDO MODS	74,487	74,487
022	MK-48 TORPEDO ADCAP MODS	54,281	54,281

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
023	QUICKSTRIKE MINE	6,852	6,852
	SUPPORT EQUIPMENT		
024	TORPEDO SUPPORT EQUIPMENT	46,402	46,402
025	ASW RANGE SUPPORT	11,927	11,927
	DESTINATION TRANSPORTATION		
026	FIRST DESTINATION TRANSPORTATION	3,614	3,614
	GUNS AND GUN MOUNTS		
027	SMALL ARMS AND WEAPONS	12,594	12,594
	MODIFICATION OF GUNS AND GUN MOUNTS		
028	CIWS MODS	59,303	67,003
	Buy additional ordnance alteration kits		[7,700]
029	COAST GUARD WEAPONS	19,072	19,072
030	GUN MOUNT MODS	54,706	54,706
031	CRUISER MODERNIZATION WEAPONS	1,591	1,591
032	AIRBORNE MINE NEUTRALIZATION SYSTEMS	20,607	20,607
	OTHER		
033	CANCELLED ACCOUNT ADJUSTMENTS	0	0
	SPARES AND REPAIR PARTS		
034	SPARES AND REPAIR PARTS	60,150	60,150
	TOTAL, WEAPONS PROCUREMENT, NAVY	3,117,578	3,125,278
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	27,024	27,024
002	AIRBORNE ROCKETS, ALL TYPES	56,575	56,575
003	MACHINE GUN AMMUNITION	21,266	21,266
004	PRACTICE BOMBS	34,319	34,319
005	CARTRIDGES & CART ACTUATED DEVICES	53,755	53,755
006	AIR EXPENDABLE COUNTERMEASURES	61,693	61,693
007	JATOS	2,776	2,776
008	LRLAP 6" LONG RANGE ATTACK PROJECTILE	7,102	7,102
009	5 INCH/54 GUN AMMUNITION	48,320	48,320
010	INTERMEDIATE CALIBER GUN AMMUNITION	25,544	25,544
011	OTHER SHIP GUN AMMUNITION	41,624	41,624
012	SMALL ARMS & LANDING PARTY AMMO	65,893	65,893
013	PYROTECHNIC AND DEMOLITION	11,176	11,176
014	AMMUNITION LESS THAN \$5 MILLION	4,116	4,116
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	83,733	83,733
016	LINEAR CHARGES, ALL TYPES	24,645	24,645
017	40MM, ALL TYPES	16,201	16,201
018	60MM, ALL TYPES	0	0
019	81MM, ALL TYPES	13,711	3,711
	Decrease for excess		[-10,000]
020	120MM, ALL TYPES	12,557	12,557
021	CTG 25MM, ALL TYPES	0	0
022	GRENADES, ALL TYPES	7,634	7,134
	Decrease for excess		[-500]
023	ROCKETS, ALL TYPES	27,528	27,528
024	ARTILLERY, ALL TYPES	93,065	93,065
025	DEMOLITION MUNITIONS, ALL TYPES	2,047	47
	Decrease for excess		[-2,000]
026	FUZE, ALL TYPES	5,297	5,297
027	NON LETHALS	1,362	1,362
028	AMMO MODERNIZATION	4,566	4,566
029	ITEMS LESS THAN \$5 MILLION	6,010	6,010
	PRIOR YEAR SAVINGS		
029B	PRIOR YEAR SAVINGS		-88,300
	Ammunition change in requirements		[-88,300]
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC	759,539	658,739
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
001	CARRIER REPLACEMENT PROGRAM	608,195	608,195
002	ADVANCE PROCUREMENT (CY)	0	0
003	VIRGINIA CLASS SUBMARINE	3,217,601	3,217,601
004	ADVANCE PROCUREMENT (CY)	874,878	1,652,557
	Advance procurement for 2nd SSN in FY 14		[777,679]
005	CVN REFUELING OVERHAULS	1,613,392	1,613,392
006	ADVANCE PROCUREMENT (CY)	70,010	70,010
007	SSBN ERO	0	0
008	DDG 1000	669,222	669,222
009	DDG-51	3,048,658	3,048,658
010	ADVANCE PROCUREMENT (CY)	466,283	466,283
011	LITTORAL COMBAT SHIP	1,784,959	1,784,959
012	ADVANCE PROCUREMENT (CY)	0	0

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
AMPHIBIOUS SHIPS			
013	LPD-17	0	0
014	LHA REPLACEMENT	0	0
015	JOINT HIGH SPEED VESSEL	189,196	189,196
AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST			
016	OCEANOGRAPHIC SHIPS	0	0
017	ADVANCE PROCUREMENT (CY)	307,300	307,300
018	OUTFITTING	309,648	309,648
019	SERVICE CRAFT	0	0
020	LCAC SLEP	47,930	47,930
021	COMPLETION OF PY SHIPBUILDING PROGRAMS	372,573	372,573
	TOTAL, SHIPBUILDING & CONVERSION, NAVY	13,579,845	14,357,524
OTHER PROCUREMENT, NAVY			
SHIP PROPULSION EQUIPMENT			
001	LM-2500 GAS TURBINE	10,658	10,658
002	ALLISON 501K GAS TURBINE	8,469	8,469
NAVIGATION EQUIPMENT			
003	OTHER NAVIGATION EQUIPMENT	23,392	23,392
PERISCOPES			
004	SUB PERISCOPES & IMAGING EQUIP	53,809	53,809
OTHER SHIPBOARD EQUIPMENT			
005	DDG MOD	452,371	452,371
006	FIREFIGHTING EQUIPMENT	16,958	16,958
007	COMMAND AND CONTROL SWITCHBOARD	2,492	2,492
008	POLLUTION CONTROL EQUIPMENT	20,707	20,707
009	SUBMARINE SUPPORT EQUIPMENT	12,046	12,046
010	VIRGINIA CLASS SUPPORT EQUIPMENT	79,870	79,870
011	LCS CLASS SUPPORT EQUIPMENT	19,865	19,865
012	SUBMARINE BATTERIES	41,522	41,522
013	LPD CLASS SUPPORT EQUIPMENT	30,543	30,543
014	STRATEGIC PLATFORM SUPPORT EQUIP	16,257	16,257
015	DSSP EQUIPMENT	3,630	3,630
016	CG MODERNIZATION	101,000	101,000
017	LCAC	16,645	16,645
018	UNDERWATER EOD PROGRAMS	35,446	35,446
019	ITEMS LESS THAN \$5 MILLION	65,998	65,998
020	CHEMICAL WARFARE DETECTORS	4,359	4,359
021	SUBMARINE LIFE SUPPORT SYSTEM	10,218	10,218
REACTOR PLANT EQUIPMENT			
022	REACTOR POWER UNITS	286,859	286,859
023	REACTOR COMPONENTS	278,503	278,503
OCEAN ENGINEERING			
024	DIVING AND SALVAGE EQUIPMENT	8,998	8,998
SMALL BOATS			
025	STANDARD BOATS	30,131	30,131
TRAINING EQUIPMENT			
026	OTHER SHIPS TRAINING EQUIPMENT	29,772	29,772
PRODUCTION FACILITIES EQUIPMENT			
027	OPERATING FORCES IPE	64,346	64,346
OTHER SHIP SUPPORT			
028	NUCLEAR ALTERATIONS	154,652	154,652
029	LCS COMMON MISSION MODULES EQUIPMENT	31,319	31,319
030	LCS MCM MISSION MODULES	38,392	38,392
031	LCS SUW MISSION MODULES	32,897	32,897
LOGISTIC SUPPORT			
032	LSD MIDLIFE	49,758	49,758
SHIP RADARS			
033	RADAR SUPPORT	0	0
034	SPQ-9B RADAR	19,777	19,777
035	AN/SQQ-89 SURF ASW COMBAT SYSTEM	89,201	89,201
036	SSN ACOUSTICS	190,874	190,874
037	UNDERSEA WARFARE SUPPORT EQUIPMENT	17,035	17,035
038	SONAR SWITCHES AND TRANSDUCERS	13,410	13,410
039	ELECTRONIC WARFARE MILDEC	0	0
ASW ELECTRONIC EQUIPMENT			
040	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,489	21,489
041	SSTD	10,716	10,716
042	FIXED SURVEILLANCE SYSTEM	98,896	98,896
043	SURTASS	2,774	2,774
044	MARITIME PATROL AND RECONNAISSANCE FORCE	18,428	18,428
ELECTRONIC WARFARE EQUIPMENT			
045	AN/SLQ-32	92,270	92,270
RECONNAISSANCE EQUIPMENT			
046	SHIPBOARD IW EXPLOIT	107,060	107,060
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	914	914
SUBMARINE SURVEILLANCE EQUIPMENT			
048	SUBMARINE SUPPORT EQUIPMENT PROG	34,050	34,050

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Line	Item	FY 2013 Request	Senate Authorized
OTHER SHIP ELECTRONIC EQUIPMENT			
049	COOPERATIVE ENGAGEMENT CAPABILITY	27,881	27,881
050	TRUSTED INFORMATION SYSTEM (TIS)	448	448
051	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	35,732	35,732
052	ATDLS	0	0
053	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	9,533	9,533
054	MINESWEEPING SYSTEM REPLACEMENT	60,111	60,111
055	SHALLOW WATER MCM	6,950	6,950
056	NAVSTAR GPS RECEIVERS (SPACE)	9,089	9,089
057	AMERICAN FORCES RADIO AND TV SERVICE	7,768	7,768
058	STRATEGIC PLATFORM SUPPORT EQUIP	3,614	3,614
TRAINING EQUIPMENT			
059	OTHER TRAINING EQUIPMENT	42,911	42,911
AVIATION ELECTRONIC EQUIPMENT			
060	MATCALs	5,861	5,861
061	SHIPBOARD AIR TRAFFIC CONTROL	8,362	8,362
062	AUTOMATIC CARRIER LANDING SYSTEM	15,685	15,685
063	NATIONAL AIR SPACE SYSTEM	16,919	16,919
064	FLEET AIR TRAFFIC CONTROL SYSTEMS	6,828	6,828
065	LANDING SYSTEMS	7,646	7,646
066	ID SYSTEMS	35,474	35,474
067	NAVAL MISSION PLANNING SYSTEMS	9,958	9,958
OTHER SHORE ELECTRONIC EQUIPMENT			
068	DEPLOYABLE JOINT COMMAND AND CONT	9,064	9,064
069	MARITIME INTEGRATED BROADCAST SYSTEM	16,026	16,026
070	TACTICAL/MOBILE C4I SYSTEMS	11,886	11,886
071	DCGS-N	11,887	11,887
072	CANES	341,398	341,398
073	RADLAC	8,083	8,083
074	CANES-INTELL	79,427	79,427
075	GPETE	6,083	6,083
076	INTEG COMBAT SYSTEM TEST FACILITY	4,495	4,495
077	EMI CONTROL INSTRUMENTATION	4,767	4,767
078	ITEMS LESS THAN \$5 MILLION	81,755	81,755
SHIPBOARD COMMUNICATIONS			
079	SHIPBOARD TACTICAL COMMUNICATIONS	0	0
080	SHIP COMMUNICATIONS AUTOMATION	56,870	56,870
081	MARITIME DOMAIN AWARENESS (MDA)	1,063	1,063
082	COMMUNICATIONS ITEMS UNDER \$5M	28,522	28,522
083	SUBMARINE BROADCAST SUPPORT	4,183	4,183
084	SUBMARINE COMMUNICATION EQUIPMENT	69,025	69,025
SATELLITE COMMUNICATIONS			
085	SATELLITE COMMUNICATIONS SYSTEMS	49,294	49,294
086	NAVY MULTIBAND TERMINAL (NMT)	184,825	184,825
SHORE COMMUNICATIONS			
087	JCS COMMUNICATIONS EQUIPMENT	2,180	2,180
088	ELECTRICAL POWER SYSTEMS	1,354	1,354
089	NAVAL SHORE COMMUNICATIONS	0	0
CRYPTOGRAPHIC EQUIPMENT			
090	INFO SYSTEMS SECURITY PROGRAM (ISSP)	144,104	144,104
CRYPTOLOGIC EQUIPMENT			
091	CRYPTOLOGIC COMMUNICATIONS EQUIP	12,604	12,604
OTHER ELECTRONIC SUPPORT			
092	COAST GUARD EQUIPMENT	6,680	6,680
093	DEFENSE RAPID INNOVATION PROGRAM	0	0
DRUG INTERDICTION SUPPORT			
094	OTHER DRUG INTERDICTION SUPPORT	0	0
SONOBUOYS			
095	SONOBUOYS—ALL TYPES	104,677	104,677
AIRCRAFT SUPPORT EQUIPMENT			
096	WEAPONS RANGE SUPPORT EQUIPMENT	70,753	70,753
097	EXPEDITIONARY AIRFIELDS	8,678	8,678
098	AIRCRAFT REARMING EQUIPMENT	11,349	11,349
099	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	82,618	82,618
100	METEOROLOGICAL EQUIPMENT	18,339	18,339
101	DCRS/DPL	1,414	1,414
102	AVIATION LIFE SUPPORT	40,475	40,475
103	AIRBORNE MINE COUNTERMEASURES	61,552	61,552
104	LAMPS MK III SHIPBOARD EQUIPMENT	18,771	18,771
105	PORTABLE ELECTRONIC MAINTENANCE AIDS	7,954	7,954
106	OTHER AVIATION SUPPORT EQUIPMENT	10,023	10,023
107	AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS)	3,826	3,826
SHIP GUN SYSTEM EQUIPMENT			
108	NAVAL FIRES CONTROL SYSTEM	3,472	3,472
109	GUN FIRE CONTROL EQUIPMENT	4,528	4,528
SHIP MISSILE SYSTEMS EQUIPMENT			
110	NATO SEASPARROW	8,960	8,960
111	RAM GMLS	1,185	1,185

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Line	Item	FY 2013 Request	Senate Authorized
112	SHIP SELF DEFENSE SYSTEM	55,371	55,371
113	AEGIS SUPPORT EQUIPMENT	81,614	81,614
114	TOMAHAWK SUPPORT EQUIPMENT	77,767	77,767
115	VERTICAL LAUNCH SYSTEMS	754	754
116	MARITIME INTEGRATED PLANNING SYSTEM—MIPS	4,965	4,965
	FBM SUPPORT EQUIPMENT		
117	STRATEGIC MISSILE SYSTEMS EQUIP	181,049	181,049
118	SSN COMBAT CONTROL SYSTEMS	71,316	71,316
119	SUBMARINE ASW SUPPORT EQUIPMENT	4,018	4,018
120	SURFACE ASW SUPPORT EQUIPMENT	6,465	6,465
121	ASW RANGE SUPPORT EQUIPMENT	47,930	47,930
	OTHER ORDNANCE SUPPORT EQUIPMENT		
122	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	3,579	3,579
123	ITEMS LESS THAN \$5 MILLION	3,125	3,125
	OTHER EXPENDABLE ORDNANCE		
124	ANTI-SHIP MISSILE DECOY SYSTEM	31,743	31,743
125	SURFACE TRAINING DEVICE MODS	34,174	34,174
126	SUBMARINE TRAINING DEVICE MODS	23,450	23,450
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
127	PASSENGER CARRYING VEHICLES	7,158	7,158
128	GENERAL PURPOSE TRUCKS	3,325	3,325
129	CONSTRUCTION & MAINTENANCE EQUIP	8,692	8,692
130	FIRE FIGHTING EQUIPMENT	14,533	14,533
131	TACTICAL VEHICLES	15,330	15,330
132	AMPHIBIOUS EQUIPMENT	10,803	10,803
133	POLLUTION CONTROL EQUIPMENT	7,265	7,265
134	ITEMS UNDER \$5 MILLION	15,252	15,252
135	PHYSICAL SECURITY VEHICLES	1,161	1,161
	SUPPLY SUPPORT EQUIPMENT		
136	MATERIALS HANDLING EQUIPMENT	15,204	15,204
137	OTHER SUPPLY SUPPORT EQUIPMENT	6,330	6,330
138	FIRST DESTINATION TRANSPORTATION	6,539	6,539
139	SPECIAL PURPOSE SUPPLY SYSTEMS	34,804	34,804
	TRAINING DEVICES		
140	TRAINING SUPPORT EQUIPMENT	25,444	25,444
	COMMAND SUPPORT EQUIPMENT		
141	COMMAND SUPPORT EQUIPMENT	43,165	43,165
142	EDUCATION SUPPORT EQUIPMENT	2,251	2,251
143	MEDICAL SUPPORT EQUIPMENT	3,148	3,148
146	NAVAL MIP SUPPORT EQUIPMENT	3,502	3,502
148	OPERATING FORCES SUPPORT EQUIPMENT	15,696	15,696
149	CAISR EQUIPMENT	4,344	4,344
150	ENVIRONMENTAL SUPPORT EQUIPMENT	19,492	19,492
151	PHYSICAL SECURITY EQUIPMENT	177,149	177,149
152	ENTERPRISE INFORMATION TECHNOLOGY	183,995	183,995
	CLASSIFIED PROGRAMS		
152A	CLASSIFIED PROGRAMS	13,063	13,063
	SPARES AND REPAIR PARTS		
153	SPARES AND REPAIR PARTS	250,718	250,718
	TOTAL, OTHER PROCUREMENT, NAVY	6,169,378	6,169,378
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	16,089	16,089
002	LAV PIP	186,216	46,216
	LAV procurement acquisition objective change		[-140,000]
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	2,502	2,502
004	155MM LIGHTWEIGHT TOWED HOWITZER	17,913	17,913
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	47,999	47,999
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	17,706	17,706
	OTHER SUPPORT		
007	MODIFICATION KITS	48,040	48,040
008	WEAPONS ENHANCEMENT PROGRAM	4,537	4,537
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	11,054	11,054
010	JAVELIN	0	0
011	FOLLOW ON TO SMAW	19,650	19,650
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	20,708	20,708
	OTHER SUPPORT		
013	MODIFICATION KITS	0	0
	COMMAND AND CONTROL SYSTEMS		
014	UNIT OPERATIONS CENTER	1,420	1,420
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	25,127	25,127
	OTHER SUPPORT (TEL)		
016	COMBAT SUPPORT SYSTEM	25,822	25,822
017	MODIFICATION KITS	2,831	2,831

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Line	Item	FY 2013 Request	Senate Authorized
COMMAND AND CONTROL SYSTEM (NON-TEL)			
018	ITEMS UNDER \$5 MILLION (COMM & ELEC)	5,498	5,498
019	AIR OPERATIONS C2 SYSTEMS	11,290	11,290
RADAR + EQUIPMENT (NON-TEL)			
020	RADAR SYSTEMS	128,079	128,079
021	RQ-21 UAS	27,619	27,619
INTELL/COMM EQUIPMENT (NON-TEL)			
022	FIRE SUPPORT SYSTEM	7,319	7,319
023	INTELLIGENCE SUPPORT EQUIPMENT	7,466	7,466
025	RQ-11 UAV	2,318	2,318
026	DCGS-MC	18,291	18,291
OTHER COMMELEC EQUIPMENT (NON-TEL)			
029	NIGHT VISION EQUIPMENT	48,084	48,084
OTHER SUPPORT (NON-TEL)			
030	COMMON COMPUTER RESOURCES	206,708	206,708
031	COMMAND POST SYSTEMS	35,190	35,190
032	RADIO SYSTEMS	89,059	89,059
033	COMM SWITCHING & CONTROL SYSTEMS	22,500	22,500
034	COMM & ELEC INFRASTRUCTURE SUPPORT	42,625	42,625
CLASSIFIED PROGRAMS			
035A	CLASSIFIED PROGRAMS	2,290	2,290
ADMINISTRATIVE VEHICLES			
035	COMMERCIAL PASSENGER VEHICLES	2,877	2,877
036	COMMERCIAL CARGO VEHICLES	13,960	13,960
TACTICAL VEHICLES			
037	5/4T TRUCK HMMWV (MYP)	8,052	8,052
038	MOTOR TRANSPORT MODIFICATIONS	50,269	50,269
039	MEDIUM TACTICAL VEHICLE REPLACEMENT	0	0
040	LOGISTICS VEHICLE SYSTEM REP	37,262	37,262
041	FAMILY OF TACTICAL TRAILERS	48,160	48,160
042	TRAILERS	0	0
OTHER SUPPORT			
043	ITEMS LESS THAN \$5 MILLION	6,705	6,705
ENGINEER AND OTHER EQUIPMENT			
044	ENVIRONMENTAL CONTROL EQUIP ASSORT	13,576	13,576
045	BULK LIQUID EQUIPMENT	16,869	16,869
046	TACTICAL FUEL SYSTEMS	19,108	19,108
047	POWER EQUIPMENT ASSORTED	56,253	56,253
048	AMPHIBIOUS SUPPORT EQUIPMENT	13,089	13,089
049	EOD SYSTEMS	73,699	73,699
MATERIALS HANDLING EQUIPMENT			
050	PHYSICAL SECURITY EQUIPMENT	3,510	3,510
051	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	11,490	11,490
052	MATERIAL HANDLING EQUIP	20,659	20,659
053	FIRST DESTINATION TRANSPORTATION	132	132
GENERAL PROPERTY			
054	FIELD MEDICAL EQUIPMENT	31,068	31,068
055	TRAINING DEVICES	45,895	45,895
056	CONTAINER FAMILY	5,801	5,801
057	FAMILY OF CONSTRUCTION EQUIPMENT	23,939	23,939
058	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	0	0
059	BRIDGE BOATS	0	0
060	RAPID DEPLOYABLE KITCHEN	8,365	8,365
OTHER SUPPORT			
061	ITEMS LESS THAN \$5 MILLION	7,077	7,077
SPARES AND REPAIR PARTS			
062	SPARES AND REPAIR PARTS	3,190	3,190
PRIOR YEAR SAVINGS			
062A	PRIOR YEAR SAVINGS		-135,200
	LAV procurement acquisition objective change PY		[-135,200]
TOTAL, PROCUREMENT, MARINE CORPS		1,622,955	1,347,755
AIRCRAFT PROCUREMENT, AIR FORCE			
TACTICAL FORCES			
001	F-35	3,124,302	3,124,302
002	ADVANCE PROCUREMENT (CY)	293,400	293,400
003	F-22A	0	0
004	C-17A (MYP)	0	0
OTHER AIRLIFT			
005	C-130J	68,373	68,373
006	ADVANCE PROCUREMENT (CY)	0	0
007	HC-130J	152,212	152,212
008	ADVANCE PROCUREMENT (CY)	0	0
009	MC-130J	374,866	374,866
010	ADVANCE PROCUREMENT (CY)	0	0
011	HC/MC-130 RECAP	0	0

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Line	Item	FY 2013 Request	Senate Authorized
012	C-27J	0	0
	UPT TRAINERS		
013	LIGHT MOBILITY AIRCRAFT	0	0
014	USAF A POWERED FLIGHT PROGRAM	0	0
	HELICOPTERS		
015	HH-60 LOSS REPLACEMENT/RECAP	60,596	60,596
016	COMMON VERTICAL LIFT SUPPORT PLATFORM (CVLSP)	0	0
017	CV-22 (MYP)	294,220	294,220
018	ADVANCE PROCUREMENT (CY)	15,000	15,000
	MISSION SUPPORT AIRCRAFT		
019	CIVIL AIR PATROL A/C	2,498	2,498
020	LIGHT ATTACK ARMED RECON ACFT	0	0
021	RQ-11	0	0
022	STUASLo	0	0
	OTHER AIRCRAFT		
023	INTERIM GATEWAY	0	0
024	TARGET DRONES	129,866	129,866
025	C-37A	0	0
026	RQ-4	75,000	75,000
027	ADVANCE PROCUREMENT (CY)	0	0
028	AC-130J	163,970	163,970
029	ADVANCE PROCUREMENT (CY)	0	0
030	MQ-9	553,530	553,530
031	RQ-4 BLOCK 40 PROC	11,654	11,654
	STRATEGIC AIRCRAFT		
032	B-2A	82,296	82,296
033	B-1B	149,756	149,756
034	B-52	9,781	9,781
035	LARGE AIRCRAFT INFRARED COUNTERMEASURES	28,800	28,800
	TACTICAL AIRCRAFT		
036	A-10	89,919	89,919
037	F-15	148,378	148,378
038	F-16	6,896	6,896
039	F-22A	283,871	283,871
040	F-35 MODIFICATIONS	147,995	147,995
	AIRLIFT AIRCRAFT		
041	C-5	6,967	6,967
042	ADVANCE PROCUREMENT (CY)	0	0
043	C-5M	944,819	944,819
044	ADVANCE PROCUREMENT (CY)	175,800	175,800
045	C-9C	0	0
046	C-17A	205,079	205,079
047	C-21	199	199
048	C-32A	1,750	1,750
049	C-37A	445	445
050	C-130 AMP	0	0
	TRAINER AIRCRAFT		
051	GLIDER MODS	126	126
052	T-6	15,494	15,494
053	T-1	272	272
054	T-38	20,455	20,455
	OTHER AIRCRAFT		
055	U-2 MODS	0	0
056	U-2 MODS	44,477	44,477
057	KC-10A (ATCA)	46,921	46,921
058	C-12	1,876	1,876
059	MC-12W	17,054	17,054
060	C-20 MODS	243	243
061	VC-25A MOD	11,185	11,185
062	C-40	243	243
063	C-130	67,853	67,853
064	C-130 INTEL	0	0
065	C-130J MODS	70,555	70,555
066	C-135	46,707	46,707
067	COMPASS CALL MODS	50,024	50,024
068	RC-135	165,237	165,237
069	E-3	193,099	193,099
070	E-4	47,616	47,616
071	E-8	59,320	71,320
	Restart production line for the JSTARS re-engineing program		[12,000]
072	H-1	5,449	5,449
073	H-60	26,227	26,227
074	RQ-4 MODS	9,257	9,257
075	HC/MC-130 MODIFICATIONS	22,326	22,326
076	OTHER AIRCRAFT	18,832	18,832
077	MQ-1 MODS	30,861	30,861
078	MQ-9 MODS	238,360	238,360
079	MQ-9 UAS PAYLOADS	93,461	93,461

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Line	Item	FY 2013 Request	Senate Authorized
080	CV-22 MODS	23,881	23,881
	AIRCRAFT SPARES AND REPAIR PARTS		
081	INITIAL SPARES/REPAIR PARTS	729,691	729,691
	COMMON SUPPORT EQUIPMENT		
082	AIRCRAFT REPLACEMENT SUPPORT EQUIP	56,542	56,542
	POST PRODUCTION SUPPORT		
083	A-10	5,100	5,100
084	B-1	965	965
085	B-2A	0	0
086	B-2A	47,580	47,580
087	C-5	0	0
088	KC-10A (ATCA)	13,100	13,100
089	C-17A	181,703	181,703
090	C-130	31,830	31,830
091	C-135	13,434	13,434
092	F-15	2,363	2,363
093	F-16	8,506	8,506
094	HH-60 PPS	0	0
095	T-6	0	0
096	OTHER AIRCRAFT	9,522	9,522
	INDUSTRIAL PREPAREDNESS		
097	INDUSTRIAL RESPONSIVENESS	20,731	20,731
	WAR CONSUMABLES		
098	WAR CONSUMABLES	89,727	89,727
	OTHER PRODUCTION CHARGES		
099	OTHER PRODUCTION CHARGES	842,392	842,392
	DARP		
103	U-2	0	0
	CLASSIFIED PROGRAMS		
103A	CLASSIFIED PROGRAMS	20,164	20,164
	PRIOR YEAR SAVINGS		
103B	PRIOR YEAR SAVINGS		-920,748
	Light attack armed reconnaissance (LAAR) cancellation		[-115,049]
	Light mobility aircraft cancellation		[-65,296]
	Common vertical lift support platform (CVLSP) cancellation		[-52,800]
	C-130 AMP cancellation		[-207,163]
	RQ-4 Global Hawk Block 30 cancellation		[-480,440]
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	11,002,999	10,094,251
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	56,906	56,906
	TACTICAL		
002	JASSM	240,399	240,399
003	SIDEWINDER (AIM-9X)	88,020	88,020
004	AMRAAM	229,637	229,637
005	PREDATOR HELLFIRE MISSILE	47,675	47,675
006	SMALL DIAMETER BOMB	42,000	42,000
	INDUSTRIAL FACILITIES		
007	INDUSTRIAL PREPAREDNESS/POL PREVENTION	744	744
	CLASS IV		
008	ADVANCED CRUISE MISSILE	0	0
009	MM III MODIFICATIONS	54,794	54,794
010	AGM-65D MAVERICK	271	271
011	AGM-88A HARM	23,240	23,240
012	AIR LAUNCH CRUISE MISSILE (ALCM)	13,620	13,620
013	SMALL DIAMETER BOMB	5,000	5,000
	MISSILE SPARES AND REPAIR PARTS		
014	INITIAL SPARES/REPAIR PARTS	74,373	74,373
	SPACE PROGRAMS		
015	ADVANCED EHF	557,205	557,205
016	ADVANCE PROCUREMENT (CY)	0	0
017	WIDEBAND GAPPFILLER SATELLITES(SPACE)	36,835	36,835
018	ADVANCE PROCUREMENT (CY)	0	0
019	GPS III SPACE SEGMENT	410,294	410,294
020	ADVANCE PROCUREMENT (CY)	82,616	82,616
021	SPACEBORNE EQUIP (COMSEC)	10,554	10,554
022	GLOBAL POSITIONING (SPACE)	58,147	58,147
023	DEF METEOROLOGICAL SAT PROG(SPACE)	89,022	89,022
024	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,679,856	1,679,856
025	SBIR HIGH (SPACE)	454,251	454,251
026	ADVANCE PROCUREMENT (CY)	0	0
	SPECIAL PROGRAMS		
028	DEFENSE SPACE RECONN PROGRAM	0	0
030	SPECIAL UPDATE PROGRAMS	138,904	138,904
	CLASSIFIED PROGRAMS		

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Line	Item	FY 2013 Request	Senate Authorized
030A	CLASSIFIED PROGRAMS	1,097,483	1,097,483
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	5,491,846	5,491,846
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	8,927	8,927
	CARTRIDGES		
002	CARTRIDGES	118,075	118,075
	BOMBS		
003	PRACTICE BOMBS	32,393	32,393
004	GENERAL PURPOSE BOMBS	163,467	163,467
005	JOINT DIRECT ATTACK MUNITION	101,921	101,921
	FLARE, IR MJU-7B		
006	CAD/PAD	43,829	43,829
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	7,515	7,515
008	SPARES AND REPAIR PARTS	1,003	1,003
009	MODIFICATIONS	5,321	5,321
010	ITEMS LESS THAN \$5 MILLION	5,066	5,066
	FUZES		
011	FLARES	46,010	46,010
012	FUZES	36,444	36,444
	SMALL ARMS		
013	SMALL ARMS	29,223	29,223
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	599,194	599,194
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	1,905	1,905
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	18,547	18,547
003	CAP VEHICLES	932	932
004	ITEMS LESS THAN \$5 MILLION	1,699	1,699
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	10,850	10,850
006	ITEMS LESS THAN \$5 MILLION	9,246	9,246
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,148	23,148
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN \$5 MILLION	18,323	18,323
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV AND CLEANING EQU	1,685	1,685
010	ITEMS LESS THAN \$5 MILLION	17,014	17,014
	CANCELLED ACCOUNT ADJUSTMENTS		
011	CANCELLED ACCOUNT ADJUSTMENTS	0	0
	COMM SECURITY EQUIPMENT(COMSEC)		
012	COMSEC EQUIPMENT	166,559	166,559
013	MODIFICATIONS (COMSEC)	1,133	1,133
	INTELLIGENCE PROGRAMS		
014	INTELLIGENCE TRAINING EQUIPMENT	2,749	2,749
015	INTELLIGENCE COMM EQUIPMENT	32,876	32,876
016	ADVANCE TECH SENSORS	877	877
017	MISSION PLANNING SYSTEMS	15,295	15,295
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	21,984	21,984
019	NATIONAL AIRSPACE SYSTEM	30,698	30,698
020	BATTLE CONTROL SYSTEM—FIXED	17,368	17,368
021	THEATER AIR CONTROL SYS IMPROVEMENTS	23,483	23,483
022	WEATHER OBSERVATION FORECAST	17,864	17,864
023	STRATEGIC COMMAND AND CONTROL	53,995	53,995
024	CHEYENNE MOUNTAIN COMPLEX	14,578	14,578
025	TAC SIGINT SPT	208	208
026	DRUG INTERDICTION SPT	0	0
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	69,743	69,743
028	AF GLOBAL COMMAND & CONTROL SYS	15,829	15,829
029	MOBILITY COMMAND AND CONTROL	11,023	11,023
030	AIR FORCE PHYSICAL SECURITY SYSTEM	64,521	64,521
031	COMBAT TRAINING RANGES	18,217	18,217
032	C3 COUNTERMEASURES	11,899	11,899
033	GCSS-AF FOS	13,920	13,920
034	THEATER BATTLE MGT C2 SYSTEM	9,365	9,365
035	AIR & SPACE OPERATIONS CTR-WPN SYS	33,907	33,907
	AIR FORCE COMMUNICATIONS		
036	INFORMATION TRANSPORT SYSTEMS	52,464	52,464
037	BASE INFO INFRASTRUCTURE	0	0
038	AFNET	125,788	125,788
039	VOICE SYSTEMS	16,811	16,811
040	USCENTCOM	32,138	32,138

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
DISA PROGRAMS			
041	SPACE BASED IR SENSOR PGM SPACE	47,135	47,135
042	NAVSTAR GPS SPACE	2,031	2,031
043	NUDET DETECTION SYS SPACE	5,564	5,564
044	AF SATELLITE CONTROL NETWORK SPACE	44,219	44,219
045	SPACELIFT RANGE SYSTEM SPACE	109,545	109,545
046	MILSATCOM SPACE	47,592	47,592
047	SPACE MODS SPACE	47,121	47,121
048	COUNTERSPACE SYSTEM	20,961	20,961
ORGANIZATION AND BASE			
049	TACTICAL C-E EQUIPMENT	126,131	126,131
050	COMBAT SURVIVOR EVADER LOCATER	23,707	23,707
051	RADIO EQUIPMENT	12,757	12,757
052	CCTV/AUDIOVISUAL EQUIPMENT	10,716	10,716
053	BASE COMM INFRASTRUCTURE	74,528	74,528
MODIFICATIONS			
054	COMM ELECT MODS	43,507	43,507
PERSONAL SAFETY & RESCUE EQUIP			
055	NIGHT VISION GOGGLES	22,693	22,693
056	ITEMS LESS THAN \$5 MILLION	30,887	30,887
DEPOT PLANT+MTRLS HANDLING EQ			
057	MECHANIZED MATERIAL HANDLING EQUIP	2,850	2,850
BASE SUPPORT EQUIPMENT			
058	BASE PROCURED EQUIPMENT	8,387	8,387
059	CONTINGENCY OPERATIONS	10,358	10,358
060	PRODUCTIVITY CAPITAL INVESTMENT	3,473	3,473
061	RAPID IMPROVEMENT PROCUREMENT INOVAT	0	0
062	MOBILITY EQUIPMENT	14,471	14,471
063	ITEMS LESS THAN \$5 MILLION	1,894	1,894
SPECIAL SUPPORT PROJECTS			
065	DARP RC135	24,176	24,176
066	DCGS-AF	142,928	142,928
068	SPECIAL UPDATE PROGRAM	479,446	479,446
069	DEFENSE SPACE RECONNAISSANCE PROG.	39,155	39,155
CLASSIFIED PROGRAMS			
069A	CLASSIFIED PROGRAMS	14,331,312	14,331,312
SPARES AND REPAIR PARTS			
071	SPARES AND REPAIR PARTS	14,663	14,663
	TOTAL, OTHER PROCUREMENT, AIR FORCE	16,720,848	16,720,848
PROCUREMENT, DEFENSE-WIDE			
MAJOR EQUIPMENT, BTA			
001	MAJOR EQUIPMENT, BTA	0	0
MAJOR EQUIPMENT, DCAA			
002	ITEMS LESS THAN \$5 MILLION	1,486	1,486
MAJOR EQUIPMENT, DCMA			
003	MAJOR EQUIPMENT	2,129	2,129
EQUIPMENT			
004	EQUIPMENT	0	0
MAJOR EQUIPMENT, DHRA			
005	PERSONNEL ADMINISTRATION	6,147	6,147
MAJOR EQUIPMENT, DISA			
012	INFORMATION SYSTEMS SECURITY	12,708	12,708
013	GLOBAL COMMAND AND CONTROL SYSTEM	0	0
014	GLOBAL COMBAT SUPPORT SYSTEM	3,002	3,002
015	TELEPORT PROGRAM	46,992	46,992
016	ITEMS LESS THAN \$5 MILLION	108,462	108,462
017	NET CENTRIC ENTERPRISE SERVICES (NCES)	2,865	2,865
018	DEFENSE INFORMATION SYSTEM NETWORK	116,906	116,906
019	PUBLIC KEY INFRASTRUCTURE	1,827	1,827
020	DRUG INTERDICTION SUPPORT	0	0
021	CYBER SECURITY INITIATIVE	10,319	10,319
MAJOR EQUIPMENT, DLA			
022	MAJOR EQUIPMENT	9,575	9,575
MAJOR EQUIPMENT, DMACT			
023	MAJOR EQUIPMENT	15,179	15,179
MAJOR EQUIPMENT, DODEA			
024	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,458	1,458
MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY			
025	EQUIPMENT	0	0
MAJOR EQUIPMENT, DSS			
026	MAJOR EQUIPMENT	2,522	2,522
MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY			
027	VEHICLES	50	50
028	OTHER MAJOR EQUIPMENT	13,096	13,096
MAJOR EQUIPMENT, DTSA			
029	MAJOR EQUIPMENT	0	0

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY			
030	THAAD	460,728	560,728
	THAAD Interceptors		[100,000]
031	AEGIS BMD	389,626	389,626
032	BMDS AN/TPY-2 RADARS	217,244	217,244
033	RADAR SPARES	10,177	10,177
034	IRON DOME	0	0
MAJOR EQUIPMENT, NSA			
041	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	6,770	6,770
MAJOR EQUIPMENT, OSD			
042	MAJOR EQUIPMENT, OSD	45,938	45,938
043	MAJOR EQUIPMENT, INTELLIGENCE	17,582	17,582
MAJOR EQUIPMENT, TJS			
044	MAJOR EQUIPMENT, TJS	21,878	21,878
MAJOR EQUIPMENT, WHS			
045	MAJOR EQUIPMENT, WHS	26,550	26,550
CLASSIFIED PROGRAMS			
045A	CLASSIFIED PROGRAMS	555,787	555,787
AVIATION PROGRAMS			
046	ROTARY WING UPGRADES AND SUSTAINMENT	74,832	74,832
047	MH-47 SERVICE LIFE EXTENSION PROGRAM	0	0
048	MH-60 MODERNIZATION PROGRAM	126,780	126,780
049	NON-STANDARD AVIATION	99,776	37,000
	Transfer to Line 51 at USSOCOM request		[-62,776]
050	TANKER RECAPITALIZATION	0	0
051	U-28	7,530	116,906
	Transfer from Line 49 at USSOCOM request		[62,776]
	USSOCOM UFR		[46,600]
052	MH-47 CHINOOK	134,785	134,785
053	RQ-11 UNMANNED AERIAL VEHICLE	2,062	2,062
054	CV-22 MODIFICATION	139,147	139,147
055	MQ-1 UNMANNED AERIAL VEHICLE	3,963	26,963
	USSOCOM UFR		[23,000]
056	MQ-9 UNMANNED AERIAL VEHICLE	3,952	39,352
	USSOCOM UFR		[35,400]
057	RQ-7 UNMANNED AERIAL VEHICLE	0	0
058	STUASLO	12,945	12,945
059	PRECISION STRIKE PACKAGE	73,013	73,013
060	AC/MC-130J	51,484	51,484
061	MQ-8 UAV	0	0
062	C-130 MODIFICATIONS	25,248	25,248
063	AIRCRAFT SUPPORT	5,314	5,314
SHIPBUILDING			
064	UNDERWATER SYSTEMS	23,037	15,037
	Transfer to RDDW Line 272 at USSOCOM request		[-8,000]
065	SEAL DELIVERY VEHICLE	0	0
AMMUNITION PROGRAMS			
066	ORDNANCE REPLENISHMENT	113,183	113,183
067	ORDNANCE ACQUISITION	36,981	36,981
OTHER PROCUREMENT PROGRAMS			
068	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	99,838	103,738
	USSOCOM UFR		[3,900]
069	INTELLIGENCE SYSTEMS	71,428	71,428
070	SMALL ARMS AND WEAPONS	27,108	27,108
071	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	12,767	15,967
	USSOCOM UFR		[3,200]
073	MARITIME EQUIPMENT MODIFICATIONS	0	0
074	COMBATANT CRAFT SYSTEMS	42,348	42,348
075	SPARES AND REPAIR PARTS	600	600
077	TACTICAL VEHICLES	37,421	37,421
078	MISSION TRAINING AND PREPARATION SYSTEMS	36,949	41,949
	USSOCOM UFR		[5,000]
079	COMBAT MISSION REQUIREMENTS	20,255	20,255
080	MILCON COLLATERAL EQUIPMENT	17,590	17,590
082	AUTOMATION SYSTEMS	66,573	66,573
083	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	6,549	6,549
084	OPERATIONAL ENHANCEMENTS INTELLIGENCE	32,335	32,335
085	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	15,153	15,153
086	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	33,920	33,920
087	TACTICAL RADIO SYSTEMS	75,132	75,132
088	MARITIME EQUIPMENT	0	0
089	DRUG INTERDICTION	0	0
090	MISCELLANEOUS EQUIPMENT	6,667	6,667
091	OPERATIONAL ENHANCEMENTS	217,972	243,272
	USSOCOM UFR		[25,300]
092	MILITARY INFORMATION SUPPORT OPERATIONS	27,417	27,417
CLASSIFIED PROGRAMS			
092A	CLASSIFIED PROGRAMS	0	0

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
CBDP			
093	INSTALLATION FORCE PROTECTION	24,025	24,025
094	INDIVIDUAL PROTECTION	73,720	73,720
095	DECONTAMINATION	506	506
096	JOINT BIO DEFENSE PROGRAM (MEDICAL)	32,597	32,597
097	COLLECTIVE PROTECTION	3,144	3,144
098	CONTAMINATION AVOIDANCE	164,886	164,886
	TOTAL, PROCUREMENT, DEFENSE-WIDE	4,187,935	4,422,335
NATIONAL GUARD & RESERVE EQUIPMENT			
ARMY RESERVE			
001	MISCELLANEOUS EQUIPMENT	0	0
NAVY RESERVE			
002	MISCELLANEOUS EQUIPMENT	0	0
MARINE CORPS RESERVE			
003	MISCELLANEOUS EQUIPMENT	0	0
AIR FORCE RESERVE			
004	MISCELLANEOUS EQUIPMENT	0	0
ARMY NATIONAL GUARD			
005	MISCELLANEOUS EQUIPMENT	0	0
AIR NATIONAL GUARD			
006	MISCELLANEOUS EQUIPMENT	0	0
NATIONAL GUARD AIRCRAFT			
007	MISCELLANEOUS EQUIPMENT	0	0
	TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	0	0
JOINT URGENT OPERATIONAL NEEDS FUND			
JOINT URGENT OPERATIONAL NEEDS FUND			
001	JOINT URGENT OPERATIONAL NEEDS FUND	99,477	99,477
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	99,477	99,477
	TOTAL, PROCUREMENT	97,432,379	96,959,163

1 **SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY**
 2 **OPERATIONS.**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
ROTARY			
009	AH-64 APACHE BLOCK IIIB NEW BUILD	71,000	0
	<i>Funding ahead of need</i>		[-71,000]
012	KIOWA WARRIOR (OH-58F) WRA	183,900	183,900
015	CH-47 HELICOPTER	231,300	231,300
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	486,200	415,200
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
004	HELLFIRE SYS SUMMARY	29,100	29,100
008	GUIDED MLRS ROCKET (GMLRS)	20,553	20,553
	TOTAL, MISSILE PROCUREMENT, ARMY	49,653	49,653
PROCUREMENT OF W&TCV, ARMY			
MOD OF WEAPONS AND OTHER COMBAT VEH			
036	M16 RIFLE MODS	15,422	15,422
	TOTAL, PROCUREMENT OF W&TCV, ARMY	15,422	15,422
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
003	CTG, HANDGUN, ALL TYPES	1,500	1,500
004	CTG, .50 CAL, ALL TYPES	10,000	10,000
007	CTG, 30MM, ALL TYPES	80,000	80,000
MORTAR AMMUNITION			
009	60MM MORTAR, ALL TYPES	14,000	14,000
010	81MM MORTAR, ALL TYPES	6,000	6,000
011	120MM MORTAR, ALL TYPES	56,000	56,000
ARTILLERY AMMUNITION			
013	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	29,956	29,956
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	37,044	37,044
015	PROJ 155MM EXTENDED RANGE XM982	12,300	12,300
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	17,000	17,000
MINES			
017	MINES & CLEARING CHARGES, ALL TYPES	12,000	12,000
ROCKETS			
020	ROCKET, HYDRA 70, ALL TYPES	63,635	63,635
OTHER AMMUNITION			
023	SIGNALS, ALL TYPES	16,858	16,858
MISCELLANEOUS			
028	ITEMS LESS THAN \$5 MILLION	1,200	1,200
	PRODUCTION BASE SUPPORT		
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	357,493	357,493
OTHER PROCUREMENT, ARMY			
TACTICAL VEHICLES			
002	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	28,247	28,247
004	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	2,050	2,050
011	HMMWV RECAPITALIZATION PROGRAM	271,000	271,000
014	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	927,400	927,400
COMM—INTELLIGENCE COMM			
052	RESERVE CA/MISO GPF EQUIPMENT	8,000	8,000
COMM—BASE COMMUNICATIONS			
061	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(.....	25,000	65,000
	<i>Transfer from OMA OCO at SOUTHCOM request</i>		[40,000]
ELECT EQUIP—TACT INT REL ACT (TIARA)			
069	DCGS-A (MIP)	90,355	90,355
073	CI HUMINT AUTO REPRINTING AND COLLECTION	6,516	6,516
ELECT EQUIP—ELECTRONIC WARFARE (EW)			
075	LIGHTWEIGHT COUNTER MORTAR RADAR	27,646	27,646
077	FMLY OF PERSISTENT SURVEILLANCE CAPABILITIES	52,000	52,000
078	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	205,209	205,209
ELECT EQUIP—TACTICAL SURV. (TAC SURV)			
092	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	14,600	14,600
099	COUNTERFIRE RADARS	54,585	54,585
ELECT EQUIP—TACTICAL C2 SYSTEMS			
102	FIRE SUPPORT C2 FAMILY	22,430	22,430
103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	2,400	2,400
112	MANEUVER CONTROL SYSTEM (MCS)	6,400	6,400
113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	5,160	5,160
CHEMICAL DEFENSIVE EQUIPMENT			
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	15,000	15,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
127	BASE DEFENSE SYSTEMS (BDS)	66,100	66,100
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	3,565	3,565
	COMBAT SERVICE SUPPORT EQUIPMENT		
143	FORCE PROVIDER	39,700	39,700
145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	650	650
	PETROLEUM EQUIPMENT		
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	2,119	2,119
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	428	428
153	ITEMS LESS THAN \$5 MILLION (MAINT EQ)	30	30
	TRAINING EQUIPMENT		
175	COMBAT TRAINING CENTERS SUPPORT	7,000	7,000
176	TRAINING DEVICES, NONSYSTEM	27,250	27,250
178	AVIATION COMBINED ARMS TACTICAL TRAINER	1,000	1,000
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	5,900	5,900
	OTHER SUPPORT EQUIPMENT		
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	98,167	91,167
	Slow execution of prior years appropriations		[-37,000]
	Solar power units		[30,000]
	TOTAL, OTHER PROCUREMENT, ARMY	2,015,907	2,048,907
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	950,500	850,500
	Program decrease—under execution		[-100,000]
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	400,000	350,000
	Program decrease—under execution & program delays		[-50,000]
	FORCE TRAINING		
003	TRAIN THE FORCE	149,500	128,500
	Program decrease—under execution & program delays		[-21,000]
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	175,400	373,814
	Transfer from Base		[227,414]
	Program decrease—excessive contractor service support		[-29,000]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	1,675,400	1,702,814
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
011	H-1 UPGRADES (UH-1Y/AH-1Z)	29,800	29,800
	MODIFICATION OF AIRCRAFT		
030	AV-8 SERIES	42,238	42,238
032	F-18 SERIES	41,243	41,243
035	H-53 SERIES	15,870	15,870
038	EP-3 SERIES	13,030	13,030
043	C-130 SERIES	16,737	16,737
048	SPECIAL PROJECT AIRCRAFT	2,714	2,714
054	COMMON AVIONICS CHANGES	570	570
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
062	COMMON GROUND EQUIPMENT	2,380	2,380
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	164,582	164,582
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
009	HELLFIRE	17,000	17,000
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	6,500	6,500
	TOTAL, WEAPONS PROCUREMENT, NAVY	23,500	23,500
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	18,000	18,000
002	AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
003	MACHINE GUN AMMUNITION	21,500	21,500
006	AIR EXPENDABLE COUNTERMEASURES	20,303	20,303
011	OTHER SHIP GUN AMMUNITION	532	532
012	SMALL ARMS & LANDING PARTY AMMO	2,643	2,643
013	PYROTECHNIC AND DEMOLITION	2,322	2,322
014	AMMUNITION LESS THAN \$5 MILLION	6,308	6,308
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	10,948	10,948
016	LINEAR CHARGES, ALL TYPES	9,940	9,940
017	40MM, ALL TYPES	5,963	5,963
020	120MM, ALL TYPES	11,605	11,605
021	CTG 25MM, ALL TYPES	2,831	2,831
022	GRENADES, ALL TYPES	2,359	2,359
023	ROCKETS, ALL TYPES	3,051	3,051
024	ARTILLERY, ALL TYPES	54,886	54,886

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
025	DEMOLITION MUNITIONS, ALL TYPES	1,391	1,391
026	FUZE, ALL TYPES	30,945	30,945
027	NON LETHALS	8	8
029	ITEMS LESS THAN \$5 MILLION	12	12
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC	285,747	285,747
	OTHER PROCUREMENT, NAVY		
	OTHER SHORE ELECTRONIC EQUIPMENT		
070	TACTICAL/MOBILE C4 SYSTEMS	3,603	3,603
	AIRCRAFT SUPPORT EQUIPMENT		
097	EXPEDITIONARY AIRFIELDS	58,200	58,200
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
127	PASSENGER CARRYING VEHICLES	3,901	3,901
128	GENERAL PURPOSE TRUCKS	852	852
129	CONSTRUCTION & MAINTENANCE EQUIP	2,436	2,436
130	FIRE FIGHTING EQUIPMENT	3,798	3,798
131	TACTICAL VEHICLES	13,394	13,394
134	ITEMS UNDER \$5 MILLION	375	375
	COMMAND SUPPORT EQUIPMENT		
149	C4ISR EQUIPMENT	3,000	3,000
151	PHYSICAL SECURITY EQUIPMENT	9,323	9,323
	TOTAL, OTHER PROCUREMENT, NAVY	98,882	98,882
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
002	LAV PIP	10,000	10,000
	ARTILLERY AND OTHER WEAPONS		
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	108,860	108,860
	GUIDED MISSILES		
010	JAVELIN	29,158	29,158
	OTHER SUPPORT		
013	MODIFICATION KITS	41,602	41,602
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	13,632	13,632
	OTHER SUPPORT (TEL)		
017	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	AIR OPERATIONS C2 SYSTEMS	15,575	15,575
	RADAR + EQUIPMENT (NON-TEL)		
020	RADAR SYSTEMS	8,015	8,015
	INTELL/COMM EQUIPMENT (NON-TEL)		
023	INTELLIGENCE SUPPORT EQUIPMENT	35,310	35,310
	OTHER COMMELEC EQUIPMENT (NON-TEL)		
029	NIGHT VISION EQUIPMENT	652	652
	OTHER SUPPORT (NON-TEL)		
030	COMMON COMPUTER RESOURCES	19,807	19,807
032	RADIO SYSTEMS	36,482	36,482
033	COMM SWITCHING & CONTROL SYSTEMS	41,295	41,295
	TACTICAL VEHICLES		
039	MEDIUM TACTICAL VEHICLE REPLACEMENT	10,466	10,466
041	FAMILY OF TACTICAL TRAILERS	7,642	7,642
	ENGINEER AND OTHER EQUIPMENT		
045	BULK LIQUID EQUIPMENT	18,239	18,239
046	TACTICAL FUEL SYSTEMS	51,359	51,359
047	POWER EQUIPMENT ASSORTED	20,247	20,247
049	EOD SYSTEMS	362,658	362,658
	MATERIALS HANDLING EQUIPMENT		
050	PHYSICAL SECURITY EQUIPMENT	55,500	55,500
052	MATERIAL HANDLING EQUIP	19,100	19,100
	GENERAL PROPERTY		
054	FIELD MEDICAL EQUIPMENT	15,751	15,751
055	TRAINING DEVICES	3,602	3,602
057	FAMILY OF CONSTRUCTION EQUIPMENT	15,900	15,900
	TOTAL, PROCUREMENT, MARINE CORPS	943,683	943,683
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC AIRCRAFT		
035	LARGE AIRCRAFT INFRARED COUNTERMEASURES	139,800	139,800
	OTHER AIRCRAFT		
055	U-2 MODS	46,800	46,800
063	C-130	11,400	11,400
067	COMPASS CALL MODS	14,000	14,000
068	RC-135	8,000	8,000
075	HC/MC-130 MODIFICATIONS	4,700	4,700
	AIRCRAFT SPARES AND REPAIR PARTS		
081	INITIAL SPARES/REPAIR PARTS	21,900	21,900
	OTHER PRODUCTION CHARGES		
099	OTHER PRODUCTION CHARGES	59,000	59,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	305,600	305,600
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
005	PREDATOR HELLFIRE MISSILE	34,350	34,350
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	34,350	34,350
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
002	CARTRIDGES	13,592	13,592
	BOMBS		
004	GENERAL PURPOSE BOMBS	23,211	23,211
005	JOINT DIRECT ATTACK MUNITION	53,923	53,923
	FLARE, IR MJU-7B		
006	CAD/PAD	2,638	2,638
010	ITEMS LESS THAN \$5 MILLION	2,600	2,600
	FUZES		
011	FLARES	11,726	11,726
012	FUZES	8,513	8,513
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	116,203	116,203
	OTHER PROCUREMENT, AIR FORCE		
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	2,010	2,010
004	ITEMS LESS THAN \$5 MILLION	2,675	2,675
	SPECIAL PURPOSE VEHICLES		
006	ITEMS LESS THAN \$5 MILLION	2,557	2,557
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN \$5 MILLION	4,329	4,329
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV AND CLEANING EQU	984	984
010	ITEMS LESS THAN \$5 MILLION	9,120	9,120
	ELECTRONICS PROGRAMS		
022	WEATHER OBSERVATION FORECAST	5,600	5,600
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	11,157	11,157
	ORGANIZATION AND BASE		
049	TACTICAL C-E EQUIPMENT	7,000	7,000
053	BASE COMM INFRASTRUCTURE	10,654	10,654
	MODIFICATIONS		
054	COMM ELECT MODS	8,000	8,000
	PERSONAL SAFETY & RESCUE EQUIP		
055	NIGHT VISION GOGGLES	902	902
	BASE SUPPORT EQUIPMENT		
059	CONTINGENCY OPERATIONS	60,090	60,090
062	MOBILITY EQUIPMENT	9,400	9,400
063	ITEMS LESS THAN \$5 MILLION	9,175	9,175
	CLASSIFIED PROGRAMS		
069A	CLASSIFIED PROGRAMS	2,672,317	2,672,317
	SPARES AND REPAIR PARTS		
071	SPARES AND REPAIR PARTS	2,300	2,300
	TOTAL, OTHER PROCUREMENT, AIR FORCE	2,818,270	2,818,270
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
015	TELEPORT PROGRAM	5,260	5,260
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS	126,201	126,201
	AVIATION PROGRAMS		
061	MQ-8 UAV	16,500	16,500
	OTHER PROCUREMENT PROGRAMS		
068	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	151	151
069	INTELLIGENCE SYSTEMS	30,528	30,528
077	TACTICAL VEHICLES	1,843	1,843
082	AUTOMATION SYSTEMS	1,000	1,000
086	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	108	108
091	OPERATIONAL ENHANCEMENTS	14,758	14,758
	TOTAL, PROCUREMENT, DEFENSE-WIDE	196,349	196,349
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, PROCUREMENT	9,687,241	9,676,655

1 **TITLE XLII—RESEARCH, DEVEL-**
 2 **OPMENT, TEST, AND EVALUA-**
 3 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH				
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	20,860	20,860
002	0601102A	DEFENSE RESEARCH SCIENCES	219,180	219,180
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	80,986	80,986
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	123,045	123,045
		SUBTOTAL, BASIC RESEARCH	444,071	444,071
APPLIED RESEARCH				
005	0602105A	MATERIALS TECHNOLOGY	29,041	29,041
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	45,260	45,260
007	0602122A	TRACTOR HIP	22,439	22,439
008	0602211A	AVIATION TECHNOLOGY	51,607	51,607
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	15,068	15,068
010	0602303A	MISSILE TECHNOLOGY	49,383	49,383
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	25,999	25,999
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	23,507	23,507
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	69,062	69,062
014	0602618A	BALLISTICS TECHNOLOGY	60,823	60,823
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,465	4,465
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	7,169	7,169
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	35,218	35,218
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	60,300	60,300
019	0602709A	NIGHT VISION TECHNOLOGY	53,244	53,244
020	0602712A	COUNTERMINE SYSTEMS	18,850	18,850
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	19,872	19,872
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,095	20,095
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	28,852	28,852
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	9,830	9,830
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	70,693	70,693
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	17,781	17,781
027	0602786A	WARFIGHTER TECHNOLOGY	28,281	28,281
028	0602787A	MEDICAL TECHNOLOGY	107,891	107,891
		SUBTOTAL, APPLIED RESEARCH	874,730	874,730
ADVANCED TECHNOLOGY DEVELOPMENT				
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	39,359	39,359
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,580	69,580
031	0603003A	AVIATION ADVANCED TECHNOLOGY	64,215	64,215
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	67,613	67,613
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY ..	104,359	104,359
034	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECH- NOLOGY	4,157	4,157
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECH- NOLOGY	9,856	9,856
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,661	50,661
037	0603009A	TRACTOR HIKE	9,126	9,126
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,257	17,257
039	0603020A	TRACTOR ROSE	9,925	9,925
040	0603105A	MILITARY HIV RESEARCH	6,984	6,984
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	9,716	9,716
042	0603130A	TRACTOR NAIL	3,487	3,487
043	0603131A	TRACTOR EGGS	2,323	2,323
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY	21,683	21,683
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	71,111	71,111
046	0603322A	TRACTOR CAGE	10,902	10,902
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM ...	180,582	180,582
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY ...	27,204	27,204
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	6,095	6,095
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	37,217	37,217
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	13,626	13,626

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	28,458	28,458
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	25,226	25,226
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT ...	890,722	890,722
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	14,505	14,505
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	9,876	9,876
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	5,054	5,054
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ADV DEV ...	2,725	2,725
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	30,560	30,560
059	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	14,347	14,347
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	10,073	10,073
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	8,660	8,660
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	10,715	10,715
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	4,631	4,631
064	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL	278,018	278,018
065	0603790A	NATO RESEARCH AND DEVELOPMENT	4,961	4,961
066	0603801A	AVIATION—ADV DEV	8,602	8,602
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	14,605	14,605
068	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS	5,054	5,054
069	0603807A	MEDICAL SYSTEMS—ADV DEV	24,384	24,384
070	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	32,050	32,050
071	0603850A	INTEGRATED BROADCAST SERVICE	96	96
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	24,868	24,868
073	0604131A	TRACTOR JUTE	59	59
074	0604284A	JOINT COOPERATIVE TARGET IDENTIFICATION—GROUND (JCTIG)/TECHNOLOGY DEV	0	0
075	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2)	76,039	76,039
076	0604775A	DEFENSE RAPID INNOVATION PROGRAM	0	0
077	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	4,043	4,043
078	0305205A	ENDURANCE UAVS	26,196	26,196
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	610,121	610,121
SYSTEM DEVELOPMENT & DEMONSTRATION				
079	0604201A	AIRCRAFT AVIONICS	78,538	78,538
080	0604220A	ARMED, DEPLOYABLE HELOS	90,494	90,494
081	0604270A	ELECTRONIC WARFARE DEVELOPMENT	181,347	181,347
082	0604280A	JOINT TACTICAL RADIO	0	0
083	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVr)	12,636	12,636
084	0604321A	ALL SOURCE ANALYSIS SYSTEM	5,694	5,694
085	0604328A	TRACTOR CAGE	32,095	32,095
086	0604601A	INFANTRY SUPPORT WEAPONS	96,478	96,478
087	0604604A	MEDIUM TACTICAL VEHICLES	3,006	3,006
088	0604609A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ENG DEV ...	0	0
089	0604611A	JAVELIN	5,040	5,040
090	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	3,077	3,077
091	0604633A	AIR TRAFFIC CONTROL	9,769	9,769
092	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	13,141	25,141
		Transfer from OPA line 191 at Army request		[12,000]
093	0604642A	LIGHT TACTICAL WHEELED VEHICLES	0	0
094	0604661A	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	0	0
095	0604662A	FCS RECONNAISSANCE (UAV) PLATFORMS	0	0
096	0604663A	FCS UNMANNED GROUND VEHICLES	0	0
097	0604664A	FCS UNATTENDED GROUND SENSORS	0	0
098	0604665A	FCS SUSTAINMENT & TRAINING R&D	0	0
099	0604710A	NIGHT VISION SYSTEMS—ENG DEV	32,621	32,621
100	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,132	2,132
101	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	44,787	44,787
102	0604716A	TERRAIN INFORMATION—ENG DEV	1,008	1,008
103	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	73,333	73,333
104	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	28,937	28,937
105	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	10,815	10,815
106	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	13,926	13,926
107	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	17,797	17,797
108	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	214,270	214,270
109	0604802A	WEAPONS AND MUNITIONS—ENG DEV	14,581	14,581
110	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	43,706	43,706
111	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	20,776	20,776
112	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	43,395	43,395
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	104,983	104,983
114	0604814A	ARTILLERY MUNITIONS—EMD	4,346	4,346

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
115	0604817A	COMBAT IDENTIFICATION	0	0
116	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE		
		WARE	77,223	77,223
117	0604820A	RADAR DEVELOPMENT	3,486	3,486
118	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEB)	9,963	27,163
		GFEB realignment per Army request		[17,200]
119	0604823A	FIREFINDER	20,517	20,517
120	0604827A	SOLDIER SYSTEMS—WARRIOR DEMVAL	51,851	51,851
121	0604854A	ARTILLERY SYSTEMS—EMD	167,797	167,797
122	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	400,861	0
		No funds authorized		[-400,861]
123	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,922	7,922
124	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	51,463	51,463
125	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	158,646	158,646
126	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	10,000	10,000
127	0605455A	SLAMRAAM	0	0
128	0605456A	PAC-3/MSE MISSILE	69,029	69,029
129	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	277,374	277,374
130	0605625A	MANNED GROUND VEHICLE	639,874	639,874
131	0605626A	AERIAL COMMON SENSOR	47,426	47,426
132	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	72,295	72,295
133	0303032A	TROJAN—RH12	4,232	4,232
134	0304270A	ELECTRONIC WARFARE DEVELOPMENT	13,942	13,942
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	3,286,629	2,914,968
		RDT&E MANAGEMENT SUPPORT		
135	0604256A	THREAT SIMULATOR DEVELOPMENT	18,090	18,090
136	0604258A	TARGET SYSTEMS DEVELOPMENT	14,034	14,034
137	0604759A	MAJOR T&E INVESTMENT	37,394	37,394
138	0605103A	RAND ARROYO CENTER	21,026	21,026
139	0605301A	ARMY KWAJALEIN ATOLL	176,816	176,816
140	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	27,902	27,902
141	0605502A	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
142	0605601A	ARMY TEST RANGES AND FACILITIES	369,900	369,900
143	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	69,183	69,183
144	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	44,753	44,753
145	0605605A	DOD HIGH ENERGY LASER TEST FACILITY	0	0
146	0605606A	AIRCRAFT CERTIFICATION	5,762	5,762
147	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,402	7,402
148	0605706A	MATERIEL SYSTEMS ANALYSIS	19,954	19,954
149	0605709A	EXPLOITATION OF FOREIGN ITEMS	5,535	5,535
150	0605712A	SUPPORT OF OPERATIONAL TESTING	67,789	67,789
151	0605716A	ARMY EVALUATION CENTER	62,765	62,765
152	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	1,545	1,545
153	0605801A	PROGRAMWIDE ACTIVITIES	83,422	83,422
154	0605803A	TECHNICAL INFORMATION ACTIVITIES	50,820	50,820
155	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	46,763	46,763
156	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,601	4,601
157	0605898A	MANAGEMENT HQ—R&D	18,524	18,524
158	0909999A	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	1,153,980	1,153,980
		OPERATIONAL SYSTEMS DEVELOPMENT		
159	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	143,005	143,005
160	0607665A	FAMILY OF BIOMETRICS	0	0
161	0607865A	PATRIOT PRODUCT IMPROVEMENT	109,978	109,978
162	0102419A	AEROSTAT JOINT PROJECT OFFICE	190,422	190,422
163	0203347A	INTELLIGENCE SUPPORT TO CYBER (ISC) MIP	0	0
164	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	32,556	32,556
165	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	253,959	253,959
166	0203740A	MANEUVER CONTROL SYSTEM	68,325	68,325
167	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	280,247	226,247
		Improved turbine engine program delay		[-54,000]
168	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	898	898
169	0203758A	DIGITIZATION	35,180	35,180
170	0203759A	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB3) ...	0	0
171	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	20,733	20,733
172	0203808A	TRACTOR CARD	63,243	63,243
173	0208053A	JOINT TACTICAL GROUND SYSTEM	31,738	31,738
174	0208058A	JOINT HIGH SPEED VESSEL (JHSV)	35	35
176	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	7,591	7,591
177	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,961	15,961
178	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	120,927	120,927
179	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	15,756	15,756
180	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	14,443	14,443
182	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	31,303	31,303

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
183	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	40,876	40,876
184	0305219A	MQ-1 SKY WARRIOR A UAV	74,618	74,618
185	0305232A	RQ-11 UAV	4,039	4,039
186	0305233A	RQ-7 UAV	31,158	31,158
187	0305235A	VERTICAL UAS	2,387	2,387
188	0307665A	BIOMETRICS ENABLED INTELLIGENCE	15,248	15,248
189	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,908	59,908
189A	999999999	CLASSIFIED PROGRAMS	4,628	4,628
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,669,162	1,615,162
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	8,929,415	8,503,754
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	113,690	113,690
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,261	18,261
003	0601153N	DEFENSE RESEARCH SCIENCES	473,070	473,070
		SUBTOTAL, BASIC RESEARCH	605,021	605,021
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	89,189	89,189
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	143,301	143,301
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	46,528	46,528
007	0602235N	COMMON PICTURE APPLIED RESEARCH	41,696	41,696
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	44,127	44,127
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	78,228	78,228
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,635	49,635
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,973	5,973
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	96,814	96,814
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	162,417	162,417
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,394	32,394
		SUBTOTAL, APPLIED RESEARCH	790,302	790,302
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	56,543	56,543
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	18,616	18,616
017	0603235N	COMMON PICTURE ADVANCED TECHNOLOGY	0	0
018	0603236N	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	0	0
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	54,858	54,858
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	130,598	130,598
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,706	11,706
022	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	256,382	256,382
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	3,880	3,880
024	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	0	0
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	51,819	51,819
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	0	0
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	584,402	584,402
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603128N	UNMANNED AERIAL SYSTEM	0	0
028	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	34,085	34,085
029	0603216N	AVIATION SURVIVABILITY	8,783	8,783
030	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,773	3,773
031	0603251N	AIRCRAFT SYSTEMS	24,512	24,512
032	0603254N	ASW SYSTEMS DEVELOPMENT	8,090	8,090
033	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,301	5,301
034	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,506	1,506
035	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	190,622	190,622
036	0603506N	SURFACE SHIP TORPEDO DEFENSE	93,346	93,346
037	0603512N	CARRIER SYSTEMS DEVELOPMENT	108,871	108,871
038	0603513N	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	0	0
039	0603525N	PILOT FISH	101,169	101,169
040	0603527N	RETRACT LARCH	74,312	74,312
041	0603536N	RETRACT JUNIPER	90,730	90,730
042	0603542N	RADIOLOGICAL CONTROL	777	777
043	0603553N	SURFACE ASW	6,704	6,704
044	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	555,123	555,123
045	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,368	9,368
046	0603563N	SHIP CONCEPT ADVANCED DESIGN	24,609	24,609
047	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,710	13,710
048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	249,748	249,748
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	29,897	29,897
050	0603576N	CHALK EAGLE	509,988	509,988
051	0603581N	LITTORAL COMBAT SHIP (LCS)	429,420	429,420
052	0603582N	COMBAT SYSTEM INTEGRATION	56,551	56,551
053	0603609N	CONVENTIONAL MUNITIONS	7,342	7,342

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Line	Program Element	Item	FY 2013 Request	Senate Authorized
054	0603611M	MARINE CORPS ASSAULT VEHICLES	95,182	95,182
055	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	10,496	10,496
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	52,331	52,331
057	0603658N	COOPERATIVE ENGAGEMENT	56,512	56,512
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	7,029	7,029
059	0603721N	ENVIRONMENTAL PROTECTION	21,080	21,080
060	0603724N	NAVY ENERGY PROGRAM	55,324	55,324
061	0603725N	FACILITIES IMPROVEMENT	3,401	3,401
062	0603734N	CHALK CORAL	45,966	45,966
063	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,811	3,811
064	0603746N	RETRACT MAPLE	341,305	341,305
065	0603748N	LINK PLUMERIA	181,220	181,220
066	0603751N	RETRACT ELM	174,014	174,014
067	0603755N	SHIP SELF DEFENSE—DEM/VAL	0	0
068	0603764N	LINK EVERGREEN	68,654	68,654
069	0603787N	SPECIAL PROCESSES	44,487	44,487
070	0603790N	NATO RESEARCH AND DEVELOPMENT	9,389	9,389
071	0603795N	LAND ATTACK TECHNOLOGY	16,132	16,132
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING	44,994	44,994
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	137,369	137,369
074	0603889N	COUNTERDRUG RDT&E PROJECTS	0	0
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	0	0
076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	73,934	73,934
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION	711	711
078	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WAR- FARE (JCREW)	71,300	71,300
079	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	5,654	5,654
080	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/EN- GINEERING SUPPORT	31,549	31,549
081	0604775N	DEFENSE RAPID INNOVATION PROGRAM	0	0
082	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT ...	86,801	86,801
083	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	44,500	44,500
084	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	13,172	13,172
085	0303562N	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP	0	0
086	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	643	643
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,335,297	4,335,297
		SYSTEM DEVELOPMENT & DEMONSTRATION		
087	0604212N	OTHER HELO DEVELOPMENT	33,978	33,978
088	0604214N	AV-8B AIRCRAFT—ENG DEV	32,789	32,789
089	0604215N	STANDARDS DEVELOPMENT	84,988	84,988
090	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	6,866	6,866
091	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,060	4,060
092	0604221N	P-3 MODERNIZATION PROGRAM	3,451	3,451
093	0604230N	WARFARE SUPPORT SYSTEM	13,071	13,071
094	0604231N	TACTICAL COMMAND SYSTEM	71,645	71,645
095	0604234N	ADVANCED HAWKEYE	119,065	119,065
096	0604245N	H-1 UPGRADES	31,105	31,105
097	0604261N	ACOUSTIC SEARCH SENSORS	34,299	34,299
098	0604262N	V-32A	54,412	54,412
099	0604264N	AIR CREW SYSTEMS DEVELOPMENT	2,717	2,717
100	0604269N	EA-18	13,009	13,009
101	0604270N	ELECTRONIC WARFARE DEVELOPMENT	51,304	51,304
102	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT	61,163	61,163
103	0604274N	NEXT GENERATION JAMMER (NGJ)	187,024	187,024
104	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	337,480	337,480
105	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	260,616	260,616
106	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	824	824
107	0604329N	SMALL DIAMETER BOMB (SDB)	31,064	31,064
108	0604366N	STANDARD MISSILE IMPROVEMENTS	63,891	63,891
109	0604373N	AIRBORNE MCM	73,246	73,246
110	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WAR- FARE (EW) FOR AVIATION	10,568	10,568
111	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	39,974	39,974
112	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM	122,481	122,481
113	0604501N	ADVANCED ABOVE WATER SENSORS	255,516	255,516
114	0604503N	SSN-688 AND TRIDENT MODERNIZATION	82,620	82,620
115	0604504N	AIR CONTROL	5,633	5,633
116	0604512N	SHIPBOARD AVIATION SYSTEMS	55,826	55,826
117	0604518N	COMBAT INFORMATION CENTER CONVERSION	918	918
118	0604558N	NEW DESIGN SSN	165,230	165,230
119	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	49,141	49,141
120	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	196,737	196,737

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121	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,889	3,889
122	0604601N	MINE DEVELOPMENT	8,335	8,335
123	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	49,818	49,818
124	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,099	10,099
125	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,348	7,348
126	0604727N	JOINT STANDOFF WEAPON SYSTEMS	5,518	5,518
127	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	87,662	87,662
128	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	64,079	64,079
129	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	151,489	151,489
130	0604761N	INTELLIGENCE ENGINEERING	0	0
131	0604771N	MEDICAL DEVELOPMENT	12,707	12,707
132	0604777N	NAVIGATION/ID SYSTEM	47,764	47,764
133	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	737,149	737,149
134	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	743,926	743,926
135	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	12,143	12,143
136	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	72,209	72,209
137	0605018N	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (N- IMHRS)	0	0
138	0605212N	CH-53K RDTE	606,204	606,204
139	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	0	0
140	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	421,102	421,102
141	0204202N	DDG-1000	124,655	124,655
142	0304231N	TACTICAL COMMAND SYSTEM—MIP	1,170	1,170
143	0304503N	SSN-688 AND TRIDENT MODERNIZATION—MIP	0	0
144	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	23,255	23,255
145	0305124N	SPECIAL APPLICATIONS PROGRAM	0	0
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	5,747,232	5,747,232
		RDT&E MANAGEMENT SUPPORT		
146	0604256N	THREAT SIMULATOR DEVELOPMENT	30,790	30,790
147	0604258N	TARGET SYSTEMS DEVELOPMENT	59,221	59,221
148	0604759N	MAJOR T&E INVESTMENT	35,894	35,894
149	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	7,573	7,573
150	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	20,963	20,963
151	0605154N	CENTER FOR NAVAL ANALYSES	46,856	46,856
152	0605502N	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
153	0605804N	TECHNICAL INFORMATION SERVICES	796	796
154	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	32,782	32,782
155	0605856N	STRATEGIC TECHNICAL SUPPORT	3,306	3,306
156	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	70,302	70,302
157	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	144,033	144,033
158	0605864N	TEST AND EVALUATION SUPPORT	342,298	342,298
159	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,399	16,399
160	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,579	4,579
161	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,000	8,000
162	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	18,490	18,490
163	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES	2,795	2,795
164	0804758N	SERVICE SUPPORT TO JFCOM, JNTC	0	0
165	0909999N	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	845,077	845,077
		OPERATIONAL SYSTEMS DEVELOPMENT		
167	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPO- NENT AND PROTOTYPE DEVELOPMENT	142,282	142,282
168	0604717M	MARINE CORPS COMBAT SERVICES SUPPORT	0	0
169	0604766M	MARINE CORPS DATA SYSTEMS	0	0
170	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	105,892	105,892
171	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	34,729	34,729
172	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	1,434	1,434
173	0101402N	NAVY STRATEGIC COMMUNICATIONS	19,208	19,208
174	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	25,566	25,566
175	0204136N	FA-18 SQUADRONS	188,299	188,299
176	0204152N	E-2 SQUADRONS	8,610	8,610
177	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	15,695	15,695
178	0204228N	SURFACE SUPPORT	4,171	4,171
179	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	11,265	11,265
180	0204311N	INTEGRATED SURVEILLANCE SYSTEM	45,922	45,922
181	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	8,435	8,435
182	0204460M	GROUND/AIR TASK ORIENTED RADAR (GATOR)	75,088	75,088
183	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	20,229	20,229
184	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,756	1,756
185	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	19,843	19,843
186	0205601N	HARM IMPROVEMENT	11,477	11,477
187	0205604N	TACTICAL DATA LINKS	118,818	118,818
188	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	27,342	27,342

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189	0205632N	MK-48 ADCAP	28,717	28,717
190	0205633N	AVIATION IMPROVEMENTS	89,157	89,157
191	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM	3,450	3,450
192	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	86,435	86,435
193	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	219,054	219,054
194	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	181,693	181,693
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	58,393	58,393
196	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	22,966	22,966
197	0207161N	TACTICAL AIM MISSILES	21,107	21,107
198	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,857	2,857
199	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	1,932	1,932
204	0303109N	SATELLITE COMMUNICATIONS (SPACE)	188,482	188,482
205	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	16,749	16,749
206	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	26,307	26,307
207	0303150M	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	500	500
208	0303238N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)—MIP	0	0
210	0305149N	COBRA JUDY	17,091	17,091
211	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	810	810
212	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	8,617	8,617
213	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,066	9,066
214	0305206N	AIRBORNE RECONNAISSANCE SYSTEMS	0	0
215	0305207N	MANNED RECONNAISSANCE SYSTEMS	30,654	30,654
216	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,917	25,917
217	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,676	14,676
218	0305220N	RQ-4 UAV	657,483	657,483
219	0305231N	MQ-8 UAV	99,600	99,600
220	0305232M	RQ-11 UAV	495	495
221	0305233N	RQ-7 UAV	863	863
222	0305234M	SMALL (LEVEL 0) TACTICAL UAS (STUASLo)	0	0
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLo)	9,734	9,734
224	0305237N	MEDIUM RANGE MARITIME UAS	0	0
225	0305239M	RQ-21A	22,343	22,343
226	0308601N	MODELING AND SIMULATION SUPPORT	5,908	5,908
227	0702207N	DEPOT MAINTENANCE (NON-IF)	27,391	27,391
228	0702239N	AVIONICS COMPONENT IMPROVEMENT PROGRAM	0	0
229	0708011N	INDUSTRIAL PREPAREDNESS	54,879	54,879
230	0708730N	MARITIME TECHNOLOGY (MARITECH)	5,000	5,000
230A	999999999	CLASSIFIED PROGRAMS	1,151,159	1,151,159
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	3,975,546	3,975,546
230B		PRIOR YEAR SAVINGS		-8,832
		Medium range maritime UAS cancellation		[-8,832]
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	16,882,877	16,874,045
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	361,787	361,787
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,153	141,153
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,094	13,094
		SUBTOTAL, BASIC RESEARCH	516,034	516,034
		APPLIED RESEARCH		
004	0602102F	MATERIALS	114,166	114,166
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	120,719	120,719
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	89,319	89,319
007	0602203F	AEROSPACE PROPULSION	232,547	232,547
008	0602204F	AEROSPACE SENSORS	127,637	127,637
009	0602601F	SPACE TECHNOLOGY	98,375	98,375
010	0602602F	CONVENTIONAL MUNITIONS	77,175	77,175
011	0602605F	DIRECTED ENERGY TECHNOLOGY	106,196	106,196
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	104,362	104,362
013	0602890F	HIGH ENERGY LASER RESEARCH	38,557	38,557
		SUBTOTAL, APPLIED RESEARCH	1,109,053	1,109,053
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	47,890	47,890
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	6,565	6,565
016	0603203F	ADVANCED AEROSPACE SENSORS	37,657	37,657
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	81,376	81,376
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	151,152	151,152
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,941	32,941
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	64,557	64,557
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	29,256	29,256
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	21,523	21,523

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023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	36,352	36,352
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	19,004	19,004
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	37,045	37,045
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	31,419	31,419
027	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	0	0
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT ...	596,737	596,737
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	3,866	3,866
029	0603287F	PHYSICAL SECURITY EQUIPMENT	3,704	3,704
030	0603430F	ADVANCED EHF MILSATCOM (SPACE)	229,171	227,671
		<i>Excess funding</i>		[-1,500]
031	0603432F	POLAR MILSATCOM (SPACE)	120,676	120,676
032	0603438F	SPACE CONTROL TECHNOLOGY	25,144	23,144
		<i>Excess funding</i>		[-2,000]
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	32,243	32,243
034	0603790F	NATO RESEARCH AND DEVELOPMENT	4,507	4,507
035	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	652	652
036	0603830F	SPACE PROTECTION PROGRAM (SPP)	10,429	10,429
037	0603850F	INTEGRATED BROADCAST SERVICE—DEM/VAL	19,938	19,938
038	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	71,181	71,181
039	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,027	12,027
040	0603859F	POLLUTION PREVENTION—DEM/VAL	2,054	2,054
041	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	57,975	57,975
042	0604015F	LONG RANGE STRIKE	291,742	291,742
043	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	114,417	114,417
044	0604317F	TECHNOLOGY TRANSFER	2,576	2,576
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	16,711	16,711
046	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE	0	0
047	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	16,343	16,343
048	0604422F	WEATHER SATELLITE FOLLOW-ON	2,000	2,000
049	0604436F	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT ...	0	0
050	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	9,423	9,423
051	0604775F	DEFENSE RAPID INNOVATION PROGRAM	0	0
052	0604796F	ALTERNATIVE FUELS	0	0
053	0604830F	AUTOMATED AIR-TO-AIR REFUELING	0	0
054	0604857F	OPERATIONALLY RESPONSIVE SPACE	0	45,000
		<i>Restore Operationally Responsive Space</i>		[45,000]
055	0604858F	TECH TRANSITION PROGRAM	37,558	34,558
		<i>Excess funding</i>		[-3,000]
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	96,840	96,840
057	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS)	0	0
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	1,181,177	1,219,677
SYSTEM DEVELOPMENT & DEMONSTRATION				
058	0603840F	GLOBAL BROADCAST SERVICE (GBS)	14,652	14,652
059	0604222F	NUCLEAR WEAPONS SUPPORT	25,713	25,713
060	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,583	6,583
061	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,975	1,975
062	0604280F	JOINT TACTICAL RADIO	2,594	2,594
063	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	24,534	24,534
064	0604287F	PHYSICAL SECURITY EQUIPMENT	51	51
065	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	143,000	143,000
066	0604421F	COUNTERSPACE SYSTEMS	28,797	28,797
067	0604425F	SPACE SITUATION AWARENESS SYSTEMS	267,252	247,252
		<i>Excess funding</i>		[-20,000]
068	0604429F	AIRBORNE ELECTRONIC ATTACK	4,118	4,118
069	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	448,594	446,594
		<i>Excess funding</i>		[-2,000]
070	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,951	9,951
071	0604604F	SUBUNITIONS	2,567	2,567
072	0604617F	AGILE COMBAT SUPPORT	13,059	13,059
073	0604706F	LIFE SUPPORT SYSTEMS	9,720	9,720
074	0604735F	COMBAT TRAINING RANGES	9,222	9,222
075	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC ² A)	0	0
076	0604750F	INTELLIGENCE EQUIPMENT	803	803
077	0604800F	F-35—EMD	1,210,306	1,210,306
078	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD	135,437	135,437
079	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	7,980	7,980
080	0604932F	LONG RANGE STANDOFF WEAPON	2,004	2,004
081	0604933F	ICBM FUZE MODERNIZATION	73,512	73,512

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082	0605213F	F-22 MODERNIZATION INCREMENT 3.2B	140,100	140,100
083	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	1,815,588	1,728,458
		Excess prior year funds		[-87,130]
084	0605229F	CSAR HH-60 RECAPITALIZATION	123,210	123,210
085	0605278F	HC/MC-130 RECAP RDT&E	19,039	19,039
086	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	281,056	281,056
087	0101125F	NUCLEAR WEAPONS MODERNIZATION	80,200	80,200
088	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS ...	0	0
089	0207604F	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE	310	310
090	0207701F	FULL COMBAT MISSION TRAINING	14,861	14,861
091	0305230F	MC-12	19,949	19,949
092	0401138F	C-27J AIRLIFT SQUADRONS	0	0
093	0401318F	CV-22	28,027	28,027
094	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	1,960	1,960
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	4,966,724	4,857,594
		RDT&E MANAGEMENT SUPPORT		
095	0604256F	THREAT SIMULATOR DEVELOPMENT	22,812	22,812
096	0604759F	MAJOR T&E INVESTMENT	42,236	42,236
097	0605101F	RAND PROJECT AIR FORCE	25,579	25,579
098	0605502F	SMALL BUSINESS INNOVATION RESEARCH	0	0
099	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	16,197	16,197
100	0605807F	TEST AND EVALUATION SUPPORT	722,071	722,071
101	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	16,200	16,200
102	0605864F	SPACE TEST PROGRAM (STP)	10,051	45,051
		Restore Space Test Program		[35,000]
103	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	42,597	42,597
104	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT ...	27,301	27,301
105	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,964	13,964
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	203,766	203,766
107	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	42,430	42,430
108	0804731F	GENERAL SKILL TRAINING	1,294	1,294
109	0909980F	JUDGMENT FUND REIMBURSEMENT	0	0
110	0909999F	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
111	1001004F	INTERNATIONAL ACTIVITIES	3,851	3,851
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	1,190,349	1,225,349
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	371,595	370,095
		Excess funding		[-1,500]
113	0604263F	COMMON VERTICAL LIFT SUPPORT PLATFORM	0	0
114	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	91,697	91,697
115	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	17,037	17,037
117	0101113F	B-52 SQUADRONS	53,208	53,208
118	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	431	431
119	0101126F	B-1B SQUADRONS	16,265	16,265
120	0101127F	B-2 SQUADRONS	35,970	20,970
		Efficiencies		[-15,000]
121	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	30,889	30,889
122	0101314F	NIGHT FIST—USSTRATCOM	10	10
124	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	5,609	5,609
125	0102823F	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	0	0
126	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND	15,098	15,098
127	0205219F	MQ-9 UAV	147,971	147,971
128	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	49,848	49,848
129	0207131F	A-10 SQUADRONS	13,538	13,538
130	0207133F	F-16 SQUADRONS	190,257	190,257
131	0207134F	F-15E SQUADRONS	192,677	192,677
132	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,683	13,683
133	0207138F	F-22A SQUADRONS	371,667	371,667
134	0207142F	F-35 SQUADRONS	8,117	8,117
135	0207161F	TACTICAL AIM MISSILES	8,234	8,234
136	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	87,041	87,041
137	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,472	1,472
138	0207224F	COMBAT RESCUE AND RECOVERY	2,095	2,095
139	0207227F	COMBAT RESCUE—PARARESCUE	1,119	1,119
140	0207247F	AF TENCAP	63,853	63,853
141	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,063	1,063
142	0207253F	COMPASS CALL	12,094	12,094
143	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	187,984	187,984
144	0207277F	ISR INNOVATIONS	0	0
145	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	7,950	7,950

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146	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	76,315	76,315
147	0207412F	CONTROL AND REPORTING CENTER (CRC)	8,653	8,653
148	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	65,200	65,200
149	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	5,767	5,767
150	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	0	0
152	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,756	5,756
153	0207438F	THEATER BATTLE MANAGEMENT (TBM) CMI	0	0
154	0207444F	TACTICAL AIR CONTROL PARTY-MOD	16,226	16,226
155	0207445F	FIGHTER TACTICAL DATA LINK	0	0
156	0207448F	C2ISR TACTICAL DATA LINK	1,633	1,633
157	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	18,086	18,086
158	0207452F	DCAPES	15,690	15,690
159	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS)	24,241	24,241
160	0207590F	SEEK EAGLE	22,654	22,654
161	0207601F	USAF MODELING AND SIMULATION	15,501	15,501
162	0207605F	WARGAMING AND SIMULATION CENTERS	5,699	5,699
163	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,425	4,425
164	0208006F	MISSION PLANNING SYSTEMS	69,377	69,377
165	0208021F	INFORMATION WARFARE SUPPORT	7,159	7,159
166	0208059F	CYBER COMMAND ACTIVITIES	66,888	66,888
174	0301400F	SPACE SUPERIORITY INTELLIGENCE	12,056	12,056
175	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	4,159	4,159
176	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	20,124	20,124
177	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	69,133	69,133
178	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	6,512	6,512
179	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM	4,316	4,316
180	0303601F	MILSATCOM TERMINALS	107,237	107,237
182	0304260F	AIRBORNE SIGINT ENTERPRISE	129,106	129,106
185	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,461	4,461
186	0305103F	CYBER SECURITY INITIATIVE	2,055	2,055
187	0305105F	DOD CYBER CRIME CENTER	285	285
188	0305110F	SATELLITE CONTROL NETWORK (SPACE)	33,773	33,773
189	0305111F	WEATHER SERVICE	29,048	29,048
190	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL)	43,187	43,187
191	0305116F	AERIAL TARGETS	50,496	50,496
194	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	354	354
195	0305145F	ARMS CONTROL IMPLEMENTATION	4,000	4,000
196	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	342	342
198	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	29,621	29,621
199	0305165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	14,335	14,335
201	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,680	3,680
202	0305174F	SPACE INNOVATION AND DEVELOPMENT CENTER	2,430	2,430
203	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	8,760	8,760
204	0305193F	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	0	0
205	0305202F	DRAGON U-2	23,644	23,644
206	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	21,000	21,000
207	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	96,735	96,735
208	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,316	13,316
209	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	63,501	63,501
210	0305219F	MQ-1 PREDATOR A UAV	9,122	9,122
211	0305220F	RQ-4 UAV	236,265	236,265
212	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,367	7,367
213	0305236F	COMMON DATA LINK (CDL)	38,094	38,094
214	0305238F	NATO AGS	210,109	210,109
215	0305240F	SUPPORT TO DCGS ENTERPRISE	24,500	24,500
216	0305265F	GPS III SPACE SEGMENT	318,992	318,992
217	0305614F	JSPOC MISSION SYSTEM	54,645	54,645
218	0305881F	RAPID CYBER ACQUISITION	4,007	4,007
219	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	13,357	13,357
220	0305913F	NUDET DETECTION SYSTEM (SPACE)	64,965	64,965
221	0305940F	SPACE SITUATION AWARENESS OPERATIONS	19,586	19,586
222	0307141F	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT	0	0
223	0308699F	SHARED EARLY WARNING (SEW)	1,175	1,175
224	0401115F	C-130 AIRLIFT SQUADRON	5,000	5,000
225	0401119F	C-5 AIRLIFT SQUADRONS (IF)	35,115	35,115
226	0401130F	C-17 AIRCRAFT (IF)	99,225	99,225
227	0401132F	C-130J PROGRAM	30,652	30,652
228	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	7,758	7,758
229	0401139F	LIGHT MOBILITY AIRCRAFT (LIMA)	100	100
230	0401218F	KC-135S	0	0
231	0401219F	KC-10S	24,022	24,022
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	7,471	7,471

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233	0401315F	C-STOL AIRCRAFT	0	0
234	0408011F	SPECIAL TACTICS / COMBAT CONTROL	4,984	4,984
235	0702207F	DEPOT MAINTENANCE (NON-IF)	1,588	1,588
236	0708012F	LOGISTICS SUPPORT ACTIVITIES	577	577
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	119,327	119,327
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	15,873	15,873
239	0801711F	RECRUITING ACTIVITIES	0	0
240	0804743F	OTHER FLIGHT TRAINING	349	349
241	0804757F	JOINT NATIONAL TRAINING CENTER	0	0
242	0808716F	OTHER PERSONNEL ACTIVITIES	117	117
243	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,018	2,018
244	0901218F	CIVILIAN COMPENSATION PROGRAM	1,561	1,561
245	0901220F	PERSONNEL ADMINISTRATION	7,634	7,634
246	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,175	1,175
247	0901279F	FACILITIES OPERATION—ADMINISTRATIVE	3,491	3,491
248	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	100,160	100,160
249	0902998F	MANAGEMENT HQ—ADP SUPPORT (AF)	0	0
249A	9999999999	CLASSIFIED PROGRAMS	11,172,183	11,149,583
		Classified reduction		[-4,600]
		Classified reduction		[-18,000]
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	15,867,972	15,828,872
249B		PRIOR YEAR SAVINGS		-78,426
		C-130 AMP cancellation		[-6,509]
		MALD II Cancellation		[-7,917]
		Global Hawk Block 30 cancellation		[-64,000]
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF ...	25,428,046	25,274,890
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	45,071	45,071
002	0601101E	DEFENSE RESEARCH SCIENCES	309,051	309,051
003	0601110D8Z	BASIC RESEARCH INITIATIVES	19,405	19,405
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	39,676	39,676
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	87,979	87,979
006	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	50,566	50,566
		SUBTOTAL, BASIC RESEARCH	551,748	551,748
		APPLIED RESEARCH		
007	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	20,615	20,615
008	0602115E	BIOMEDICAL TECHNOLOGY	110,900	110,900
009	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE	0	0
010	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	36,826	36,826
011	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH	7,898	7,898
012	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	392,421	392,421
013	0602304E	COGNITIVE COMPUTING SYSTEMS	30,424	30,424
014	0602305E	MACHINE INTELLIGENCE	0	0
015	0602383E	BIOLOGICAL WARFARE DEFENSE	19,236	19,236
016	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	223,269	223,269
017	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH	13,753	13,753
018	0602668D8Z	CYBER SECURITY RESEARCH	18,985	18,985
019	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH	6,771	6,771
020	0602702E	TACTICAL TECHNOLOGY	233,209	233,209
021	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	166,067	166,067
022	0602716E	ELECTRONICS TECHNOLOGY	222,416	222,416
023	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	172,352	172,352
024	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	28,739	28,739
		SUBTOTAL, APPLIED RESEARCH	1,703,881	1,703,881
		ADVANCED TECHNOLOGY DEVELOPMENT (ATD)		
025	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,612	25,612
026	0603121D8Z	SO LIC ADVANCED DEVELOPMENT	26,324	26,324
027	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,144	65,844
		Reduction due to duplication of effort		[-11,300]
028	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	275,022	275,022
029	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	79,975	79,975
030	0603200D8Z	JOINT ADVANCED CONCEPTS	0	0
031	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	20,032	20,032
032	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	3,892	3,892
033	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	36,685	36,685
034	0603286E	ADVANCED AEROSPACE SYSTEMS	174,316	174,316
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY	159,704	159,704

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036	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	234,280	234,280
037	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	6,983	6,983
038	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	158,263	158,263
039	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	25,393	25,393
040	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT ...	13,754	13,754
041	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY	0	0
042	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	19,935	19,935
043	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT	8,235	8,235
044	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	21,966	51,966
		<i>Industrial Base Innovation Fund</i>		[30,000]
045	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	24,662	24,662
046	0603711D8Z	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	0	0
047	06037128	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	24,605	24,605
048	06037138	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY ...	30,678	30,678
049	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,282	65,282
050	06037208	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	72,234	69,234
		<i>DMEA upgrade reduction</i>		[-3,000]
051	0603727D8Z	JOINT WARFIGHTING PROGRAM	8,403	8,403
052	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	111,008	111,008
053	0603755D8Z	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM ...	0	0
054	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	237,859	237,859
055	0603765E	CLASSIFIED DARPA PROGRAMS	3,000	3,000
056	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	236,883	236,883
057	0603767E	SENSOR TECHNOLOGY	299,438	299,438
058	06037698E	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	12,195	12,195
059	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	30,036	30,036
060	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	107,002	107,002
061	0603828D8Z	JOINT EXPERIMENTATION	0	0
062	0603828J	JOINT EXPERIMENTATION	21,230	21,230
063	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	47,433	47,433
064	0603901C	DIRECTED ENERGY RESEARCH	46,944	46,944
065	0603902C	NEXT GENERATION AEGIS MISSILE	224,077	224,077
066	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	92,602	92,602
067	0603942D8Z	TECHNOLOGY TRANSFER	0	0
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	26,244	26,244
069	0303310D8Z	CWMD SYSTEMS	53,946	53,946
070	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	45,317	45,317
071	1160422BB	AVIATION ENGINEERING ANALYSIS	861	861
072	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY	4,959	4,959
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT (ATD)	3,194,413	3,210,113
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	3,194,413	3,210,113
073	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	33,234	33,234
074	0603527D8Z	RETRACT LARCH	21,023	21,023
075	0603600D8Z	WALKOFF	94,624	94,624
076	0603709D8Z	JOINT ROBOTICS PROGRAM	0	0
077	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM	16,958	18,958
		<i>Reverse cuts to testing</i>		[2,000]
078	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	75,941	75,941
079	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT ...	316,929	316,929
080	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	903,172	903,172
081	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	179,023	179,023
082	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	347,012	347,012
083	0603888C	BALLISTIC MISSILE DEFENSE TEST & TARGETS	0	0
084	0603890C	BMD ENABLING PROGRAMS	362,711	362,711
085	0603891C	SPECIAL PROGRAMS—MDA	272,387	272,387
086	0603892C	AEGIS BMD	992,407	992,407
087	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	51,313	51,313
088	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	6,912	6,912
089	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT & COMMUNICATION	366,552	366,552
090	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	55,550	55,550
091	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	63,043	63,043
092	0603906C	REGARDING TRENCH	11,371	11,371
093	0603907C	SEA BASED X-BAND RADAR (SBX)	9,730	9,730
094	0603913C	ISRAELI COOPERATIVE PROGRAMS	99,836	409,836
		<i>Arrow Weapon System improvements</i>		[20,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
		Arrow-3 interceptor		[20,000]
		David's Sling short-range BMD		[60,000]
		Iron Dome short-range rocket defense		[210,000]
095	0603914C	BALLISTIC MISSILE DEFENSE TEST	454,400	454,400
096	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	435,747	435,747
097	0603920D8Z	HUMANITARIAN DEMINING	13,231	13,231
098	0603923D8Z	COALITION WARFARE	11,398	11,398
099	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,283	24,083
		Increase for requirements shortfall		[20,800]
100	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	12,368	12,368
101	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING	5,131	5,131
102	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM	0	200,000
		Rapid Innovation Program		[200,000]
103	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	0	0
104	0604787J	JOINT SYSTEMS INTEGRATION	3,273	3,273
105	0604828D8Z	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	0	0
106	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	7,364	7,364
107	0604880C	LAND-BASED SM-3 (LBSM3)	276,338	276,338
108	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	420,630	420,630
109	0604883C	PRECISION TRACKING SPACE SENSOR RDT&E	297,375	297,375
110	0604884C	AIRBORNE INFRARED (ABIR)	0	0
111	0604886C	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)	58,742	58,742
112	0605017D8Z	REDUCTION OF TOTAL OWNERSHIP COST	0	0
113	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,158	3,158
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	6,282,166	6,814,966
		SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)		
114	0604051D8Z	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	0	0
115	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	6,817	6,817
116	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	110,383	110,383
117	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	311,071	311,071
118	0604709D8Z	JOINT ROBOTICS PROGRAM—EMD	0	0
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	25,787	25,787
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,688	20,688
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	5,749	5,749
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,699	12,699
123	0605018BTA	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS)	0	0
124	0605020BTA	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	0	0
125	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	387	387
126	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	1,859	1,859
127	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	7,010	7,010
128	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	133,104	133,104
129	0605075D8Z	DCMO POLICY AND INTEGRATION	25,269	25,269
130	0605140D8Z	TRUSTED FOUNDRY	0	0
131	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	10,238	10,238
132	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	19,670	19,670
133	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM)	3,556	3,556
134	0807708D8Z	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE	0	0
		SUBTOTAL, SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)	694,287	694,287
		RDT&E MANAGEMENT SUPPORT		
135	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,383	6,383
136	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,845	3,845
137	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	144,109	144,109
138	0604942D8Z	ASSESSMENTS AND EVALUATIONS	2,419	2,419
139	0604943D8Z	THERMAL VICAR	8,214	8,214
140	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	19,380	19,380
141	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	32,266	32,266
142	0605110D8Z	USD(A&T)—CRITICAL TECHNOLOGY SUPPORT	840	840
143	0605117D8Z	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	56,012	56,012
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	55,508	55,508
145	0605128D8Z	CLASSIFIED PROGRAM USD(P)	0	0
146	0605130D8Z	FOREIGN COMPARATIVE TESTING	18,174	18,174
147	0605142D8Z	SYSTEMS ENGINEERING	43,195	43,195
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	6,457	6,457
149	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	4,901	4,901
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	6,307	6,307
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,601	6,601

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2013 Request	Senate Authorized
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,849	92,849
153	0605502BR	SMALL BUSINESS INNOVATION RESEARCH	0	0
154	0605502C	SMALL BUSINESS INNOVATIVE RESEARCH—MDA	0	0
155	0605502D8W	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
156	0605502D8Z	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
157	0605502E	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
158	0605502S	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
159	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSI- NESS TECHNOLOGY TRANSFER (S)	1,857	1,857
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	12,056	12,056
161	0605799D8Z	EMERGING CAPABILITIES	0	0
162	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	55,454	55,454
163	06058038E	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUA- TION	16,364	16,364
164	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,110	20,110
		DT&E increase		[5,000]
165	0605897E	DARPA AGENCY RELOCATION	0	0
166	0605898E	MANAGEMENT HQ—R&D	69,767	69,767
167	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,454	4,454
168	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	0	0
169	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,637	2,637
170	0204571J	JOINT STAFF ANALYTICAL SUPPORT	0	0
173	0303166D8Z	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	0	0
174	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	8,238	8,238
175	0303169D8Z	INFORMATION TECHNOLOGY RAPID ACQUISITION	0	0
176	0305103E	CYBER SECURITY INITIATIVE	1,801	1,801
177	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	16,041	16,041
179	0305400D8Z	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	0	0
180	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANS- FORMATION (CE2T2)	77,475	77,475
181	0901583C	PENTAGON RESERVATION	0	0
182	0901598C	MANAGEMENT HQ—MDA	34,855	34,855
183	0901598D8W	MANAGEMENT HEADQUARTERS WHS	104	104
184	0909999D8Z	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
184A	9999999999	CLASSIFIED PROGRAMS	64,255	64,255
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	887,928	892,928
		OPERATIONAL SYSTEMS DEVELOPMENT		
185	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	8,866	8,866
186	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNER- SHIP FOR PEACE INFORMATION MGMT	3,238	3,238
187	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	288	288
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	14,745	14,745
189	0607828D8Z	JOINT INTEGRATION AND INTEROPERABILITY	0	0
190	0607828J	JOINT INTEGRATION AND INTEROPERABILITY	5,013	5,013
191	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,922	3,922
192	0208045K	C4I INTEROPERABILITY	72,574	72,574
194	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	6,214	6,214
201	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	499	499
202	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRA- TION	14,498	14,498
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS	26,164	26,164
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	12,931	12,931
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,296	6,296
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	30,948	30,948
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	11,780	11,780
208	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	191,452	191,452
209	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	0	0
210	0303149J	C4I FOR THE WARRIOR	0	0
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	36,575	36,575
212	0303153K	DEFENSE SPECTRUM ORGANIZATION	24,278	24,278
213	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	2,924	2,924
214	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,294	1,294
215	0303610K	TELEPORT PROGRAM	6,050	6,050
217	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	17,058	17,058
220	0305103D8Z	CYBER SECURITY INITIATIVE	0	0
222	0305103K	CYBER SECURITY INITIATIVE	4,189	4,189
223	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	10,462	10,462
227	0305186D8Z	POLICY R&D PROGRAMS	6,360	6,360
229	0305199D8Z	NET CENTRICITY	21,190	21,190
232	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,114	7,714
		USSOCOM UFR		[600]
235	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,247	3,247
237	0305219BB	MQ-1 PREDATOR A UAV	1,355	1,355
239	0305231BB	MQ-8 UAV	0	0

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
240	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,303	2,303
241	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES		
			1,478	1,478
249	0708011S	INDUSTRIAL PREPAREDNESS	27,044	27,044
250	0708012S	LOGISTICS SUPPORT ACTIVITIES	4,711	4,711
251	0902298J	MANAGEMENT HQ—OJCS	4,100	4,100
252	1001018D8Z	NATO AGS	0	0
253	1105219BB	MQ-9 UAV	3,002	3,002
254	1105232BB	RQ-11 UAV	0	0
255	1105233BB	RQ-7 UAV	0	0
256	1160279BB	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG	0	0
257	1160403BB	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	97,267	97,267
258	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	821	821
259	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	25,935	25,935
260	1160408BB	SOF OPERATIONAL ENHANCEMENTS	51,700	51,700
261	1160421BB	SPECIAL OPERATIONS CV-22 DEVELOPMENT	1,822	1,822
262	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	10,131	10,131
263	1160429BB	AC/MC-130J	19,647	19,647
264	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	2,225	2,225
265	1160476BB	SOF TACTICAL RADIO SYSTEMS	3,036	3,036
266	1160477BB	SOF WEAPONS SYSTEMS	1,511	1,511
267	1160478BB	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	4,263	4,263
268	1160479BB	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS	4,448	4,448
269	1160480BB	SOF TACTICAL VEHICLES	11,325	11,325
270	1160481BB	SOF MUNITIONS	1,515	1,515
271	1160482BB	SOF ROTARY WING AVIATION	24,430	24,430
272	1160483BB	SOF UNDERWATER SYSTEMS	26,405	34,405
		Transfer from PDW Line 64 at USSOCOM request		[8,000]
273	1160484BB	SOF SURFACE CRAFT	8,573	8,573
274	1160488BB	SOF MILITARY INFORMATION SUPPORT OPERATIONS	0	0
275	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	7,620	7,620
276	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	16,386	16,386
276A	9999999999	CLASSIFIED PROGRAMS	3,754,516	3,754,516
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	4,667,738	4,676,338
		UNDISTRIBUTED		
		UNDISTRIBUTED		-100,000
		DARPA undistributed reduction		[-75,000]
		DARPA classified programs reduction		[-25,000]
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DW ...	17,982,161	18,444,261
		OPERATIONAL TEST & EVAL, DEFENSE		
		RDT&E MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	72,501	76,501
		NCR transition		[4,000]
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	49,201	49,201
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	63,566	63,566
		TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	185,268	189,268
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL	69,407,767	69,286,218

1 **SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 2 **TION FOR OVERSEAS CONTINGENCY OPER-**
 3 **ATIONS.**

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
 FOR OVERSEAS CONTINGENCY OPERATIONS
 (In Thousands of Dollars)**

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	19,860	19,860
SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES			19,860	19,860
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY			19,860	19,860
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	4,600	4,600
SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES			4,600	4,600
SYSTEM DEVELOPMENT & DEMONSTRATION				
131	0604771N	MEDICAL DEVELOPMENT	2,173	2,173
SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION			2,173	2,173
RDT&E MANAGEMENT SUPPORT				
160	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,200	5,200
SUBTOTAL, RDT&E MANAGEMENT SUPPORT			5,200	5,200
OPERATIONAL SYSTEMS DEVELOPMENT				
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	6,762	6,762
221	0305233N	RQ-7 UAV	7,600	7,600
230A	9999999999	CLASSIFIED PROGRAMS	33,784	33,784
SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT			48,146	48,146
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY ..			60,119	60,119
RESEARCH, DEVELOPMENT, TEST & EVAL, AF				
OPERATIONAL SYSTEMS DEVELOPMENT				
249A	9999999999	CLASSIFIED PROGRAMS	53,150	53,150
SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT			53,150	53,150
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF			53,150	53,150
RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
OPERATIONAL SYSTEMS DEVELOPMENT				
239	0305231BB	MQ-8 UAV	5,000	5,000
276A	9999999999	CLASSIFIED PROGRAMS	107,387	107,387
SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT			112,387	112,387
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DW			112,387	112,387
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL			245,516	245,516

1 **TITLE XLIII—OPERATION AND**
 2 **MAINTENANCE**

3 **SEC. 4301. OPERATION AND MAINTENANCE.**

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY			
OPERATING FORCES			
010	MANEUVER UNITS	1,223,087	1,223,087
020	MODULAR SUPPORT BRIGADES	80,574	80,574
030	ECHELONS ABOVE BRIGADE	723,039	723,039
040	THEATER LEVEL ASSETS	706,974	706,974
050	LAND FORCES OPERATIONS SUPPORT	1,226,650	1,226,650
060	AVIATION ASSETS	1,319,832	1,319,832
070	FORCE READINESS OPERATIONS SUPPORT	3,447,174	3,447,174
080	LAND FORCES SYSTEMS READINESS	454,774	454,774
090	LAND FORCES DEPOT MAINTENANCE	1,762,757	1,762,757
100	BASE OPERATIONS SUPPORT	7,401,613	7,401,613
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	3,041,074	3,041,074
120	MANAGEMENT AND OPERATIONAL HQ'S	410,171	410,171
130	COMBATANT COMMANDERS CORE OPERATIONS	177,819	177,819
140	ADDITIONAL ACTIVITIES	0	0
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	0	0
160	RESET	0	0
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	461,333	461,333
	SUBTOTAL, OPERATING FORCES	22,436,871	22,436,871
MOBILIZATION			
180	STRATEGIC MOBILITY	405,496	405,496
190	ARMY PREPOSITIONING STOCKS	195,349	195,349
200	INDUSTRIAL PREPAREDNESS	6,379	6,379
	SUBTOTAL, MOBILIZATION	607,224	607,224
TRAINING AND RECRUITING			
210	OFFICER ACQUISITION	112,866	112,866
220	RECRUIT TRAINING	73,265	73,265
230	ONE STATION UNIT TRAINING	51,227	51,227
240	SENIOR RESERVE OFFICERS TRAINING CORPS	443,306	443,306
250	SPECIALIZED SKILL TRAINING	1,099,556	1,099,556
260	FLIGHT TRAINING	1,130,627	1,130,627
270	PROFESSIONAL DEVELOPMENT EDUCATION	191,683	191,683
280	TRAINING SUPPORT	652,095	652,095
290	RECRUITING AND ADVERTISING	507,510	507,510
300	EXAMINING	156,964	156,964
310	OFF-DUTY AND VOLUNTARY EDUCATION	244,343	244,343
320	CIVILIAN EDUCATION AND TRAINING	212,477	212,477
330	JUNIOR ROTC	182,691	182,691
	SUBTOTAL, TRAINING AND RECRUITING	5,058,610	5,058,610
ADMIN & SRVWIDE ACTIVITIES			
350	SERVICEWIDE TRANSPORTATION	601,331	601,331
360	CENTRAL SUPPLY ACTIVITIES	741,324	741,324
370	LOGISTIC SUPPORT ACTIVITIES	610,136	610,136
380	AMMUNITION MANAGEMENT	478,707	478,707
390	ADMINISTRATION	556,307	539,107
	<i>GFEBS realignment per Army request</i>		[-17,200]
400	SERVICEWIDE COMMUNICATIONS	1,547,925	1,547,925
410	MANPOWER MANAGEMENT	362,205	362,205
420	OTHER PERSONNEL SUPPORT	220,754	220,754
430	OTHER SERVICE SUPPORT	1,153,556	1,145,456
	<i>Decrease for ahead of need request</i>		[-8,100]
440	ARMY CLAIMS ACTIVITIES	250,970	250,970
450	REAL ESTATE MANAGEMENT	222,351	222,351
460	BASE OPERATIONS SUPPORT	222,379	222,379
470	SUPPORT OF NATO OPERATIONS	459,710	459,710

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
480	MISC. SUPPORT OF OTHER NATIONS	25,637	25,637
490	CLASSIFIED PROGRAMS	1,052,595	1,052,595
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	8,505,887	8,480,587
	UNDISTRIBUTED		
	UNDISTRIBUTED		-120,000
	Unobligated balances		[-120,000]
	TOTAL, OPERATION & MAINTENANCE, ARMY	36,608,592	36,463,292
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,918,144	4,918,144
020	FLEET AIR TRAINING	1,886,825	1,886,825
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	44,032	44,032
040	AIR OPERATIONS AND SAFETY SUPPORT	101,565	101,565
050	AIR SYSTEMS SUPPORT	374,827	374,827
060	AIRCRAFT DEPOT MAINTENANCE	960,802	960,802
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	37,545	37,545
080	AVIATION LOGISTICS	328,805	328,805
090	MISSION AND OTHER SHIP OPERATIONS	4,686,535	4,686,535
100	SHIP OPERATIONS SUPPORT & TRAINING	769,204	769,204
110	SHIP DEPOT MAINTENANCE	5,089,981	5,089,981
120	SHIP DEPOT OPERATIONS SUPPORT	1,315,366	1,315,366
130	COMBAT COMMUNICATIONS	619,909	619,909
140	ELECTRONIC WARFARE	92,364	92,364
150	SPACE SYSTEMS AND SURVEILLANCE	174,437	174,437
160	WARFARE TACTICS	441,035	441,035
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	333,554	333,554
180	COMBAT SUPPORT FORCES	910,087	910,087
190	EQUIPMENT MAINTENANCE	167,158	167,158
200	DEPOT OPERATIONS SUPPORT	4,183	4,183
210	COMBATANT COMMANDERS CORE OPERATIONS	95,528	95,528
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	204,569	204,569
230	CRUISE MISSILE	111,884	111,884
240	FLEET BALLISTIC MISSILE	1,181,038	1,181,038
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	87,606	87,606
260	WEAPONS MAINTENANCE	519,583	519,583
270	OTHER WEAPON SYSTEMS SUPPORT	300,435	300,435
280	ENTERPRISE INFORMATION	1,077,924	1,077,924
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,101,279	2,101,279
300	BASE OPERATING SUPPORT	4,822,093	4,822,093
	SUBTOTAL, OPERATING FORCES	33,758,297	33,758,297
	MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	334,659	334,659
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,562	6,562
330	SHIP ACTIVATIONS/INACTIVATIONS	1,066,329	1,066,329
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	83,901	83,901
350	INDUSTRIAL READINESS	2,695	2,695
360	COAST GUARD SUPPORT	23,502	23,502
	SUBTOTAL, MOBILIZATION	1,517,648	1,517,648
	TRAINING AND RECRUITING		
370	OFFICER ACQUISITION	147,807	147,807
380	RECRUIT TRAINING	10,473	10,473
390	RESERVE OFFICERS TRAINING CORPS	139,220	139,220
400	SPECIALIZED SKILL TRAINING	582,177	582,177
410	FLIGHT TRAINING	5,456	5,456
420	PROFESSIONAL DEVELOPMENT EDUCATION	170,746	170,746
430	TRAINING SUPPORT	153,403	153,403
440	RECRUITING AND ADVERTISING	241,329	241,329
450	OFF-DUTY AND VOLUNTARY EDUCATION	108,226	108,226
460	CIVILIAN EDUCATION AND TRAINING	105,776	105,776
470	JUNIOR ROTC	51,817	51,817
	SUBTOTAL, TRAINING AND RECRUITING	1,716,430	1,716,430
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	797,177	797,177
490	EXTERNAL RELATIONS	12,872	12,872

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,181	120,181
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	235,753	235,753
520	OTHER PERSONNEL SUPPORT	263,060	263,060
530	SERVICEWIDE COMMUNICATIONS	363,213	363,213
540	MEDICAL ACTIVITIES	0	0
550	SERVICEWIDE TRANSPORTATION	182,343	182,343
560	ENVIRONMENTAL PROGRAMS	0	0
570	PLANNING, ENGINEERING AND DESIGN	282,464	282,464
580	ACQUISITION AND PROGRAM MANAGEMENT	1,092,123	1,092,123
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	53,560	53,560
600	COMBAT/WEAPONS SYSTEMS	25,299	25,299
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	64,418	64,418
620	NAVAL INVESTIGATIVE SERVICE	580,042	580,042
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,984	4,984
690	CANCELLED ACCOUNT ADJUSTMENTS	0	0
700	JUDGEMENT FUND	0	0
710	CLASSIFIED PROGRAMS	537,079	537,079
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	4,614,568	4,614,568
	UNDISTRIBUTED		
	UNDISTRIBUTED		-23,000
	Unobligated balances		[-23,000]
	TOTAL, OPERATION & MAINTENANCE, NAVY	41,606,943	41,583,943
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	788,055	788,055
020	FIELD LOGISTICS	762,614	762,614
030	DEPOT MAINTENANCE	168,447	168,447
040	MARITIME PREPOSITIONING	100,374	100,374
050	SUSTAINMENT, RESTORATION & MODERNIZATION	825,039	825,039
060	BASE OPERATING SUPPORT	2,188,883	2,188,883
	SUBTOTAL, OPERATING FORCES	4,833,412	4,833,412
	TRAINING AND RECRUITING		
070	RECRUIT TRAINING	18,251	18,251
080	OFFICER ACQUISITION	869	869
090	SPECIALIZED SKILL TRAINING	80,914	80,914
100	PROFESSIONAL DEVELOPMENT EDUCATION	42,744	42,744
110	TRAINING SUPPORT	292,150	292,150
120	RECRUITING AND ADVERTISING	168,609	168,609
130	OFF-DUTY AND VOLUNTARY EDUCATION	56,865	56,865
140	JUNIOR ROTC	19,912	19,912
	SUBTOTAL, TRAINING AND RECRUITING	680,314	680,314
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	39,962	39,962
170	ACQUISITION AND PROGRAM MANAGEMENT	83,404	83,404
180	CANCELLED ACCOUNT ADJUSTMENT	0	0
190	CLASSIFIED PROGRAMS	346,071	346,071
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	469,437	469,437
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	5,983,163	5,983,163
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,973,141	2,973,141
020	COMBAT ENHANCEMENT FORCES	1,611,032	1,611,032
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,472,806	1,472,806
040	DEPOT MAINTENANCE	5,545,470	5,545,470
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	1,353,987	1,353,987
060	BASE SUPPORT	2,595,032	2,595,032
070	GLOBAL C3I AND EARLY WARNING	957,040	957,040
080	OTHER COMBAT OPS SPT PROGRAMS	916,200	916,200
090	JCS EXERCISES	0	0
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	733,716	733,716
110	LAUNCH FACILITIES	314,490	314,490

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
120	SPACE CONTROL SYSTEMS	488,762	488,762
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	862,979	862,979
140	COMBATANT COMMANDERS CORE OPERATIONS	222,429	222,429
	SUBTOTAL, OPERATING FORCES	20,047,084	20,047,084
	MOBILIZATION		
150	AIRLIFT OPERATIONS	1,785,379	1,785,379
160	MOBILIZATION PREPAREDNESS	154,049	154,049
170	DEPOT MAINTENANCE	1,477,396	1,477,396
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	309,699	309,699
190	BASE SUPPORT	707,574	707,574
	SUBTOTAL, MOBILIZATION	4,434,097	4,434,097
	TRAINING AND RECRUITING		
200	OFFICER ACQUISITION	115,427	115,427
210	RECRUIT TRAINING	17,619	17,619
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	92,949	92,949
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	336,433	336,433
240	BASE SUPPORT	842,441	842,441
250	SPECIALIZED SKILL TRAINING	482,634	482,634
260	FLIGHT TRAINING	750,609	750,609
270	PROFESSIONAL DEVELOPMENT EDUCATION	235,114	235,114
280	TRAINING SUPPORT	101,231	101,231
290	DEPOT MAINTENANCE	233,330	233,330
300	JUDGEMENT FUND	0	0
310	RECRUITING AND ADVERTISING	130,217	130,217
320	EXAMINING	2,738	2,738
330	OFF-DUTY AND VOLUNTARY EDUCATION	155,170	155,170
340	CIVILIAN EDUCATION AND TRAINING	175,147	175,147
350	JUNIOR ROTC	74,809	74,809
	SUBTOTAL, TRAINING AND RECRUITING	3,745,868	3,745,868
	ADMIN & SRVWD ACTIVITIES		
360	LOGISTICS OPERATIONS	1,029,734	1,029,734
370	TECHNICAL SUPPORT ACTIVITIES	913,843	913,843
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	303,610	303,610
400	BASE SUPPORT	1,266,800	1,266,800
410	ADMINISTRATION	587,654	587,654
420	SERVICEWIDE COMMUNICATIONS	667,910	667,910
430	OTHER SERVICEWIDE ACTIVITIES	1,094,509	1,094,509
440	CIVIL AIR PATROL	23,904	23,904
450	JUDGEMENT FUND REIMBURSEMENT	0	0
470	INTERNATIONAL SUPPORT	81,307	81,307
480	CLASSIFIED PROGRAMS	1,239,040	1,239,040
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	7,208,311	7,208,311
	UNDISTRIBUTED		
	UNDISTRIBUTED		-32,000
	Unobligated balances		[-32,000]
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE ..	35,435,360	35,403,360
	OPERATION & MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	485,708	485,708
020	SPECIAL OPERATIONS COMMAND	0	5,107,501
	Transfer from Line 025		[5,091,001]
	USSOCOM UFR		[16,500]
025	CLASSIFIED PROGRAMS	5,091,001	0
	Transfer to Line 020		[-5,091,001]
	SUBTOTAL, OPERATING FORCES	5,576,709	5,593,209
	TRAINING AND RECRUITING		
030	DEFENSE ACQUISITION UNIVERSITY	147,210	147,210
040	NATIONAL DEFENSE UNIVERSITY	84,999	84,999
	SUBTOTAL, TRAINING AND RECRUITING	232,209	232,209

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
ADMIN & SRVWD ACTIVITIES			
050	CIVIL MILITARY PROGRAMS	161,294	161,294
070	DEFENSE BUSINESS TRANSFORMATION AGENCY	0	0
080	DEFENSE CONTRACT AUDIT AGENCY	573,973	573,973
090	DEFENSE CONTRACT MANAGEMENT AGENCY	1,293,196	1,293,196
100	DEFENSE FINANCE AND ACCOUNTING SERVICE	17,513	17,513
110	DEFENSE HUMAN RESOURCES ACTIVITY	676,186	676,186
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,346,847	1,346,847
140	DEFENSE LEGAL SERVICES AGENCY	35,137	35,137
150	DEFENSE LOGISTICS AGENCY	431,893	431,893
160	DEFENSE MEDIA ACTIVITY	224,013	224,013
170	DEFENSE POW/MIA OFFICE	21,964	21,964
180	DEFENSE SECURITY COOPERATION AGENCY	557,917	540,317
	Program decrease—Defense Security Assessment		[-2,600]
	Program decrease—Global Train and Equip		[-15,000]
190	DEFENSE SECURITY SERVICE		506,662
	Transfer from Line 280		[506,662]
200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	35,319	35,319
210	DEFENSE THREAT REDUCTION AGENCY		443,382
	Transfer from Line 280		[443,382]
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,744,971	2,744,971
230	MISSILE DEFENSE AGENCY	259,975	259,975
250	OFFICE OF ECONOMIC ADJUSTMENT	253,437	114,037
	Decrease for ahead of need request		[-139,400]
260	OFFICE OF THE SECRETARY OF DEFENSE	2,095,362	2,095,362
270	WASHINGTON HEADQUARTERS SERVICE	521,297	521,297
280	CLASSIFIED PROGRAMS	14,933,801	14,158,757
	Transfer to Line 190		[-506,662]
	Transfer to Line 210		[-443,382]
	Commercial imagery service level agreement		[125,000]
	Additional ISR Support to Operation Observant Compass		[50,000]
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	26,184,095	26,202,095
	UNDISTRIBUTED		5,000
	Unobligated balances		[-25,000]
	Impact aid for schools with military dependent students		[25,000]
	Impact aid for children with severe disabilities		[5,000]
	TOTAL, OPERATION & MAINTENANCE, DEFENSE- WIDE	31,993,013	32,032,513
OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES			
010	MANEUVER UNITS	1,391	1,391
020	MODULAR SUPPORT BRIGADES	20,889	20,889
030	ECHELONS ABOVE BRIGADE	592,724	592,724
040	THEATER LEVEL ASSETS	114,983	114,983
050	LAND FORCES OPERATIONS SUPPORT	633,091	633,091
060	AVIATION ASSETS	76,823	76,823
070	FORCE READINESS OPERATIONS SUPPORT	481,997	481,997
080	LAND FORCES SYSTEMS READINESS	70,118	70,118
090	LAND FORCES DEPOT MAINTENANCE	141,205	141,205
100	BASE OPERATIONS SUPPORT	561,878	561,878
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	287,399	287,399
120	MANAGEMENT AND OPERATIONAL HQ'S	52,431	52,431
130	ADDITIONAL ACTIVITIES	0	0
	SUBTOTAL, OPERATING FORCES	3,034,929	3,034,929
ADMIN & SRVWD ACTIVITIES			
140	SERVICEWIDE TRANSPORTATION	12,995	12,995
150	ADMINISTRATION	32,432	32,432
160	SERVICEWIDE COMMUNICATIONS	4,895	4,895
170	MANPOWER MANAGEMENT	16,074	16,074
180	RECRUITING AND ADVERTISING	60,683	60,683
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	127,079	127,079
	TOTAL, OPERATION & MAINTENANCE, ARMY RES ...	3,162,008	3,162,008

OPERATION & MAINTENANCE, NAVY RES

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	616,776	616,776
020	INTERMEDIATE MAINTENANCE	15,076	15,076
030	AIR OPERATIONS AND SAFETY SUPPORT	1,479	1,479
040	AIRCRAFT DEPOT MAINTENANCE	107,251	107,251
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	355	355
060	MISSION AND OTHER SHIP OPERATIONS	82,186	82,186
070	SHIP OPERATIONS SUPPORT & TRAINING	589	589
080	SHIP DEPOT MAINTENANCE	48,593	48,593
090	COMBAT COMMUNICATIONS	15,274	15,274
100	COMBAT SUPPORT FORCES	124,917	124,917
110	WEAPONS MAINTENANCE	1,978	1,978
120	ENTERPRISE INFORMATION	43,699	43,699
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	60,646	60,646
140	BASE OPERATING SUPPORT	105,227	105,227
	SUBTOTAL, OPERATING FORCES	1,224,046	1,224,046
ADMIN & SRVWD ACTIVITIES			
150	ADMINISTRATION	3,117	3,117
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	14,337	14,337
170	SERVICEMAN COMMUNICATIONS	2,392	2,392
180	ACQUISITION AND PROGRAM MANAGEMENT	3,090	3,090
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	22,936	22,936
	TOTAL, OPERATION & MAINTENANCE, NAVY RES	1,246,982	1,246,982
OPERATION & MAINTENANCE, MC RESERVE			
OPERATING FORCES			
010	OPERATING FORCES	89,690	89,690
020	DEPOT MAINTENANCE	16,735	16,735
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	37,913	37,913
040	BASE OPERATING SUPPORT	103,746	103,746
	SUBTOTAL, OPERATING FORCES	248,084	248,084
ADMIN & SRVWD ACTIVITIES			
050	SERVICEMAN TRANSPORTATION	873	873
060	ADMINISTRATION	14,330	14,330
070	RECRUITING AND ADVERTISING	8,998	8,998
080	CANCELLED ACCOUNT ADJUSTMENT	0	0
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	24,201	24,201
	TOTAL, OPERATION & MAINTENANCE, MC RE- SERVE	272,285	272,285
OPERATION & MAINTENANCE, AF RESERVE			
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	2,089,326	2,089,326
020	MISSION SUPPORT OPERATIONS	112,992	112,992
030	DEPOT MAINTENANCE	406,101	406,101
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	71,564	71,564
050	BASE SUPPORT	364,862	364,862
	SUBTOTAL, OPERATING FORCES	3,044,845	3,044,845
ADMIN & SRVWD ACTIVITIES			
060	ADMINISTRATION	78,824	78,824
070	RECRUITING AND ADVERTISING	16,020	16,020
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	19,496	19,496
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,489	6,489
100	AUDIOVISUAL	808	808
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	121,637	121,637
	TOTAL, OPERATION & MAINTENANCE, AF RESERVE	3,166,482	3,166,482
OPERATION & MAINTENANCE, ARNG			
OPERATING FORCES			
010	MANEUVER UNITS	680,206	680,206
020	MODULAR SUPPORT BRIGADES	186,408	186,408
030	ECHELONS ABOVE BRIGADE	865,628	865,628
040	THEATER LEVEL ASSETS	112,651	112,651
050	LAND FORCES OPERATIONS SUPPORT	36,091	36,091
060	AVIATION ASSETS	907,011	907,011
070	FORCE READINESS OPERATIONS SUPPORT	751,606	751,606

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
080	LAND FORCES SYSTEMS READINESS	60,043	60,043
090	LAND FORCES DEPOT MAINTENANCE	411,940	411,940
100	BASE OPERATIONS SUPPORT	995,423	995,423
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	688,189	688,189
120	MANAGEMENT AND OPERATIONAL HQ'S	953,716	953,716
	SUBTOTAL, OPERATING FORCES	6,648,912	6,648,912
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	11,806	11,806
140	REAL ESTATE MANAGEMENT	1,656	1,656
150	ADMINISTRATION	89,358	89,358
160	SERVICEWIDE COMMUNICATIONS	39,513	39,513
170	MANPOWER MANAGEMENT	7,224	7,224
180	RECRUITING AND ADVERTISING	310,143	310,143
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	459,700	459,700
	TOTAL, OPERATION & MAINTENANCE, ARNG	7,108,612	7,108,612
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,559,824	3,559,824
020	MISSION SUPPORT OPERATIONS	721,225	721,225
030	DEPOT MAINTENANCE	774,875	774,875
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	270,709	270,709
050	BASE SUPPORT	624,443	624,443
	SUBTOTAL, OPERATING FORCES	5,951,076	5,951,076
	ADMIN & SRVWD ACTIVITIES		
060	ADMINISTRATION	32,358	32,358
070	RECRUITING AND ADVERTISING	32,021	32,021
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	64,379	64,379
	TOTAL, OPERATION & MAINTENANCE, ANG	6,015,455	6,015,455
	MISCELLANEOUS APPROPRIATIONS		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DE- FENSE	13,516	13,516
040	ACQ WORKFORCE DEV FD	274,198	274,198
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	108,759	108,759
030	COOPERATIVE THREAT REDUCTION	519,111	519,111
050	ENVIRONMENTAL RESTORATION, ARMY	335,921	335,921
060	ENVIRONMENTAL RESTORATION, NAVY	310,594	310,594
070	ENVIRONMENTAL RESTORATION, AIR FORCE	529,263	529,263
080	ENVIRONMENTAL RESTORATION, DEFENSE	11,133	11,133
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES ...	237,543	237,543
	TOTAL, MISCELLANEOUS APPROPRIATIONS	2,340,038	2,340,038
	TOTAL, OPERATION & MAINTENANCE	174,938,933	174,778,133

1 **SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS**
 2 **CONTINGENCY OPERATIONS.**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY			
OPERATING FORCES			
040	THEATER LEVEL ASSETS	2,758,162	2,758,162
050	LAND FORCES OPERATIONS SUPPORT	991,396	991,396
060	AVIATION ASSETS	40,300	40,300
070	FORCE READINESS OPERATIONS SUPPORT	1,755,445	1,755,445
080	LAND FORCES SYSTEMS READINESS	307,244	307,244
100	BASE OPERATIONS SUPPORT	393,165	393,165
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	250,000	250,000
140	ADDITIONAL ACTIVITIES	12,524,137	12,524,137
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	400,000	200,000
	Program decrease		[-200,000]
160	RESET	3,687,973	3,687,973
	SUBTOTAL, OPERATING FORCES	23,107,822	22,907,822
ADMIN & SRVWIDE ACTIVITIES			
350	SERVICEWIDE TRANSPORTATION	3,238,310	3,238,310
360	CENTRAL SUPPLY ACTIVITIES	129,000	129,000
380	AMMUNITION MANAGEMENT	78,022	78,022
420	OTHER PERSONNEL SUPPORT	137,277	97,277
	Transfer to OPA OCO Line 061 at SOUTHCOM request		[-40,000]
430	OTHER SERVICE SUPPORT	72,293	72,293
490	CLASSIFIED PROGRAMS	1,828,717	1,828,717
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	5,483,619	5,443,619
	TOTAL, OPERATION & MAINTENANCE, ARMY	28,591,441	28,351,441
OPERATION & MAINTENANCE, NAVY			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	937,098	937,098
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,000	1,000
040	AIR OPERATIONS AND SAFETY SUPPORT	15,794	15,794
050	AIR SYSTEMS SUPPORT	19,013	19,013
060	AIRCRAFT DEPOT MAINTENANCE	201,912	201,912
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,000	3,000
080	AVIATION LOGISTICS	44,150	44,150
090	MISSION AND OTHER SHIP OPERATIONS	463,738	463,738
100	SHIP OPERATIONS SUPPORT & TRAINING	24,774	24,774
110	SHIP DEPOT MAINTENANCE	1,310,010	1,310,010
130	COMBAT COMMUNICATIONS	42,965	42,965
160	WARFARE TACTICS	25,970	25,970
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	19,226	19,226
180	COMBAT SUPPORT FORCES	1,668,359	1,668,359
190	EQUIPMENT MAINTENANCE	7,954	7,954
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	94,655	94,655
260	WEAPONS MAINTENANCE	303,087	303,087
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,218	3,218
300	BASE OPERATING SUPPORT	143,442	143,442
	SUBTOTAL, OPERATING FORCES	5,329,365	5,329,365
MOBILIZATION			
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	31,395	31,395
360	COAST GUARD SUPPORT	254,461	254,461
	SUBTOTAL, MOBILIZATION	285,856	285,856
TRAINING AND RECRUITING			
400	SPECIALIZED SKILL TRAINING	50,903	50,903
	SUBTOTAL, TRAINING AND RECRUITING	50,903	50,903
ADMIN & SRVWD ACTIVITIES			
480	ADMINISTRATION	1,377	1,377
490	EXTERNAL RELATIONS	487	487
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,022	6,022
520	OTHER PERSONNEL SUPPORT	3,514	3,514

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
550	SERVICEWIDE TRANSPORTATION	184,864	184,864
580	ACQUISITION AND PROGRAM MANAGEMENT	2,026	2,026
620	NAVAL INVESTIGATIVE SERVICE	1,425	1,425
710	CLASSIFIED PROGRAMS	14,556	14,556
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	214,271	214,271
	TOTAL, OPERATION & MAINTENANCE, NAVY	5,880,395	5,880,395
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,921,258	1,921,258
020	FIELD LOGISTICS	1,094,028	1,094,028
030	DEPOT MAINTENANCE	222,824	222,824
060	BASE OPERATING SUPPORT	88,690	88,690
	SUBTOTAL, OPERATING FORCES	3,326,800	3,326,800
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	215,212	215,212
	SUBTOTAL, TRAINING AND RECRUITING	215,212	215,212
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	512,627	512,627
190	CLASSIFIED PROGRAMS	11,701	11,701
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	524,328	524,328
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	4,066,340	4,066,340
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,494,144	1,494,144
020	COMBAT ENHANCEMENT FORCES	809,531	809,531
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	13,095	13,095
040	DEPOT MAINTENANCE	1,403,238	1,403,238
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	155,954	155,954
060	BASE SUPPORT	342,226	342,226
070	GLOBAL C3I AND EARLY WARNING	15,108	15,108
080	OTHER COMBAT OPS SPT PROGRAMS	271,390	271,390
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	25,400	25,400
120	SPACE CONTROL SYSTEMS	5,110	5,110
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	52,173	52,173
	SUBTOTAL, OPERATING FORCES	4,587,369	4,587,369
	MOBILIZATION		
150	AIRLIFT OPERATIONS	3,187,211	3,187,211
160	MOBILIZATION PREPAREDNESS	43,509	43,509
170	DEPOT MAINTENANCE	554,943	554,943
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	4,431	4,431
190	BASE SUPPORT	9,256	9,256
	SUBTOTAL, MOBILIZATION	3,799,350	3,799,350
	TRAINING AND RECRUITING		
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	424	424
240	BASE SUPPORT	1,036	1,036
250	SPECIALIZED SKILL TRAINING	10,923	10,923
260	FLIGHT TRAINING	72	72
270	PROFESSIONAL DEVELOPMENT EDUCATION	323	323
280	TRAINING SUPPORT	352	352
	SUBTOTAL, TRAINING AND RECRUITING	13,130	13,130
	ADMIN & SRVWD ACTIVITIES		
360	LOGISTICS OPERATIONS	100,429	100,429
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	47,200	47,200
400	BASE SUPPORT	7,242	7,242
410	ADMINISTRATION	1,552	1,552
420	SERVICEWIDE COMMUNICATIONS	82,094	82,094
430	OTHER SERVICEWIDE ACTIVITIES	582,977	582,977
480	CLASSIFIED PROGRAMS	20,270	20,270

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	841,764	841,764
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE ..	9,241,613	9,241,613
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	2,000	2,000
020	SPECIAL OPERATIONS COMMAND	2,503,060	2,503,060
	SUBTOTAL, OPERATING FORCES	2,505,060	2,505,060
	ADMIN & SRVWD ACTIVITIES		
080	DEFENSE CONTRACT AUDIT AGENCY	30,674	30,674
090	DEFENSE CONTRACT MANAGEMENT AGENCY	69,803	69,803
110	DEFENSE HUMAN RESOURCES ACTIVITY	3,334	3,334
120	DEFENSE INFORMATION SYSTEMS AGENCY	152,925	152,925
140	DEFENSE LEGAL SERVICES AGENCY	102,322	102,322
160	DEFENSE MEDIA ACTIVITY	10,823	10,823
180	DEFENSE SECURITY COOPERATION AGENCY	2,200,000	2,200,000
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	139,830	139,830
260	OFFICE OF THE SECRETARY OF DEFENSE	87,805	87,805
280	CLASSIFIED PROGRAMS	2,522,003	2,522,003
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	5,319,519	5,319,519
	TOTAL, OPERATION & MAINTENANCE, DEFENSE- WIDE	7,824,579	7,824,579
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
030	ECHELONS ABOVE BRIGADE	78,600	78,600
050	LAND FORCES OPERATIONS SUPPORT	20,811	20,811
070	FORCE READINESS OPERATIONS SUPPORT	20,726	20,726
100	BASE OPERATIONS SUPPORT	34,400	34,400
	SUBTOTAL, OPERATING FORCES	154,537	154,537
	TOTAL, OPERATION & MAINTENANCE, ARMY RES ...	154,537	154,537
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	24,834	24,834
020	INTERMEDIATE MAINTENANCE	300	300
040	AIRCRAFT DEPOT MAINTENANCE	13,364	13,364
060	MISSION AND OTHER SHIP OPERATIONS	8,213	8,213
080	SHIP DEPOT MAINTENANCE	929	929
100	COMBAT SUPPORT FORCES	8,244	8,244
140	BASE OPERATING SUPPORT	40	40
	SUBTOTAL, OPERATING FORCES	55,924	55,924
	TOTAL, OPERATION & MAINTENANCE, NAVY RES	55,924	55,924
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	22,657	22,657
040	BASE OPERATING SUPPORT	2,820	2,820
	SUBTOTAL, OPERATING FORCES	25,477	25,477
	TOTAL, OPERATION & MAINTENANCE, MC RE- SERVE	25,477	25,477
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	7,600	7,600
030	DEPOT MAINTENANCE	106,768	106,768
050	BASE SUPPORT	6,250	6,250
	SUBTOTAL, OPERATING FORCES	120,618	120,618
	TOTAL, OPERATION & MAINTENANCE, AF RESERVE	120,618	120,618
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	38,485	38,485
020	MODULAR SUPPORT BRIGADES	1,959	1,959
030	ECHELONS ABOVE BRIGADE	20,076	20,076
040	THEATER LEVEL ASSETS	2,028	2,028
060	AVIATION ASSETS	183,811	183,811

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
070	FORCE READINESS OPERATIONS SUPPORT	43,780	43,780
100	BASE OPERATIONS SUPPORT	70,237	70,237
120	MANAGEMENT AND OPERATIONAL HQ'S	20,072	20,072
	SUBTOTAL, OPERATING FORCES	380,448	380,448
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE COMMUNICATIONS	2,000	2,000
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	2,000	2,000
	TOTAL, OPERATION & MAINTENANCE, ARNG	382,448	382,448
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	19,975	19,975
	SUBTOTAL, OPERATING FORCES	19,975	19,975
	TOTAL, OPERATION & MAINTENANCE, ANG	19,975	19,975
	AFGHANISTAN SECURITY FORCES FUND MINISTRY OF DEFENSE		
010	SUSTAINMENT	2,523,825	2,523,825
020	INFRASTRUCTURE	190,000	190,000
030	EQUIPMENT AND TRANSPORTATION	241,521	241,521
040	TRAINING AND OPERATIONS	758,380	758,380
	SUBTOTAL, MINISTRY OF DEFENSE	3,713,726	3,713,726
	MINISTRY OF INTERIOR		
050	SUSTAINMENT	1,305,950	1,305,950
060	INFRASTRUCTURE	50,000	50,000
070	EQUIPMENT AND TRANSPORTATION	84,859	84,859
080	TRAINING AND OPERATIONS	569,868	569,868
	SUBTOTAL, MINISTRY OF INTERIOR	2,010,677	2,010,677
	RELATED ACTIVITIES		
090	SUSTAINMENT	18,325	18,325
100	INFRASTRUCTURE	1,200	1,200
110	EQUIPMENT & TRANSPORTATION	1,239	1,239
120	TRAINING AND OPERATIONS	4,000	4,000
	SUBTOTAL, RELATED ACTIVITIES	24,764	24,764
	TOTAL, AFGHANISTAN SECURITY FORCES FUND	5,749,167	5,749,167
	AFGHANISTAN INFRASTRUCTURE FUND		
010	POWER	400,000	350,000
	Program decrease		[-50,000]
	TOTAL, AFGHANISTAN INFRASTRUCTURE FUND	400,000	350,000
	TOTAL, OPERATION & MAINTENANCE	62,512,514	62,222,514

1 **TITLE XLIV—MILITARY**
 2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

*SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)*

<i>Item</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
<i>MILITARY PERSONNEL</i>	<i>135,111,799</i>	<i>135,117,799</i>
<i>BAH for Full-time Guard Transition to Active Duty</i>		<i>[6,000]</i>
<i>TOTAL, MILITARY PERSONNEL</i>	<i>135,111,799</i>	<i>135,117,799</i>

1 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**
 2 **GENCY OPERATIONS.**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS <i>(In Thousands of Dollars)</i>		
<i>Item</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
MILITARY PERSONNEL	14,060,094	14,060,094
TOTAL, MILITARY PERSONNEL	14,060,094	14,060,094

1 **TITLE XLV—OTHER**
 2 **AUTHORIZATIONS**

3 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
WORKING CAPITAL FUND, ARMY			
010	PREPOSITIONED WAR RESERVE STOCKS	60,037	60,037
	TOTAL, WORKING CAPITAL FUND, ARMY	60,037	60,037
WORKING CAPITAL FUND, AIR FORCE			
010	C-17 CLS ENGINE REPAIR	0	0
020	TRANSPORTATION FALLEN HEROES	0	0
040	SUPPLIES AND MATERIALS (MEDICAL/DENTAL)	45,452	45,452
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	45,452	45,452
WORKING CAPITAL FUND, DEFENSE-WIDE			
010	DEFENSE LOGISTICS AGENCY (DLA)	39,135	39,135
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	39,135	39,135
WORKING CAPITAL FUND, DECA			
010	WORKING CAPITAL FUND, DECA	1,371,560	1,371,560
	TOTAL, WORKING CAPITAL FUND, DECA	1,371,560	1,371,560
NATIONAL DEFENSE SEALIFT FUND			
010	T-AKE	0	0
020	MPF MLP	38,000	38,000
030	POST DELIVERY AND OUTFITTING	39,386	39,386
040	NATIONAL DEF SEALIFT VESSEL	0	0
050	LG MED SPD RO/RO MAINTENANCE	128,819	128,819
060	DOD MOBILIZATION ALTERATIONS	26,598	26,598
070	TAH MAINTENANCE	29,199	29,199
080	RESEARCH AND DEVELOPMENT	42,811	42,811
090	READY RESERVE FORCE	303,323	303,323
100	MARAD SHIP FINANCING GUARANTEE PROGRAM	0	0
	TOTAL, NATIONAL DEFENSE SEALIFT FUND	608,136	608,136
DEFENSE HEALTH PROGRAM			
DHP, OPERATION & MAINTENANCE			
010	IN-HOUSE CARE	8,625,507	8,625,507
020	PRIVATE SECTOR CARE	16,148,263	16,148,263
030	CONSOLIDATED HEALTH SUPPORT	2,309,185	2,309,185
040	INFORMATION MANAGEMENT	1,465,328	1,465,328
050	MANAGEMENT ACTIVITIES	332,121	332,121
060	EDUCATION AND TRAINING	722,081	722,081
070	BASE OPERATIONS/COMMUNICATIONS	1,746,794	1,746,794
070A	UNDISTRIBUTED		452,000
	Restore DOD assumed Savings for TRICARE Proposals		[452,000]
	SUBTOTAL, DHP, OPERATION & MAINTENANCE	31,349,279	31,801,279
DHP, RDT&E			
080	DEFENSE HEALTH PROGRAM	672,977	672,977
	SUBTOTAL, DHP, RDT&E	672,977	672,977
DHP, PROCUREMENT			
090	DEFENSE HEALTH PROGRAM	506,462	506,462
	SUBTOTAL, DHP, PROCUREMENT		
	TOTAL, DEFENSE HEALTH PROGRAM	32,528,718	32,980,718
CHEM AGENTS & MUNITIONS DESTRUCTION			
001	OPERATION & MAINTENANCE	635,843	635,843
002	RDT&E	647,351	647,351
003	PROCUREMENT	18,592	18,592
	TOTAL, CHEM AGENTS & MUNITIONS DESTRUCTION	1,301,786	1,301,786

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF			
010	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	889,545	863,645
	Transfer to Demand Reduction Program		[-25,900]
020	DRUG DEMAND REDUCTION PROGRAM	109,818	135,718
	Expanded drug testing		[25,900]
	TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	999,363	999,363
OFFICE OF THE INSPECTOR GENERAL			
010	OPERATION & MAINTENANCE	272,821	331,921
	DoD IG growth plan		[59,100]
020	RDT&E	0	0
030	PROCUREMENT	1,000	1,000
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	273,821	332,921
	TOTAL, OTHER AUTHORIZATIONS	37,228,008	37,739,108

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**
 2 **TINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	Senate Authorized
WORKING CAPITAL FUND, ARMY			
010	PREPOSITIONED WAR RESERVE STOCKS	42,600	42,600
	TOTAL, WORKING CAPITAL FUND, ARMY	42,600	42,600
WORKING CAPITAL FUND, AIR FORCE			
010	C-17 CLS ENGINE REPAIR	230,400	230,400
020	TRANSPORTATION FALLEN HEROES	10,000	10,000
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	240,400	240,400
WORKING CAPITAL FUND, DEFENSE-WIDE			
010	DEFENSE LOGISTICS AGENCY (DLA)	220,364	220,364
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	220,364	220,364
DEFENSE HEALTH PROGRAM DHP, OPERATION & MAINTENANCE			
010	IN-HOUSE CARE	483,326	483,326
020	PRIVATE SECTOR CARE	376,982	376,982
030	CONSOLIDATED HEALTH SUPPORT	111,675	111,675
040	INFORMATION MANAGEMENT	4,773	4,773
050	MANAGEMENT ACTIVITIES	660	660
060	EDUCATION AND TRAINING	15,370	15,370
070	BASE OPERATIONS/COMMUNICATIONS	1,112	1,112
	SUBTOTAL, DHP, OPERATION & MAINTENANCE TOTAL, DEFENSE HEALTH PROGRAM	993,898	993,898
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF			
010	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	469,025	469,025
	TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	469,025	469,025
OFFICE OF THE INSPECTOR GENERAL			
010	OPERATION & MAINTENANCE	10,766	10,766
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	10,766	10,766
	TOTAL, OTHER AUTHORIZATIONS	1,977,053	1,977,053

1 **TITLE XLVI—MILITARY**
 2 **CONSTRUCTION**

3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY Milcon				
	<i>Alaska</i>			
ARMY	Fort Wainwright	Modified Record Fire Range	10,400	10,400
ARMY	Joint Base Elmendorf-Richardson	Modified Record Fire Range	7,900	7,900
	<i>California</i>			
ARMY	Concord	Lightning Protection System	5,800	5,800
ARMY	Concord	Engineering/Housing Maintenance Shop	3,100	3,100
	<i>Colorado</i>			
ARMY	Fort Carson, Colorado	Digital Multipurpose Training Range	18,000	18,000
	<i>District of Columbia</i>			
ARMY	Fort McNair	Vehicle Storage Building, Installation	7,200	7,200
	<i>Georgia</i>			
ARMY	Fort Benning	Ground Source Heat Transfer System	16,000	16,000
ARMY	Fort Gordon	Modified Record Fire Range	4,000	4,000
ARMY	Fort Gordon	Multipurpose Machine Gun Range	7,100	7,100
ARMY	Fort Gordon	Ground Source Heat Transfer System	12,200	12,200
ARMY	Fort Stewart, Georgia	Digital Multipurpose Training Range	22,000	22,000
ARMY	Fort Stewart, Georgia	Automated Combat Pistol Qual Crse	3,650	3,650
ARMY	Fort Stewart, Georgia	Unmanned Aerial Vehicle Complex	24,000	24,000
	<i>Hawaii</i>			
ARMY	Pohakuloa Training Area	Automated Infantry Platoon Battle Course	29,000	29,000
ARMY	Schofield Barracks	Barracks	41,000	41,000
ARMY	Schofield Barracks	Barracks	55,000	55,000
ARMY	Wheeler Army Air Field	Combat Aviation Brigade Barracks	85,000	85,000
	<i>Kansas</i>			
ARMY	Fort Riley, Kansas	Unmanned Aerial Vehicle Complex	12,200	12,200
	<i>Kentucky</i>			
ARMY	Fort Campbell, Kentucky	Battalion Headquarters Complex	55,000	55,000
ARMY	Fort Campbell, Kentucky	Live Fire Exercise Shoothouse	3,800	3,800
ARMY	Fort Campbell, Kentucky	Unmanned Aerial Vehicle Complex	23,000	23,000
ARMY	Fort Knox	Automated Infantry Squad Battle Course	6,000	6,000
	<i>Missouri</i>			
ARMY	Fort Leonard Wood	Trainee Barracks Complex 3, Ph 2	58,000	58,000
ARMY	Fort Leonard Wood	Vehicle Maintenance Shop	39,000	39,000
ARMY	Fort Leonard Wood	Battalion Complex Facilities	26,000	26,000
	<i>New Jersey</i>			
ARMY	Picatinny Arsenal	Ballistic Evaluation Center	10,200	10,200
ARMY	Joint Base McGuire-Dix-Lakehurst	Flight Equipment Complex	47,000	47,000
	<i>New York</i>			
ARMY	Fort Drum, New York	Aircraft Maintenance Hangar	95,000	95,000
ARMY	U.S. Military Academy	Cadet Barracks	192,000	0
	<i>North Carolina</i>			
ARMY	Fort Bragg	Aerial Gunnery Range	42,000	42,000
ARMY	Fort Bragg	Infrastructure	30,000	0
ARMY	Fort Bragg	Unmanned Aerial Vehicle Complex	26,000	26,000
	<i>Oklahoma</i>			
ARMY	Fort Sill	Modified Record Fire Range	4,900	4,900
	<i>South Carolina</i>			
ARMY	Fort Jackson	Trainee Barracks Complex 2, Ph 2	24,000	24,000
	<i>Texas</i>			
ARMY	Corpus Christi	Aircraft Component Maintenance Shop	13,200	13,200
ARMY	Corpus Christi	Aircraft Paint Shop	24,000	24,000
ARMY	Fort Bliss	Multipurpose Machine Gun Range	7,200	7,200
ARMY	Fort Hood, Texas	Modified Record Fire Range	4,200	4,200
ARMY	Fort Hood, Texas	Training Aids Center	25,000	25,000
ARMY	Fort Hood, Texas	Unmanned Aerial Vehicle Complex	22,000	22,000
ARMY	Joint Base San Antonio	Barracks	21,000	21,000
	<i>Virginia</i>			
ARMY	Arlington	Cemetery Expansion Millennium Site	84,000	0
ARMY	Fort Belvoir	Secure Admin/Operations Facility	94,000	94,000
ARMY	Fort Lee	Adv Individual Training Barracks Cplx, Ph2	81,000	81,000
	<i>Washington</i>			
ARMY	Yakima	Convoy Live Fire Range	5,100	5,100

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY	Joint Base Lewis-McChord	Battalion Complex	73,000	73,000
ARMY	Joint Base Lewis-McChord	Waste Water Treatment Plant	91,000	91,000
	<i>Italy</i>			
ARMY	Camp Ederle	Barracks	36,000	36,000
ARMY	Vicenza	Simulations Center	32,000	32,000
	<i>Japan</i>			
ARMY	Okinawa	Satellite Communications Facility	78,000	78,000
ARMY	Sagami	Vehicle Maintenance Shop	18,000	18,000
	<i>Korea</i>			
ARMY	Camp Humphreys	Battalion Headquarters Complex	45,000	45,000
	<i>Worldwide Unspec</i>			
ARMY	Unspecified Worldwide Locations	Minor Construction FY 13	25,000	25,000
ARMY	Unspecified Worldwide Locations	Host Nation Support FY 13	34,000	34,000
ARMY	Unspecified Worldwide Locations	Planning and Design FY13	65,173	46,173
	Milcon, A—SUBTOTAL		1,923,323	1,598,323
NAVY Milcon				
	<i>Arizona</i>			
NAVY	Yuma	Security Operations Complex	13,300	13,300
NAVY	Yuma	Combat Aircraft Loading Apron	15,985	15,985
	<i>California</i>			
NAVY	Camp Pendleton, California	Comm. Information Systems Ops Complex	78,897	78,897
NAVY	Camp Pendleton, California	San Jacinto Road Extension	5,074	5,074
NAVY	Camp Pendleton, California	MV22 Aviation Simulator Building	4,139	4,139
	<i>Ventura County</i>			
NAVY	Miramar	BAMS Maintenance Training Facility	14,843	12,790
NAVY	San Diego	Hangar 5 Renovations & Addition	27,897	27,897
NAVY	San Diego	Entry Control Point (Gate Five)	11,752	11,752
NAVY	San Diego	LCS Training Facility	59,436	59,436
NAVY	Seal Beach	Strategic Systems Weapons Eval. Test Lab	30,594	30,594
NAVY	Twentynine Palms, California	Land Expansion Phase 2	47,270	47,270
NAVY	Coronado	Bachelor Quarters	76,063	76,063
NAVY	Coronado	H-60S Simulator Training Facility	2,478	2,478
	<i>Florida</i>			
NAVY	Jacksonville	BAMS Mission Control Complex	21,980	21,980
	<i>Hawaii</i>			
NAVY	Kaneohe Bay	MV-22 Hangar and Infrastructure	82,630	82,630
NAVY	Kaneohe Bay	Aircraft Staging Area	14,680	14,680
	<i>Mississippi</i>			
NAVY	Meridian	Dining Facility	10,926	10,926
	<i>New Jersey</i>			
NAVY	Earle	Combat System Engineering Building Addition	33,498	33,498
	<i>North Carolina</i>			
NAVY	Camp Lejeune, North Carolina	Staff NCO Academy Facilities	28,986	28,986
NAVY	Camp Lejeune, North Carolina	Base Access and Road—Phase 3	40,904	40,904
NAVY	Cherry Point Marine Corps Air Station	Marine Air Support Squadron Compound	34,310	34,310
NAVY	Cherry Point Marine Corps Air Station	Armory	11,581	11,581
NAVY	New River	Personnel Administration Center	8,525	8,525
	<i>South Carolina</i>			
NAVY	Beaufort	Ground Support Equipment Shop	9,465	9,465
NAVY	Beaufort	Simulated LHLD Flight Deck	12,887	12,887
NAVY	Beaufort	Recycling/Hazardous Waste Facility	3,743	3,743
NAVY	Beaufort	Aircraft Maintenance Hangar	42,010	42,010
NAVY	Beaufort	Airfield Security Upgrades	13,675	13,675
NAVY	Parris Island	Front Gate ATPF Improvements	10,135	10,135
	<i>Virginia</i>			
NAVY	Dahlgren	Cruiser/Destroyer Upgrade Training Facility	16,494	16,494
NAVY	Dahlgren	Physical Fitness Center	11,734	11,734
NAVY	Oceana Naval Air Station	A School Barracks	39,086	39,086
NAVY	Portsmouth	Drydock 8 Electrical Distribution Upgrade	32,706	32,706
NAVY	Quantico	The Basic School Student Quarters—Phase 7	31,012	31,012
NAVY	Quantico	Infrastructure—Widen Russell Road	14,826	14,826
NAVY	Quantico	Weapons Training Battalion Mess Hall	12,876	12,876
NAVY	Yorktown	Regimental Headquarters	11,015	11,015

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
NAVY	Yorktown	Bachelor Enlisted Quarters	18,422	18,422
NAVY	Yorktown	Motor Transportation Facility	6,188	6,188
NAVY	Yorktown	Supply Warehouse Facility	8,939	8,939
NAVY	Yorktown	Armory	4,259	4,259
	Washington			
NAVY	Whidbey Island	EA-18G Flight Simulator Facility	6,272	6,272
NAVY	Kitsap	Explosives Handling Wharf #2 (INC)	280,041	254,241
	Bahrain Island			
NAVY	SW Asia	Transient Quarters	41,529	41,529
NAVY	SW Asia	Combined Dining Facility	9,819	9,819
	Diego Garcia			
NAVY	Diego Garcia	Communications Infrastructure	1,691	1,691
	Greece			
NAVY	Souda Bay	Aircraft Parking Apron Expansion	20,493	20,493
NAVY	Souda Bay	Intermodal Access Road	4,630	4,630
	Guam			
NAVY	Joint Region Marianas	North Ramp Parking (Andersen AFB)—INC 2	25,904	0
	Japan			
NAVY	Iwakuni	Maintenance Hangar Improvements	5,722	5,722
NAVY	Iwakuni	Vertical Take-Off and Landing Pad North	7,416	7,416
NAVY	Okinawa	Bachelor Quarters	8,206	8,206
	Romania			
NAVY	Deveselu, Romania	AEGIS Ashore Missile Defense Complex	45,205	45,205
	Spain			
NAVY	Rota	General Purpose Warehouse	3,378	3,378
NAVY	Rota	High Explosive Magazine	13,837	13,837
	Worldwide Unspec			
NAVY	Various Worldwide Locations	BAMS Operational Facilities	34,048	34,048
	Djibouti			
NAVY	Camp Lemonier, Djibouti	Containerized Living and Work Units	7,510	7,510
NAVY	Camp Lemonier, Djibouti	Galley Addition and Warehouse	22,220	22,220
NAVY	Camp Lemonier, Djibouti	Joint HQ/Joint Operations Center Facility	42,730	42,730
NAVY	Camp Lemonier, Djibouti	Fitness Center	26,960	26,960
	Worldwide Unspec			
NAVY	Unspecified Worldwide Locations	Unspecified Minor Construction	16,535	16,535
NAVY	Unspecified Worldwide Locations	MCON Design Funds	102,619	102,619
	Milcon, N—SUBTOTAL		1,701,985	1,648,228
AF Milcon				
	Arkansas			
AF	Little Rock AFB	C-130J Fuel Systems Maintenance Hangar	26,000	26,000
AF	Little Rock AFB	C-130J Flight Simulator Addition	4,178	4,178
	Florida			
AF	Tyndall AFB	F-22 ADAL Hangar for Low Observable/Composite ..	14,750	14,750
	Georgia			
AF	Fort Stewart, Georgia	Air Support Operations Center (ASOC)	7,250	7,250
AF	Moody AFB	HC-130J Simulator Facility	8,500	8,500
	Nebraska			
AF	Offutt AFB	US STRATCOM Replacement Facility, Incr 2	161,000	128,000
	New Mexico			
AF	Holloman AFB	MQ-9 Maintenance Hangar	25,000	25,000
	North Dakota			
AF	Minot AFB	B-52 Add/Alter Munitions AGE Facility	4,600	4,600
	Texas			
AF	Joint Base San Antonio	Dormitory (144 Rm)	18,000	18,000
	Utah			
AF	Hill AFB	F-35 ADAL Hangar 45W/AMU	7,250	7,250
AF	Hill AFB	F-35 Modular Storage Magazines	2,280	2,280
AF	Hill AFB	F-35 ADAL Building 118 for Flight Simulator	4,000	4,000
	Greenland			
AF	Thule Ab	Dormitory (48 PN)	24,500	24,500
	Italy			
AF	Ariano Ab	F-16 Mission Training Center	9,400	9,400
	Worldwide Unspec			
AF	Unspecified Worldwide Locations	Transient Contingency Dormitory—100 Rm	17,625	0
AF	Unspecified Worldwide Locations	Transient Aircraft Hangars	15,032	0
AF	Unspecified Worldwide Locations	Sanitary Sewer Lift/Pump Station	2,000	2,000

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
AF	Various Worldwide Locations	Unspecified Minor Construction	18,200	18,200
AF	Unspecified Worldwide Locations	Planning and Design	18,635	18,635
Milcon, AF—SUBTOTAL			388,200	322,543
DEF-WIDE				
Milcon				
	Belgium			
DEFW	Brussels	NATO Headquarters Facility	26,969	26,969
	Worldwide Unspec			
DEFW	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
DEFW	Unspecified Worldwide Locations	Contingency Construction	10,000	10,000
	Texas			
DFAS	Red River Army Depot	DFAS Facility	16,715	16,715
	Illinois			
DISA	Scott AFB	DISA Facility Upgrades	84,111	84,111
	Germany			
DISA	Stuttgart-Patch Barracks	DISA Europe Facility Upgrades	2,413	2,413
	Arizona			
DLA	Yuma	Truck Unload Facility	1,300	1,300
	California			
DLA	Def Fuel Support Point—San Diego	Replace Fuel Pier	91,563	91,563
DLA	Edwards Air Force Base	Replace Fuel Storage	27,500	27,500
	Delaware			
DLA	Dover AFB	Replace Truck Off-Load Facility	2,000	2,000
	Florida			
DLA	Hurlburt Field	Construct Fuel Storage Facility	16,000	16,000
	Indiana			
DLA	Grissom ARB	Replace Hydrant Fuel System	26,800	26,800
	Louisiana			
DLA	Barksdale AFB	Upgrade Pumphouse	11,700	11,700
	North Carolina			
DLA	Seymour Johnson AFB	Replace Pipeline	1,850	1,850
	Pennsylvania			
DLA	Def Dist Depot New Cumberland	Replace Sewage Treatment Plant	6,300	6,300
DLA	Def Dist Depot New Cumberland	Replace Communications Building	6,800	6,800
DLA	Def Dist Depot New Cumberland	Replace Reservoir	4,300	4,300
	Guam			
DLA	Andersen AFB	Upgrade Fuel Pipeline	67,500	0
	Guantanamo Bay, Cuba			
DLA	Guantanamo Bay	Replace Truck Load Facility	2,600	2,600
DLA	Guantanamo Bay	Replace Fuel Pier	37,600	37,600
	Kentucky			
DODEA	Fort Campbell, Kentucky	Replace Barkley Elementary School	41,767	41,767
	Germany			
DODEA	Vogelweh	Replace Vogelweh Elementary School	61,415	61,415
DODEA	Weisbaden	Weisbaden High School Addition	52,178	52,178
	Japan			
DODEA	Camp Zama	Renovate Zama High School	13,273	13,273
DODEA	Kadena AB	Replace Elementary School	71,772	71,772
DODEA	Kadena AB	Replace Stearley Heights Elementary School	71,773	71,773
DODEA	Zukeran	Replace Zukeran Elementary School	79,036	79,036
DODEA	Sasebo	Replace Sasebo Elementary School	35,733	35,733
	Korea			
DODEA	Osan AFB	Replace Osan Elementary School	42,692	42,692
	United Kingdom			
DODEA	RAF Feltwell	Feltwell Elementary School Addition	30,811	30,811
DODEA	Menwith Hill Station	Replace Menwith Hill Elementary/High School	46,488	46,488
	New York			
MDA	Fort Drum, New York	IDT Complex	25,900	25,900
	Romania			
MDA	Deveselu, Romania	Aegis Ashore Missile Defense System Complex	157,900	157,900
	Colorado			
NSA	Buckley Air Force Base	Denver Power House	30,000	30,000
	Maryland			
NSA	Fort Meade	NSAW Recapitalize Building #1/Site M Inc 1	25,000	25,000
NSA	Fort Meade	High Performance Computing Center Inc 2	300,521	225,521
	Utah			

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
NSA	Camp Williams United Kingdom	IC CNCI Data Center 1 Inc 4	191,414	191,414
NSA	Menwith Hill Station California	MHS Utilities and Roads	3,795	3,795
SOCOM	Coronado	SOF Indoor Dynamic Shooting Facility	31,170	31,170
SOCOM	Coronado	SOF Close Quarters Combat/Dynamic Shoot Fac	13,969	13,969
SOCOM	Coronado	SOF Mobile Comm Detachment Support Facility	10,120	10,120
SOCOM	Fort Carson, Colorado	SOF Battalion Operations Complex	56,673	56,673
SOCOM	Florida Eglin AFB	SOF AVFID Ops and Maintenance Facilities	41,695	41,695
SOCOM	Macdill AFB	SOF Joint Special Ops University Fac (JSOU)	34,409	34,409
SOCOM	Hawaii Joint Base Pearl Harbor-Hickam	SOF SDVT-1 Waterfront Operations Facility	24,289	24,289
SOCOM	Kentucky Fort Campbell, Kentucky	SOF Landgraf Hangar Extension	3,559	3,559
SOCOM	Fort Campbell, Kentucky	SOF Ground Support Battalion	26,313	26,313
SOCOM	New Mexico Cannon AFB	SOF AC-130J Combat Parking Apron	22,062	22,062
SOCOM	North Carolina Camp Lejeune, North Carolina	SOF Marine Battalion Company/Team Facilities	53,399	53,399
SOCOM	Camp Lejeune, North Carolina	SOF Survival Evasion Resist. Escape Tng Fac	5,465	5,465
SOCOM	Fort Bragg	SOF Support Addition	3,875	3,875
SOCOM	Fort Bragg	SOF Battalion Operations Facility	40,481	50,481
SOCOM	Fort Bragg	SOF Civil Affairs Battalion Complex	31,373	41,373
SOCOM	Fort Bragg	SOF Sustainment Brigade Complex	24,693	34,693
SOCOM	Virginia Joint Exp Base Little Creek—Story	SOF Combat Services Support Facility—East	11,132	11,132
SOCOM	Washington Fort Lewis	SOF Military Working Dog Kennel	3,967	3,967
SOCOM	Fort Lewis	SOF Battalion Operations Facility	46,553	46,553
SOCOM	Conus Classified Classified Location	SOF Parachute Training Facility	6,477	6,477
SOCOM	United Kingdom RAF Mildenhall	SOF CV-22 Simulator Facility	6,490	6,490
TMA	California Twenty-nine Palms, California	Medical Clinic Replacement	27,400	27,400
TMA	Colorado Pikes Peak	High Altitude Medical Research Lab	3,600	3,600
TMA	Illinois Great Lakes	Drug Laboratory Replacement	28,700	28,700
TMA	Scott AFB	Medical Logistics Warehouse	2,600	2,600
TMA	Maryland Annapolis	Health Clinic Replacement	66,500	66,500
TMA	Bethesda Naval Hospital	Temporary Medical Facilities	26,600	26,600
TMA	Bethesda Naval Hospital	Base Installation Access/Appearance Plan	7,000	0
TMA	Bethesda Naval Hospital	Electrical Capacity and Cooling Towers	35,600	35,600
TMA	Fort Detrick Missouri	USAMRIID Stage I, Incr 7	19,000	19,000
TMA	Fort Leonard Wood New Mexico	Dental Clinic	18,100	18,100
TMA	Cannon AFB New York	Medical/Dental Clinic Replacement	71,023	71,023
TMA	Fort Drum, New York	Soldier Specialty Care Clinic	17,300	17,300
TMA	North Carolina Camp Lejeune, North Carolina	Medical Clinic Replacement	21,200	21,200
TMA	Seymour Johnson AFB South Carolina	Medical Clinic Replacement	53,600	53,600
TMA	Shaw AFB Texas	Medical Clinic Replacement	57,200	57,200
TMA	Fort Bliss	Hospital Replacement Incr 4	207,400	107,400
TMA	Joint Base San Antonio Virginia	Ambulatory Care Center Phase 3 Incr	80,700	80,700
TMA	Norfolk Germany	Veterinary Facility Replacement	8,500	8,500
TMA	Rhine Ordnance Barracks	Medical Center Replacement Incr 2	127,000	127,000

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	<i>Korea</i>			
TMA	<i>Kunsan Air Base</i>	<i>Medical/Dental Clinic Addition</i>	13,000	13,000
TMA	<i>Osan AFB</i>	<i>Hospital Addition/Alteration</i>	34,600	34,600
	<i>Worldwide Unspec</i>			
DEFW	<i>Unspecified Worldwide Locations</i>	<i>Unspecified Minor Construction</i>	3,000	3,000
DLA	<i>Unspecified Worldwide Locations</i>	<i>Unspecified Minor Construction</i>	7,254	7,254
DODEA	<i>Unspecified Worldwide Locations</i>	<i>Unspecified Minor Construction</i>	4,091	4,091
NSA	<i>Unspecified Worldwide Locations</i>	<i>Unspecified Minor Milcon</i>	3,000	3,000
SOCOM	<i>Unspecified Worldwide Locations</i>	<i>Unspecified Minor Const</i>	10,000	10,000
TJS	<i>Unspecified Worldwide Locations</i>	<i>Exercise Related Minor Construction</i>	6,440	6,440
TMA	<i>Unspecified Worldwide Locations</i>	<i>Minor Construction</i>	5,000	5,000
DEFW	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	47,978	47,978
DIA	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	2,919	2,919
DLA	<i>Unspecified Worldwide Locations</i>	<i>Planning & Design</i>	5,000	5,000
DODEA	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	105,569	105,569
MDA	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	4,548	4,548
NSA	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	8,300	8,300
SOCOM	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	27,620	27,620
TMA	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	105,700	105,700
WHS	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	7,928	7,928
	Milcon,Def:Wide—SUBTOTAL		3,654,623	3,435,123
	Services MILCON—TOTAL		7,668,131	7,004,217
MCon,Army				
NG				
	<i>Alabama</i>			
ARMY, NG	<i>Fort McClellan</i>	<i>Live Fire Shoot House</i>	5,400	5,400
	<i>Arkansas</i>			
ARMY, NG	<i>Searcy</i>	<i>Field Maintenance Shop</i>	6,800	6,800
	<i>California</i>			
ARMY, NG	<i>Fort Irwin</i>	<i>Maneuver Area Training & Equipment Site Ph3</i>	25,000	25,000
	<i>Connecticut</i>			
ARMY, NG	<i>Camp Hartell</i>	<i>Combined Support Maintenance Shop</i>	32,000	32,000
	<i>Delaware</i>			
ARMY, NG	<i>Bethany Beach</i>	<i>Regional Training Institute Ph1</i>	5,500	5,500
	<i>Florida</i>			
ARMY, NG	<i>Camp Blanding</i>	<i>Combined Arms Collective Training Fac</i>	9,000	9,000
ARMY, NG	<i>Miramar</i>	<i>Readiness Center</i>	20,000	20,000
	<i>Hawaii</i>			
ARMY, NG	<i>Kapolei</i>	<i>Army Aviation Support Facility Ph1</i>	28,000	28,000
	<i>Idaho</i>			
ARMY, NG	<i>Orchard Training Area</i>	<i>ORTC(Barracks)Ph2</i>	40,000	40,000
	<i>Indiana</i>			
ARMY, NG	<i>South Bend</i>	<i>Armed Forces Reserve Center Add/Alt</i>	21,000	21,000
ARMY, NG	<i>Terre Haute</i>	<i>Field Maintenance Shop</i>	9,000	9,000
	<i>Iowa</i>			
ARMY, NG	<i>Camp Dodge</i>	<i>Urban Assault Course</i>	3,000	3,000
	<i>Kansas</i>			
ARMY, NG	<i>Topeka</i>	<i>Taripay, Ramp & Hangar Alterations</i>	9,500	9,500
	<i>Kentucky</i>			
ARMY, NG	<i>Frankfort</i>	<i>Army Aviation Support Facility</i>	32,000	32,000
	<i>Massachusetts</i>			
ARMY, NG	<i>Camp Edwards</i>	<i>Unit Training Equipment Site</i>	22,000	22,000
	<i>Minnesota</i>			
ARMY, NG	<i>Camp Ripley</i>	<i>Scout Reconnaissance Range</i>	17,000	17,000
ARMY, NG	<i>St Paul</i>	<i>Readiness Center</i>	17,000	17,000
	<i>Missouri</i>			
ARMY, NG	<i>Fort Leonard Wood</i>	<i>Regional Training Institute</i>	18,000	18,000
ARMY, NG	<i>Kansas City</i>	<i>Readiness Center Add/Alt</i>	1,900	1,900
ARMY, NG	<i>Monett</i>	<i>Readiness Center Add/Alt</i>	820	820
ARMY, NG	<i>Perryville</i>	<i>Readiness Center Add/Alt</i>	700	700

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY, NG	Montana Miles City	Readiness Center	11,000	11,000
ARMY, NG	New Jersey Sea Girt	Regional Training Institute	34,000	34,000
ARMY, NG	New York Stormville	Combined Support Maint Shop Ph1	24,000	24,000
ARMY, NG	Ohio Chillicothe	Field Maintenance Shop Add/Alt	3,100	3,100
ARMY, NG	Delaware	Readiness Center	12,000	12,000
ARMY, NG	Oklahoma Camp Gruber	Operations Readiness Training Complex	25,000	25,000
ARMY, NG	Utah Camp Williams	BEQ Facility (Regional Training Institute)	15,000	15,000
ARMY, NG	Camp Williams	Regional Training Institute Ph2	21,000	21,000
ARMY, NG	Washington Fort Lewis	Readiness Center	35,000	35,000
ARMY, NG	West Virginia Logan	Readiness Center	14,200	14,200
ARMY, NG	Wisconsin Wausau	Field Maintenance Shop	10,000	10,000
ARMY, NG	Guam Barrigada	JFHQ Ph4	8,500	8,500
ARMY, NG	Puerto Rico Camp Santiago	Readiness Center	3,800	3,800
ARMY, NG	Ceiba	Refill Station Building	2,200	2,200
ARMY, NG	Guaynabo	Readiness Center (JFHQ)	15,000	15,000
ARMY, NG	Gurabo	Readiness Center	14,700	14,700
ARMY, NG	Worldwide Unspec Unspecified Worldwide Locations	Unspecified Minor Construction	15,057	15,057
ARMY, NG	Unspecified Worldwide Locations	Planning and Design	26,622	26,622
MCon,Army NG—Subtotal			613,799	613,799
MCon,Air NG				
AF, NG	California Fresno Yosemite LAP ANG	F-15 Conversion	11,000	11,000
AF, NG	Hawaii Joint Base Pearl Harbor-Hickam	TFI—F-22 Combat Apron Addition	6,500	6,500
AF, NG	New Mexico Kirtland AFB	Alter Target Intelligence Facility	8,500	8,500
AF, NG	Wyoming Cheyenne Map	C-130 Flight Simulator Training Facility	6,486	6,486
AF, NG	Worldwide Unspec Various Worldwide Locations	Unspecified Minor Construction	5,900	5,900
AF, NG	Various Worldwide Locations	Planning and Design	4,000	4,000
MCon,Air NG—Subtotal			42,386	42,386
NG MILCON—TOTAL			656,185	656,185
MCon,A Res				
ARMY, RE-SERVE	California Fort Hunter Liggett	ORTC	64,000	64,000
ARMY, RE-SERVE	Fort Hunter Liggett	UPH Barracks	4,300	4,300
ARMY, RE-SERVE	Tustin	Army Reserve Center	27,000	27,000
ARMY, RE-SERVE	Illinois Fort Sheridan	Army Reserve Center	28,000	28,000
ARMY, RE-SERVE	Maryland Aberdeen Proving Ground	Army Reserve Center	21,000	21,000
ARMY, RE-SERVE	Baltimore	Add/Alt Army Reserve Center	10,000	10,000
ARMY, RE-SERVE	Massachusetts Devens Reserve Forces Training Area	Automatic Record Fire Range	4,800	4,800
ARMY, RE-SERVE	Devens Reserve Forces Training Area	Combat Pistol/MP Firearms Qualification	3,700	3,700
ARMY, RE-SERVE	Nevada Las Vegas	Army Reserve Center/AMSA	21,000	21,000

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	<i>New Jersey</i>			
ARMY, RE-SERVE	Joint Base McGuire-Dir-Lakehurst	Automated Infantry Squad Battle Course	7,400	7,400
	<i>Washington</i>			
ARMY, RE-SERVE	Joint Base Lewis-McChord	Army Reserve Center	40,000	40,000
	<i>Wisconsin</i>			
ARMY, RE-SERVE	Fort McCoy	Central Issue Facility	12,200	12,200
ARMY, RE-SERVE	Fort McCoy	Dining Facility	8,600	8,600
ARMY, RE-SERVE	Fort McCoy	ECS Tactical Equip. Maint. Facility (TEMP)	27,000	27,000
	<i>Worldwide Unspec</i>			
ARMY, RE-SERVE	Unspecified Worldwide Locations	Unspecified Minor Construction	10,895	10,895
ARMY, RE-SERVE	Unspecified Worldwide Locations	Planning and Design	15,951	15,951
MCon,A Res—Subtotal			305,846	305,846
Milcon, Naval Res				
	<i>Arizona</i>			
NAVY, RESERVE	Yuma	Reserve Training Facility—Yuma AZ	5,379	5,379
	<i>Iowa</i>			
NAVY, RESERVE	Fort Des Moines	Joint Reserve Center—Des Moines IA	19,162	19,162
	<i>Louisiana</i>			
NAVY, RESERVE	New Orleans	Transient Quarters	7,187	7,187
	<i>New York</i>			
NAVY, RESERVE	Brooklyn	Vehicle Maint. Fac.—Brooklyn NY	4,430	4,430
	<i>Texas</i>			
NAVY, RESERVE	Fort Worth	Commercial Vehicle Inspection Site	11,256	11,256
	<i>Worldwide Unspec</i>			
NAVY, RESERVE	Unspecified Worldwide Locations	Planning and Design	2,118	2,118
Milcon, Naval Res—Subtotal			49,532	49,532
MCon,AF Res				
	<i>New York</i>			
AF, RESERVE	Niagara Falls IAP	Flight Simulator Facility	6,100	6,100
	<i>Worldwide Unspec</i>			
AF, RESERVE	Various Worldwide Locations	Unspecified Minor Construction	2,000	2,000
AF, RESERVE	Various Worldwide Locations	Planning and Design	2,879	2,879
MCon,AF Res—Subtotal			10,979	10,979
Reserve Milcon—TOTAL			366,357	366,357
MILCON Major Accounts—TOTAL			8,690,673	8,026,759
Chem-Demil				
	<i>Colorado</i>			
Chem Demil	Pueblo Depot	Ammunition Demilitarization Facility, Ph XIV	36,000	36,000
	<i>Kentucky</i>			
Chem Demil	Blue Grass Army Depot	Ammunition Demilitarization Ph XIII	115,000	115,000
ChemDemil / NSIP—Total			151,000	151,000
NSIP				
	<i>Worldwide Unspec</i>			
NSIP	NATO Security Investment Program	NATO Security Investment Program	254,163	254,163
NATO Security Investment Program			254,163	254,163
Army Fam Housing				
	<i>Worldwide Unspec</i>			
FH Const.A	Unspecified Worldwide Locations	Family Housing P&D	4,641	4,641
Army Fam Hsg Construction—Subtotal			4,641	4,641
	<i>Worldwide Unspec</i>			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
<i>FH Op&Dt,A</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities Account</i>	88,112	88,112
<i>FH Op&Dt,A</i>	<i>Unspecified Worldwide Locations</i>	<i>Services Account</i>	13,487	13,487
<i>FH Op&Dt,A</i>	<i>Unspecified Worldwide Locations</i>	<i>Management Account</i>	56,970	56,970
<i>FH Op&Dt,A</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous Account</i>	620	620
<i>FH Op&Dt,A</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings Account</i>	31,785	31,785
<i>FH Op&Dt,A</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	203,533	203,533
<i>FH Op&Dt,A</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance of Real Property</i>	109,534	109,534
<i>FH Op&Dt,A</i>	<i>Unspecified Worldwide Locations</i>	<i>Privatization Support Costs</i>	26,010	26,010
Army Fam Hsg O&M—Subtotal			530,051	530,051
Army Fam Hsg—TOTAL			534,692	534,692
Navy Fam Housing				
<i>FH Const,N</i>	<i>Worldwide Unspec Unspecified Worldwide Locations</i>	<i>Improvements</i>	97,655	97,655
<i>FH Const,N</i>	<i>Unspecified Worldwide Locations</i>	<i>Design</i>	4,527	4,527
Navy Fam Hsg Construction—Subtotal			102,182	102,182
<i>FH Op&Dt,N</i>	<i>Worldwide Unspec Unspecified Worldwide Locations</i>	<i>Utilities Account</i>	80,860	80,860
<i>FH Op&Dt,N</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings Account</i>	17,697	17,697
<i>FH Op&Dt,N</i>	<i>Unspecified Worldwide Locations</i>	<i>Management Account</i>	62,741	62,741
<i>FH Op&Dt,N</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous Account</i>	491	491
<i>FH Op&Dt,N</i>	<i>Unspecified Worldwide Locations</i>	<i>Services Account</i>	19,615	19,615
<i>FH Op&Dt,N</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	83,774	83,774
<i>FH Op&Dt,N</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance of Real Property</i>	85,254	85,254
<i>FH Op&Dt,N</i>	<i>Unspecified Worldwide Locations</i>	<i>Privatization Support Costs</i>	27,798	27,798
Navy Fam Hsg O&M—Subtotal			378,230	378,230
Navy Fam Hsg—TOTAL			480,412	480,412
AF Fam Housing				
<i>FH Con,AF</i>	<i>Worldwide Unspec Unspecified Worldwide Locations</i>	<i>Improvements</i>	79,571	79,571
<i>FH Con,AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning and Design</i>	4,253	4,253
AF Fam Hsg Construction—Subtotal			83,824	83,824
<i>FH Op&Dt,AF</i>	<i>Worldwide Unspec Unspecified Worldwide Locations</i>	<i>Utilities Account</i>	75,662	75,662
<i>FH Op&Dt,AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Management Account</i>	55,002	55,002
<i>FH Op&Dt,AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Services Account</i>	16,550	16,550
<i>FH Op&Dt,AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings Account</i>	37,878	37,878
<i>FH Op&Dt,AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous Account</i>	1,943	1,943
<i>FH Op&Dt,AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	62,730	62,730
<i>FH Op&Dt,AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance (RPMA RPMC)</i>	201,937	201,937
<i>FH Op&Dt,AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization</i>	46,127	46,127

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
AF Fam Hsg O&M—Subtotal			497,829	497,829
AF Fam Hsg—TOTAL			581,653	581,653
Def-Wide Fam Housing				
	Worldwide Unspec			
FH Op&Dt,D-W	Unspecified Worldwide Locations	Utilities Account	283	283
FH Op&Dt,D-W	Unspecified Worldwide Locations	Utilities Account	12	12
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	4,660	4,660
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	20	20
FH Op&Dt,D-W	Unspecified Worldwide Locations	Services Account	31	31
FH Op&Dt,D-W	Unspecified Worldwide Locations	Management Account	371	371
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	66	66
FH Op&Dt,D-W	Unspecified Worldwide Locations	Leasing	35,333	35,333
FH Op&Dt,D-W	Unspecified Worldwide Locations	Leasing	10,822	10,822
FH Op&Dt,D-W	Unspecified Worldwide Locations	Maintenance of Real Property	567	567
FH Op&Dt,D-W	Unspecified Worldwide Locations	Maintenance of Real Property	73	73
DefWide Fam Hsg O&M—Subtotal			52,238	52,238
DoD FH Imprv Fd				
	Worldwide Unspec			
DoD FH Imprv Fd	Unspecified Worldwide Locations	Family Housing Improvement Fund	1,786	1,786
DoD Fam Hsg Imprv Fd—Subtotal			1,786	1,786
FAM HSG—TOTAL			1,650,781	1,650,781
BRAC IV				
	Worldwide Unspec			
BRAC, A	Base Realignment & Closure, Army	Base Realignment & Closure	79,893	79,893
BRAC, N	Base Realignment & Closure, Navy	Base Realignment & Closure	146,951	146,951
BRAC, AF	Base Realignment & Closure, AF	Base Realignment & Closure	122,552	122,552
BRAC IV—TOTAL			349,396	349,396
2005 BRAC ARMY BRAC				
	Worldwide Unspec			
BRAC—Army	Unspecified Worldwide Locations	USA-121: Fort Gillem, GA	4,976	4,976
BRAC—Army	Unspecified Worldwide Locations	USA-222: Fort McPherson, GA	6,772	6,772
BRAC—Army	Unspecified Worldwide Locations	Program Management Various Locations	20,453	20,453
BRAC—Army	Unspecified Worldwide Locations	USA-223: Fort Monmouth, NJ	9,989	9,989
BRAC—Army	Unspecified Worldwide Locations	USA-36: Red River Army Depot	1,385	1,385
BRAC—Army	Unspecified Worldwide Locations	USA-113: Fort Monroe, VA	12,184	12,184
BRAC—Army	Unspecified Worldwide Locations	USA-236: RC Transformation in CT	557	557
BRAC—Army	Unspecified Worldwide Locations	USA-242: RC Transformation in NY	172	172
BRAC—Army	Unspecified Worldwide Locations	USA-253: RC Transformation in PA	100	100
BRAC—Army	Unspecified Worldwide Locations	USA-212: USAR Cmd & Cntrl—New England	222	222
BRAC—Army	Unspecified Worldwide Locations	USA-167: USAR Command and Control—NE	175	175
BRAC—Army	Unspecified Worldwide Locations	IND-112: River Bank Army Ammo Plant, CA	22,431	22,431

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
BRAC—Army	Unspecified Worldwide Locations	IND-119: Newport Chemical Depot, IN	197	197
BRAC—Army	Unspecified Worldwide Locations	IND-106: Kansas Army Ammunition Plant, KS	7,280	7,280
BRAC—Army	Unspecified Worldwide Locations	IND-110: Mississippi Army Ammo Plant, MS	160	160
BRAC—Army	Unspecified Worldwide Locations	IND-122: Lone Star Army Ammo Plant, TX	11,379	11,379
BRAC—Army	Unspecified Worldwide Locations	MED-2: Walter Reed NMMC, Bethesda, MD	7,787	7,787
BRAC—Army—Subtotal			106,219	106,219
NAVY BRAC				
	Worldwide Unspec			
BRAC—Navy	Unspecified Worldwide Locations	DON-172: NWS Seal Beach, Concord, CA	2,129	2,129
BRAC—Navy	Unspecified Worldwide Locations	DON-138: NAS Brunswick, ME	4,897	4,897
BRAC—Navy	Unspecified Worldwide Locations	DON-157: MCSA Kansas City, MO	39	39
BRAC—Navy	Unspecified Worldwide Locations	DON-84: JRB Willow Grove & Cambria Reg AP	189	189
BRAC—Navy	Unspecified Worldwide Locations	DON-168: NS Newport, RI	1,742	1,742
BRAC—Navy	Unspecified Worldwide Locations	DON-100: Planning, Design and Management	5,038	5,038
BRAC—Navy	Unspecified Worldwide Locations	DON-101: Various Locations	4,176	4,176
BRAC—Navy—Subtotal			18,210	18,210
AF BRAC				
	Worldwide Unspec			
BRAC—Air Force	Unspecified Worldwide Locations	Program Management Various Locations	605	605
BRAC—Air Force	Unspecified Worldwide Locations	MED-57: Brooks City Base, TX	326	326
BRAC—Air Force	Unspecified Worldwide Locations	Comm Add 3: Galena Fd, AK	1,337	1,337
BRAC—Air Force—Subtotal			2,268	2,268
BRAC 2005—TOTAL			126,697	126,697
BRAC IV + BRAC 2005—TOTAL			476,093	476,093
MILCON GRAND TOTAL			11,222,710	10,558,796

1 **TITLE XLVII—DEPARTMENT OF**
 2 **ENERGY NATIONAL SECURITY**
 3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
 5 **PROGRAMS.**

<i>SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS</i> <i>(In Thousands of Dollars)</i>		
<i>Program</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
<i>Electricity delivery and energy reliability</i>	6,000	0
Atomic Energy Defense Activities		
National nuclear security administration:		
<i>Weapons activities</i>	7,577,341	7,602,341
<i>Defense nuclear nonproliferation</i>	2,458,631	2,458,631
<i>Naval reactors</i>	1,088,635	1,126,621
<i>Office of the administrator</i>	411,279	386,279
Total, National nuclear security administration	11,535,886	11,573,872
Environmental and other defense activities:		
<i>Defense environmental cleanup</i>	5,472,001	5,009,001
<i>Other defense activities</i>	735,702	735,702
Total, Environmental & other defense activities	6,207,703	5,744,703
Total, Atomic Energy Defense Activities	17,743,589	17,318,575
Total, Discretionary Funding	17,749,589	17,318,575
Electricity Delivery & Energy Reliability		
Electricity Delivery & Energy Reliability		
<i>Infrastructure security & energy restoration</i>	6,000	0
Weapons Activities		
Directed stockpile work		
Life extension programs		
<i>B61 Life extension program</i>	369,000	369,000
<i>W76 Life extension program</i>	174,931	174,931
Total, Life extension programs	543,931	543,931
Stockpile systems		
<i>B61 Stockpile systems</i>	72,364	72,364
<i>W76 Stockpile systems</i>	65,445	90,445
<i>W78 Stockpile systems</i>	139,207	139,207
<i>W80 Stockpile systems</i>	46,540	46,540
<i>B83 Stockpile systems</i>	57,947	57,947
<i>W87 Stockpile systems</i>	85,689	85,689
<i>W88 Stockpile systems</i>	123,217	123,217
Total, Stockpile systems	590,409	615,409
Weapons dismantlement and disposition		
<i>Operations and maintenance</i>	51,265	51,265
Stockpile services		
<i>Production support</i>	365,405	365,405
<i>Research and development support</i>	28,103	28,103
<i>R&D certification and safety</i>	191,632	191,632
<i>Management, technology, and production</i>	175,844	175,844
<i>Plutonium sustainment</i>	141,685	141,685
Total, Stockpile services	902,669	902,669
Total, Directed stockpile work	2,088,274	2,113,274

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
Campaigns:		
Science campaign		
Advanced certification	44,104	44,104
Primary assessment technologies	94,000	94,000
Dynamic materials properties	97,000	97,000
Advanced radiography	30,000	30,000
Secondary assessment technologies	85,000	85,000
Total, Science campaign	350,104	350,104
Engineering campaign		
Enhanced surety	46,421	46,421
Weapon systems engineering assessment technology	18,983	18,983
Nuclear survivability	21,788	21,788
Enhanced surveillance	63,379	63,379
Total, Engineering campaign	150,571	150,571
Inertial confinement fusion ignition and high yield campaign		
Diagnostics, cryogenics and experimental support	81,942	81,942
Ignition	84,172	84,172
Support of other stockpile programs	14,817	14,817
Pulsed power inertial confinement fusion	6,044	6,044
Joint program in high energy density laboratory plasmas	8,334	8,334
Facility operations and target production	264,691	264,691
Total, Inertial confinement fusion and high yield campaign	460,000	460,000
Advanced simulation and computing campaign	600,000	600,000
Readiness Campaign		
Nonnuclear readiness	64,681	64,681
Tritium readiness	65,414	65,414
Total, Readiness campaign	130,095	130,095
Total, Campaigns	1,690,770	1,690,770
Readiness in technical base and facilities (RTBF)		
Operations of facilities		
Kansas City Plant	163,602	163,602
Lawrence Livermore National Laboratory	89,048	89,048
Los Alamos National Laboratory	335,978	335,978
Nevada National Security Site	115,697	115,697
Panther	172,020	172,020
Sandia National Laboratory	167,384	167,384
Savannah River Site	120,577	120,577
Y-12 National security complex	255,097	255,097
Total, Operations of facilities	1,419,403	1,419,403
Science, technology and engineering capability support	166,945	166,945
Nuclear operations capability support	203,346	203,346
Subtotal, Readiness in technical base and facilities	1,789,694	1,789,694
Construction:		
13-D-301 Electrical infrastructure upgrades, LANL/LLNL	23,000	23,000
12-D-301 TRU waste facilities, LANL	24,204	24,204
11-D-801 TA-55 Reinvestment project, LANL	8,889	8,889
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, TN	17,909	17,909
09-D-404 Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM	11,332	11,332
08-D-802 High explosive pressing facility Panther Plant, Amarillo, TX	24,800	24,800
06-D-141 PED/Construction, UPFY-12, Oak Ridge, TN	340,000	0
06-D-141 PED/Construction, UPFY-12, Phase I, Oak Ridge, TN	0	340,000
Total, Construction	450,134	450,134
Total, Readiness in technical base and facilities	2,239,828	2,239,828
Secure transportation asset		
Operations and equipment	114,965	114,965
Program direction	104,396	104,396
Total, Secure transportation asset	219,361	219,361

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
Nuclear counterterrorism incident response	247,552	247,552
Site stewardship		
Operations and maintenance	90,001	90,001
Total, Site stewardship	90,001	90,001
Defense nuclear security		
Operations and maintenance	643,285	643,285
NNSA CIO activities	155,022	155,022
Legacy contractor pensions	185,000	185,000
National security applications	18,248	18,248
Subtotal, Weapons activities	7,577,341	7,602,341
Total, Weapons Activities	7,577,341	7,602,341
Defense Nuclear Nonproliferation		
Nonproliferation and verification R&D		
Operations and maintenance	398,186	398,186
Domestic Enrichment R&D	150,000	150,000
Subtotal, Nonproliferation and verification R&D	548,186	548,186
Nonproliferation and international security	150,119	150,119
International nuclear materials protection and cooperation	311,000	311,000
Fissile materials disposition		
U.S. surplus fissile materials disposition		
Operations and maintenance		
U.S. plutonium disposition	498,979	498,979
U.S. uranium disposition	29,736	29,736
Total, Operations and maintenance	528,715	528,715
Construction:		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	388,802	388,802
Total, Construction	388,802	388,802
Total, U.S. surplus fissile materials disposition	917,517	917,517
Russian surplus fissile materials disposition	3,788	3,788
Total, Fissile materials disposition	921,305	921,305
Global threat reduction initiative	466,021	466,021
Legacy contractor pensions	62,000	62,000
Subtotal, Defense Nuclear Nonproliferation	2,458,631	2,458,631
Total, Defense Nuclear Nonproliferation	2,458,631	2,458,631
Naval Reactors		
Naval reactors development	418,072	418,072
Ohio replacement reactor systems development	89,700	127,686
SSG Prototype refueling	121,100	121,100
Naval reactors operations and infrastructure	366,961	366,961
Construction:		
13-D-905 Remote-handled low-level waste facility, INL	8,890	8,890
13-D-904 KS Radiological work and storage building, KSO	2,000	2,000
13-D-903, KS Prototype Staff Building, KSO	14,000	14,000
10-D-903, Security upgrades, KAPL	19,000	19,000
08-D-190 Expanded Core Facility M-290 recovering discharge sta- tion, Naval Reactor Facility, ID	5,700	5,700
Total, Construction	49,590	49,590
Program direction	43,212	43,212
Subtotal, Naval Reactors	1,088,635	1,126,621
Total, Naval Reactors	1,088,635	1,126,621

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

<i>Program</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
Office Of The Administrator		
Office of the administrator	411,279	386,279
Total, Office Of The Administrator	411,279	386,279
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	1,990	1,990
Hanford site:		
River corridor and other cleanup operations	389,347	389,347
Central plateau remediation	558,820	558,820
Richland community and regulatory support	15,156	15,156
Total, Hanford site	963,323	963,323
Idaho National Laboratory:		
Idaho cleanup and waste disposition	396,607	396,607
Idaho community and regulatory support	3,000	3,000
Total, Idaho National Laboratory	399,607	399,607
NNSA sites		
Lawrence Livermore National Laboratory	1,484	1,484
Nuclear facility D&D Separations Process Research Unit	24,000	24,000
Nevada	64,641	64,641
Sandia National Laboratories	5,000	5,000
Los Alamos National Laboratory	239,143	239,143
Total, NNSA sites and Nevada off-sites	334,268	334,268
Oak Ridge Reservation:		
Building 3019	67,525	67,525
OR cleanup and disposition	109,470	109,470
OR reservation community and regulatory support	4,500	4,500
Total, Oak Ridge Reservation	181,495	181,495
Office of River Protection:		
Waste treatment and immobilization plant		
01-D-416 A-E/ORP-0060/Major construction	690,000	690,000
Tank farm activities		
Rad liquid tank waste stabilization and disposition	482,113	482,113
Total, Office of River protection	1,172,113	1,172,113
Savannah River sites:		
Savannah River risk management operations	444,089	444,089
SR community and regulatory support	16,584	16,584
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	698,294	698,294
Construction:		
05-D-405 Salt waste processing facility, Savannah River	22,549	22,549
Total, Radioactive liquid tank waste	720,843	720,843
Total, Savannah River site	1,181,516	1,181,516
Waste Isolation Pilot Plant		
Waste isolation pilot plant	198,010	198,010
Total, Waste Isolation Pilot Plant	198,010	198,010
Program direction	323,504	323,504
Program support	18,279	18,279
Safeguards and Security:		
Oak Ridge Reservation	18,817	18,817
Paducah	8,909	8,909
Portsmouth	8,578	8,578
Richland/Hanford Site	71,746	71,746
Savannah River Site	121,977	121,977
Waste Isolation Pilot Project	4,977	4,977
West Valley	2,015	2,015
Total, Safeguards and Security	237,019	237,019

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

<i>Program</i>	<i>FY 2013 Request</i>	<i>Senate Authorized</i>
<i>Technology development</i>	20,000	20,000
<i>Uranium enrichment D&D fund contribution</i>	463,000	0
Subtotal, Defense environmental cleanup	5,494,124	5,031,124
Adjustments		
<i>Use of prior year balances</i>	-12,123	-12,123
<i>Use of unobligated balances</i>	-10,000	-10,000
Total, Adjustments	-22,123	-22,123
Total, Defense Environmental Cleanup	5,472,001	5,009,001
Other Defense Activities		
Health, safety and security		
<i>Health, safety and security</i>	139,325	139,325
<i>Program direction</i>	106,175	106,175
Total, Health, safety and security	245,500	245,500
<i>Specialized security activities</i>	188,619	188,619
Office of Legacy Management		
<i>Legacy management</i>	164,477	164,477
<i>Program direction</i>	13,469	13,469
Total, Office of Legacy Management	177,946	177,946
Defense-related activities		
<i>Defense related administrative support</i>	118,836	118,836
<i>Office of hearings and appeals</i>	4,801	4,801
Subtotal, Other defense activities	735,702	735,702
Total, Other Defense Activities	735,702	735,702

1 ***DIVISION E—HOUSING***
2 ***ASSISTANCE FOR VETERANS***
3 ***TITLE L—HOUSING ASSISTANCE***
4 ***FOR VETERANS***

5 ***SEC. 5001. SHORT TITLE.***

6 *This division may be cited as the “Housing Assistance*
7 *for Veterans Act of 2012” or the “HAVEN Act”.*

8 ***SEC. 5002. DEFINITIONS.***

9 *In this division:*

10 (1) *DISABLED.*—*The term “disabled” means an*
11 *individual with a disability, as defined by section*
12 *12102 of title 42, United States Code.*

13 (2) *ELIGIBLE VETERAN.*—*The term “eligible vet-*
14 *eran” means a disabled or low-income veteran.*

15 (3) *ENERGY EFFICIENT FEATURES OR EQUIP-*
16 *MENT.*—*The term “energy efficient features or equip-*
17 *ment” means features of, or equipment in, a primary*
18 *residence that help reduce the amount of electricity*
19 *used to heat, cool, or ventilate such residence, includ-*
20 *ing insulation, weatherstripping, air sealing, heating*
21 *system repairs, duct sealing, or other measures.*

22 (4) *LOW-INCOME VETERAN.*—*The term “low-in-*
23 *come veteran” means a veteran whose income does not*
24 *exceed 80 percent of the median income for an area,*
25 *as determined by the Secretary.*

1 (5) *NONPROFIT ORGANIZATION.*—*The term “non-*
2 *profit organization” means an organization that is—*

3 (A) *described in section 501(c)(3) or*
4 *501(c)(19) of the Internal Revenue Code of 1986;*
5 *and*

6 (B) *exempt from tax under section 501(a) of*
7 *such Code.*

8 (6) *PRIMARY RESIDENCE.*—

9 (A) *IN GENERAL.*—*The term “primary resi-*
10 *dence” means a single family house, a duplex, or*
11 *a unit within a multiple-dwelling structure that*
12 *is an eligible veteran’s principal dwelling and is*
13 *owned by such veteran or a family member of*
14 *such veteran.*

15 (B) *FAMILY MEMBER DEFINED.*—*For pur-*
16 *poses of this paragraph, the term “family mem-*
17 *ber” includes—*

18 (i) *a spouse, child, grandchild, parent,*
19 *or sibling;*

20 (ii) *a spouse of such a child, grand-*
21 *child, parent, or sibling; or*

22 (iii) *any individual related by blood or*
23 *affinity whose close association with a vet-*
24 *eran is the equivalent of a family relation-*
25 *ship.*

1 (7) *QUALIFIED ORGANIZATION.*—*The term*
2 *“qualified organization” means a nonprofit organiza-*
3 *tion that provides nationwide or State-wide programs*
4 *that primarily serve veterans or low-income individ-*
5 *uals.*

6 (8) *SECRETARY.*—*The term “Secretary” means*
7 *the Secretary of Housing and Urban Development.*

8 (9) *VETERAN.*—*The term “veteran” has the same*
9 *meaning as given such term in section 101 of title 38,*
10 *United States Code.*

11 (10) *VETERANS SERVICE ORGANIZATION.*—*The*
12 *term “veterans service organization” means any orga-*
13 *nization recognized by the Secretary of Veterans Af-*
14 *airs for the representation of veterans under section*
15 *5902 of title 38, United States Code.*

16 **SEC. 5003. ESTABLISHMENT OF A PILOT PROGRAM.**

17 (a) *GRANT.*—

18 (1) *IN GENERAL.*—*The Secretary shall establish*
19 *a pilot program to award grants to qualified organi-*
20 *zations to rehabilitate and modify the primary resi-*
21 *dence of eligible veterans.*

22 (2) *COORDINATION.*—*The Secretary shall work*
23 *in conjunction with the Secretary of Veterans Affairs*
24 *to establish and oversee the pilot program and to en-*

1 *sure that such program meets the needs of eligible vet-*
2 *erans.*

3 (3) *MAXIMUM GRANT.*—*A grant award under the*
4 *pilot program to any one qualified organization shall*
5 *not exceed \$1,000,000 in any one fiscal year, and*
6 *such an award shall remain available until expended*
7 *by such organization.*

8 (b) *APPLICATION.*—

9 (1) *IN GENERAL.*—*Each qualified organization*
10 *that desires a grant under the pilot program shall*
11 *submit an application to the Secretary at such time,*
12 *in such manner, and, in addition to the information*
13 *required under paragraph (2), accompanied by such*
14 *information as the Secretary may reasonably require.*

15 (2) *CONTENTS.*—*Each application submitted*
16 *under paragraph (1) shall include—*

17 (A) *a plan of action detailing outreach ini-*
18 *tiatives;*

19 (B) *the approximate number of veterans the*
20 *qualified organization intends to serve using*
21 *grant funds;*

22 (C) *a description of the type of work that*
23 *will be conducted, such as interior home modi-*
24 *fications, energy efficiency improvements, and*
25 *other similar categories of work; and*

1 (D) a plan for working with the Depart-
2 ment of Veterans Affairs and veterans service or-
3 ganizations to identify veterans and serve their
4 needs.

5 (3) *PREFERENCES*.—In awarding grants under
6 the pilot program, the Secretary shall give preference
7 to a qualified organization—

8 (A) with experience in providing housing
9 rehabilitation and modification services for dis-
10 abled veterans; or

11 (B) that proposes to provide housing reha-
12 bilitation and modification services for eligible
13 veterans who live in rural areas (the Secretary,
14 through regulations, shall define the term “rural
15 areas”).

16 (c) *CRITERIA*.—In order to receive a grant award
17 under the pilot program, a qualified organization shall
18 meet the following criteria:

19 (1) Demonstrate expertise in providing housing
20 rehabilitation and modification services for disabled
21 or low-income individuals for the purpose of making
22 the homes of such individuals accessible, functional,
23 and safe for such individuals.

24 (2) Have established outreach initiatives that—

1 (A) would engage eligible veterans and vet-
2 erans service organizations in projects utilizing
3 grant funds under the pilot program; and

4 (B) identify eligible veterans and their fam-
5 ilies and enlist veterans involved in skilled
6 trades, such as carpentry, roofing, plumbing, or
7 HVAC work.

8 (3) Have an established nationwide or State-
9 wide network of affiliates that are—

10 (A) nonprofit organizations; and

11 (B) able to provide housing rehabilitation
12 and modification services for eligible veterans.

13 (4) Have experience in successfully carrying out
14 the accountability and reporting requirements in-
15 volved in the proper administration of grant funds,
16 including funds provided by private entities or Fed-
17 eral, State, or local government entities.

18 (d) *USE OF FUNDS.*—A grant award under the pilot
19 program shall be used—

20 (1) to modify and rehabilitate the primary resi-
21 dence of an eligible veteran, and may include—

22 (A) installing wheelchair ramps, widening
23 exterior and interior doors, reconfiguring and
24 re-equipping bathrooms (which includes install-
25 ing new fixtures and grab bars), removing door-

1 way thresholds, installing special lighting, add-
2 ing additional electrical outlets and electrical
3 service, and installing appropriate floor cov-
4 erings to—

5 (i) accommodate the functional limita-
6 tions that result from having a disability;
7 or

8 (ii) if such residence does not have
9 modifications necessary to reduce the
10 chances that an elderly, but not disabled
11 person, will fall in their home, reduce the
12 risks of such an elderly person from falling;

13 (B) rehabilitating such residence that is in
14 a state of interior or exterior disrepair; and

15 (C) installing energy efficient features or
16 equipment if—

17 (i) an eligible veteran's monthly utility
18 costs for such residence is more than 5 per-
19 cent of such veteran's monthly income; and

20 (ii) an energy audit of such residence
21 indicates that the installation of energy effi-
22 cient features or equipment will reduce such
23 costs by 10 percent or more;

24 (2) in connection with modification and reha-
25 bilitation services provided under the pilot program,

1 *to provide technical, administrative, and training*
2 *support to an affiliate of a qualified organization re-*
3 *ceiving a grant under such pilot program; and*

4 *(3) for other purposes as the Secretary may pre-*
5 *scribe through regulations.*

6 *(e) OVERSIGHT.—The Secretary shall direct the over-*
7 *sight of the grant funds for the pilot program so that such*
8 *funds are used efficiently until expended to fulfill the pur-*
9 *pose of addressing the adaptive housing needs of eligible vet-*
10 *erans.*

11 *(f) MATCHING FUNDS.—*

12 *(1) IN GENERAL.—A qualified organization re-*
13 *ceiving a grant under the pilot program shall con-*
14 *tribute towards the housing modification and reha-*
15 *ilitation services provided to eligible veterans an*
16 *amount equal to not less than 50 percent of the grant*
17 *award received by such organization.*

18 *(2) IN-KIND CONTRIBUTIONS.—In order to meet*
19 *the requirement under paragraph (1), such organiza-*
20 *tion may arrange for in-kind contributions.*

21 *(g) LIMITATION COST TO THE VETERANS.—A qualified*
22 *organization receiving a grant under the pilot program*
23 *shall modify or rehabilitate the primary residence of an eli-*
24 *gible veteran at no cost to such veteran (including applica-*
25 *tion fees) or at a cost such that such veteran pays no more*

1 *than 30 percent of his or her income in housing costs during*
2 *any month.*

3 *(h) REPORTS.—*

4 *(1) ANNUAL REPORT.—The Secretary shall sub-*
5 *mit to Congress, on an annual basis, a report that*
6 *provides, with respect to the year for which such re-*
7 *port is written—*

8 *(A) the number of eligible veterans provided*
9 *assistance under the pilot program;*

10 *(B) the socioeconomic characteristics of such*
11 *veterans, including their gender, age, race, and*
12 *ethnicity;*

13 *(C) the total number, types, and locations of*
14 *entities contracted under such program to ad-*
15 *minister the grant funding;*

16 *(D) the amount of matching funds and in-*
17 *kind contributions raised with each grant;*

18 *(E) a description of the housing rehabilita-*
19 *tion and modification services provided, costs*
20 *saved, and actions taken under such program;*

21 *(F) a description of the outreach initiatives*
22 *implemented by the Secretary to educate the gen-*
23 *eral public and eligible entities about such pro-*
24 *gram;*

1 (G) a description of the outreach initiatives
2 instituted by grant recipients to engage eligible
3 veterans and veteran service organizations in
4 projects utilizing grant funds under such pro-
5 gram;

6 (H) a description of the outreach initiatives
7 instituted by grant recipients to identify eligible
8 veterans and their families; and

9 (I) any other information that the Sec-
10 retary considers relevant in assessing such pro-
11 gram.

12 (2) *FINAL REPORT.*—Not later than 6 months
13 after the completion of the pilot program, the Sec-
14 retary shall submit to Congress a report that provides
15 such information that the Secretary considers relevant
16 in assessing the pilot program.

17 (i) *AUTHORIZATION OF APPROPRIATIONS.*—There are
18 authorized to be appropriated for carrying out this division
19 \$4,000,000 for each of fiscal years 2013 through 2017.

20 ***DIVISION F—STOLEN VALOR ACT***
21 ***TITLE LI—STOLEN VALOR ACT***

22 ***SEC. 5011. SHORT TITLE.***

23 This division may be cited as the “Stolen Valor Act
24 of 2012”.

1 **SEC. 5012. FINDINGS.**

2 *Congress find the following:*

3 *(1) Because of the great respect in which mili-*
4 *tary service and military awards are rightfully held*
5 *by the public, false claims of receiving such medals or*
6 *-serving in the military are especially likely to be*
7 *harmful and material to employers, voters in deciding*
8 *to whom paid elective positions should be entrusted,*
9 *and in the award of contracts.*

10 *(2) Military service and military awards are*
11 *held in such great respect that public and private de-*
12 *isions are correctly influenced by claims of heroism.*

13 *(3) False claims of military service or military*
14 *heroism are an especially noxious means of obtaining*
15 *something of value because they are particularly like-*
16 *ly to cause tangible harm to victims of fraud.*

17 *(4) False claims of military service or the receipt*
18 *of military awards, if believed, are especially likely to*
19 *dispose people favorably toward the speaker.*

20 *(5) False claims of military service or the receipt*
21 *of military awards are particularly likely to be mate-*
22 *rial and cause people to part with money or property.*
23 *Even if such claims are unsuccessful in bringing*
24 *about this result, they still constitute attempted fraud.*

25 *(6) False claims of military service or the receipt*
26 *of military awards that are made to secure appoint-*

1 *ment to the board of an organization are likely to*
2 *cause harm to such organization through their obtain-*
3 *ing the services of an individual who does not bring*
4 *to that organization what he or she claims, and whose*
5 *falsehood, if discovered, would cause the organiza-*
6 *tion's donors concern that the organization's board*
7 *might not manage money honestly.*

8 *(7) The easily verifiable nature of false claims*
9 *regarding military service or the receipt of military*
10 *awards, the relative infrequency of such claims, and*
11 *the fact that false claims of having served in the mili-*
12 *tary or received such awards are rightfully con-*
13 *demned across the political spectrum, it is especially*
14 *likely that any law prohibiting such false claims*
15 *would not be enforced selectively.*

16 *(8) Congress may make criminal the false claim*
17 *of military service or the receipt of military awards*
18 *based on its powers under article I, section 8, clause*
19 *2 of the Constitution of the United States, to raise*
20 *and support armies, and article I, section 8, clause*
21 *18 of the Constitution of the United States, to enact*
22 *necessary and proper measures to carry into execu-*
23 *tion that power.*

1 **SEC. 5013. MILITARY MEDALS OR DECORATIONS.**

2 *Section 704 of title 18, United States Code, is amended*
3 *to read as follows:*

4 **“§ 704. Military medals or decorations**

5 *“(a) IN GENERAL.—Whoever knowingly purchases, at-*
6 *tempts to purchase, solicits for purchase, mails, ships, im-*
7 *ports, exports, produces blank certificates of receipt for,*
8 *manufactures, sells, attempts to sell, advertises for sale,*
9 *trades, barters, or exchanges for anything of value any deco-*
10 *ration or medal authorized by Congress for the Armed*
11 *Forces of the United States, or any of the service medals*
12 *or badges awarded to the members of such forces, or the rib-*
13 *bon, button, or rosette of any such badge, decoration, or*
14 *medal, or any colorable imitation thereof, except when au-*
15 *thorized under regulations made pursuant to law, shall be*
16 *fined under this title, imprisoned for not more than 6*
17 *months, or both.*

18 *“(b) FALSE CLAIMS TO THE RECEIPT OF MILITARY*
19 *DECORATIONS, MEDALS, OR RIBBONS AND FALSE CLAIMS*
20 *RELATING TO MILITARY SERVICE IN ORDER TO SECURE*
21 *A TANGIBLE BENEFIT OR PERSONAL GAIN.—*

22 *“(1) IN GENERAL.—Whoever, with the intent of*
23 *securing a tangible benefit or personal gain, know-*
24 *ingly, falsely, and materially represents himself or*
25 *herself through any written or oral communication*
26 *(including a resume) to have served in the Armed*

1 *Forces of the United States or to have been awarded*
2 *any decoration, medal, ribbon, or other device author-*
3 *ized by Congress or pursuant to Federal law for the*
4 *Armed Forces of the United States, shall be fined*
5 *under this title, imprisoned for not more than 6*
6 *months, or both.*

7 “(2) *TANGIBLE BENEFIT OR PERSONAL GAIN.*—
8 *For purposes of this subsection, the term ‘tangible*
9 *benefit or personal gain’ includes—*

10 “(A) *a benefit relating to military service*
11 *provided by the Federal Government or a State*
12 *or local government;*

13 “(B) *public or private employment;*

14 “(C) *financial remuneration;*

15 “(D) *an effect on the outcome of a criminal*
16 *or civil court proceeding;*

17 “(E) *election of the speaker to paying office;*
18 *and*

19 “(F) *appointment to a board or leadership*
20 *position of a non-profit organization.*

21 “(c) *DEFINITION.*—*In this section, the term ‘Armed*
22 *Forces of the United States’ means the Army, Navy, Air*
23 *Force, Marine Corps, and Coast Guard, including the re-*
24 *serve components named in section 10101 of title 10.”.*

1 **SEC. 5014. SEVERABILITY.**

2 *If any provision of this division, any amendment*
 3 *made by this division, or the application of such provision*
 4 *or amendment to any person or circumstance is held to be*
 5 *unconstitutional, the remainder of the provisions of this di-*
 6 *vision, the amendments made by this division, and the ap-*
 7 *plication of such provisions or amendments to any person*
 8 *or circumstance shall not be affected.*

9 **DIVISION G—MISCELLANEOUS**
 10 **TITLE LII—MISCELLANEOUS**

11 **SEC. 5021. PUBLIC SAFETY OFFICERS' BENEFITS PROGRAM.**

12 (a) *SHORT TITLE.*—*This section may be cited as the*
 13 *“Dale Long Public Safety Officers’ Benefits Improvements*
 14 *Act of 2012”.*

15 (b) *BENEFITS FOR CERTAIN NONPROFIT EMERGENCY*
 16 *MEDICAL SERVICE PROVIDERS; MISCELLANEOUS AMEND-*
 17 *MENTS.*—

18 (1) *IN GENERAL.*—*Title I of the Omnibus Crime*
 19 *Control and Safe Streets Act of 1968 (42 U.S.C. 3711*
 20 *et seq.) is amended—*

21 (A) *in section 901(a) (42 U.S.C. 3791(a))—*

22 (i) *in paragraph (26), by striking*
 23 *“and” at the end;*

24 (ii) *in paragraph (27), by striking the*
 25 *period at the end and inserting “; and”;*
 26 *and*

1 (iii) by adding at the end the fol-
2 lowing:

3 “(28) the term ‘hearing examiner’ includes any
4 medical or claims examiner.”;

5 (B) in section 1201 (42 U.S.C. 3796)—

6 (i) in subsection (a), by striking “fol-
7 lows:” and all that follows and inserting the
8 following: “follows (if the payee indicated is
9 living on the date on which the determina-
10 tion is made)—

11 “(1) if there is no child who survived the public
12 safety officer, to the surviving spouse of the public
13 safety officer;

14 “(2) if there is at least 1 child who survived the
15 public safety officer and a surviving spouse of the
16 public safety officer, 50 percent to the surviving child
17 (or children, in equal shares) and 50 percent to the
18 surviving spouse;

19 “(3) if there is no surviving spouse of the public
20 safety officer, to the surviving child (or children, in
21 equal shares);

22 “(4) if there is no surviving spouse of the public
23 safety officer and no surviving child—

24 “(A) to the surviving individual (or indi-
25 viduals, in shares per the designation, or, other-

1 *wise, in equal shares) designated by the public*
2 *safety officer to receive benefits under this sub-*
3 *section in the most recently executed designation*
4 *of beneficiary of the public safety officer on file*
5 *at the time of death with the public safety agen-*
6 *cy, organization, or unit; or*

7 *“(B) if there is no individual qualifying*
8 *under subparagraph (A), to the surviving indi-*
9 *vidual (or individuals, in equal shares) des-*
10 *ignated by the public safety officer to receive ben-*
11 *efits under the most recently executed life insur-*
12 *ance policy of the public safety officer on file at*
13 *the time of death with the public safety agency,*
14 *organization, or unit;*

15 *“(5) if there is no individual qualifying under*
16 *paragraph (1), (2), (3), or (4), to the surviving par-*
17 *ent (or parents, in equal shares) of the public safety*
18 *officer; or*

19 *“(6) if there is no individual qualifying under*
20 *paragraph (1), (2), (3), (4), or (5), to the surviving*
21 *individual (or individuals, in equal shares) who*
22 *would qualify under the definition of the term ‘child’*
23 *under section 1204 but for age.”;*

24 *(ii) in subsection (b)—*

1 (I) by striking “direct result of a
2 catastrophic” and inserting “direct
3 and proximate result of a personal”;

4 (II) by striking “pay,” and all
5 that follows through “the same” and
6 inserting “pay the same”;

7 (III) by striking “in any year”
8 and inserting “to the public safety offi-
9 cer (if living on the date on which the
10 determination is made)”;

11 (IV) by striking “in such year,
12 adjusted” and inserting “with respect
13 to the date on which the catastrophic
14 injury occurred, as adjusted”;

15 (aa) by striking “, to such of-
16 ficer”;

17 (V) by striking “the total” and all
18 that follows through “For” and insert-
19 ing “for”; and

20 (VI) by striking “That these” and
21 all that follows through the period, and
22 inserting “That the amount payable
23 under this subsection shall be the
24 amount payable as of the date of cata-

1 *strophic injury of such public safety of-*
2 *ficer.”;*

3 *(iii) in subsection (f)—*

4 *(I) in paragraph (1), by striking*
5 *“; as amended (D.C. Code, sec. 4–622);*
6 *or” and inserting a semicolon;*

7 *(II) in paragraph (2)—*

8 *(aa) by striking “. Such*
9 *beneficiaries shall only receive*
10 *benefits under such section 8191*
11 *that” and inserting “, such that*
12 *beneficiaries shall receive only*
13 *such benefits under such section*
14 *8191 as”;* and

15 *(bb) by striking the period at*
16 *the end and inserting “; or”;* and

17 *(III) by adding at the end the fol-*
18 *lowing:*

19 *“(3) payments under the September 11th Victim*
20 *Compensation Fund of 2001 (49 U.S.C. 40101 note;*
21 *Public Law 107–42).”;*

22 *(iv) by amending subsection (k) to read*
23 *as follows:*

24 *“(k) As determined by the Bureau, a heart attack,*
25 *stroke, or vascular rupture suffered by a public safety officer*

1 *shall be presumed to constitute a personal injury within*
2 *the meaning of subsection (a), sustained in the line of duty*
3 *by the officer and directly and proximately resulting in*
4 *death, if—*

5 “(1) *the public safety officer, while on duty—*

6 “(A) *engages in a situation involving non-*
7 *routine stressful or strenuous physical law en-*
8 *forcement, fire suppression, rescue, hazardous*
9 *material response, emergency medical services,*
10 *prison security, disaster relief, or other emer-*
11 *gency response activity; or*

12 “(B) *participates in a training exercise in-*
13 *volving nonroutine stressful or strenuous phys-*
14 *ical activity;*

15 “(2) *the heart attack, stroke, or vascular rupture*
16 *commences—*

17 “(A) *while the officer is engaged or partici-*
18 *parting as described in paragraph (1);*

19 “(B) *while the officer remains on that duty*
20 *after being engaged or participating as described*
21 *in paragraph (1); or*

22 “(C) *not later than 24 hours after the officer*
23 *is engaged or participating as described in para-*
24 *graph (1); and*

1 “(3) *the heart attack, stroke, or vascular rupture*
2 *directly and proximately results in the death of the*
3 *public safety officer,*
4 *unless competent medical evidence establishes that the heart*
5 *attack, stroke, or vascular rupture was unrelated to the en-*
6 *gagement or participation or was directly and proximately*
7 *caused by something other than the mere presence of cardio-*
8 *vascular-disease risk factors.”; and*

9 *(v) by adding at the end the following:*

10 “(n) *The public safety agency, organization, or unit*
11 *responsible for maintaining on file an executed designation*
12 *of beneficiary or executed life insurance policy for purposes*
13 *of subsection (a)(4) shall maintain the confidentiality of the*
14 *designation or policy in the same manner as the agency,*
15 *organization, or unit maintains personnel or other similar*
16 *records of the public safety officer.”;*

17 *(C) in section 1202 (42 U.S.C. 3796a)—*

18 *(i) by striking “death”, each place it*
19 *appears except the second place it appears,*
20 *and inserting “fatal”; and*

21 *(ii) in paragraph (1), by striking “or*
22 *catastrophic injury” the second place it ap-*
23 *pears and inserting “, disability, or in-*
24 *jury”;*

25 *(D) in section 1203 (42 U.S.C. 3796a-1)—*

1 (i) *in the section heading, by striking*
2 “WHO HAVE DIED IN THE LINE OF DUTY”
3 *and inserting “WHO HAVE SUSTAINED*
4 *FATAL OR CATASTROPHIC INJURY IN THE*
5 *LINE OF DUTY”*; *and*

6 (ii) *by striking “who have died in the*
7 *line of duty” and inserting “who have sus-*
8 *tained fatal or catastrophic injury in the*
9 *line of duty”*;

10 (E) *in section 1204 (42 U.S.C. 3796b)—*

11 (i) *in paragraph (1), by striking “con-*
12 *sequences of an injury that” and inserting*
13 *“an injury, the direct and proximate con-*
14 *sequences of which”*;

15 (ii) *in paragraph (3)—*

16 (I) *in the matter preceding clause*

17 (i)—

18 (aa) *by inserting “or perma-*
19 *nently and totally disabled” after*
20 *“deceased”*; *and*

21 (bb) *by striking “death” and*
22 *inserting “fatal or catastrophic*
23 *injury”*; *and*

1 (II) by redesignating clauses (i),
2 (ii), and (iii) as subparagraphs (A),
3 (B), and (C), respectively;
4 (iii) in paragraph (5)—

5 (I) by striking “post-mortem”
6 each place it appears and inserting
7 “post-injury”;

8 (II) by redesignating clauses (i)
9 and (ii) as subparagraphs (A) and
10 (B), respectively; and

11 (III) in subparagraph (B), as so
12 redesignated, by striking “death” and
13 inserting “fatal or catastrophic in-
14 jury”;

15 (iv) in paragraph (7), by striking
16 “public employee member of a rescue squad
17 or ambulance crew;” and inserting “em-
18 ployee or volunteer member of a rescue
19 squad or ambulance crew (including a
20 ground or air ambulance service) that—

21 “(A) is a public agency; or

22 “(B) is (or is a part of) a nonprofit entity
23 serving the public that—

1 “(i) is officially authorized or licensed
2 to engage in rescue activity or to provide
3 emergency medical services; and

4 “(ii) engages in rescue activities or
5 provides emergency medical services as part
6 of an official emergency response system;”;
7 and

8 (v) in paragraph (9)—

9 (I) in subparagraph (A), by strik-
10 ing “as a chaplain, or as a member of
11 a rescue squad or ambulance crew;”
12 and inserting “or as a chaplain;”;

13 (II) in subparagraph (B)(ii), by
14 striking “or” after the semicolon;

15 (III) in subparagraph (C)(ii), by
16 striking the period and inserting “;
17 or”; and

18 (IV) by adding at the end the fol-
19 lowing:

20 “(D) a member of a rescue squad or ambu-
21 lance crew who, as authorized or licensed by law
22 and by the applicable agency or entity, is engag-
23 ing in rescue activity or in the provision of
24 emergency medical services.”;

1 (F) in section 1205 (42 U.S.C. 3796c), by
2 adding at the end the following:

3 “(d) Unless expressly provided otherwise, any reference
4 in this part to any provision of law not in this part shall
5 be understood to constitute a general reference under the
6 doctrine of incorporation by reference, and thus to include
7 any subsequent amendments to the provision.”;

8 (G) in each of subsections (a) and (b) of sec-
9 tion 1212 (42 U.S.C. 3796d-1), sections 1213
10 and 1214 (42 U.S.C. 3796d-2 and 3796d-3),
11 and subsections (b) and (c) of section 1216 (42
12 U.S.C. 3796d-5), by striking “dependent” each
13 place it appears and inserting “person”;

14 (H) in section 1212 (42 U.S.C. 3796d-1)—
15 (i) in subsection (a)—

16 (I) in paragraph (1), in the mat-
17 ter preceding subparagraph (A), by
18 striking “Subject” and all that follows
19 through “, the” and inserting “The”;
20 and

21 (II) in paragraph (3), by striking
22 “reduced by” and all that follows
23 through “(B) the amount” and insert-
24 ing “reduced by the amount”;

25 (ii) in subsection (c)—

1 (I) in the subsection heading, by
2 striking “DEPENDENT”; and

3 (II) by striking “dependent”;

4 (I) in paragraphs (2) and (3) of section
5 1213(b) (42 U.S.C. 3796d–2(b)), by striking “de-
6 pendent’s” each place it appears and inserting
7 “person’s”;

8 (J) in section 1216 (42 U.S.C. 3796d–5)—

9 (i) in subsection (a), by striking “each
10 dependent” each place it appears and in-
11 serting “a spouse or child”; and

12 (ii) by striking “dependents” each
13 place it appears and inserting “a person”;
14 and

15 (K) in section 1217(3)(A) (42 U.S.C.
16 3796d–6(3)(A)), by striking “described in” and
17 all that follows and inserting “an institution of
18 higher education, as defined in section 102 of the
19 Higher Education Act of 1965 (20 U.S.C. 1002);
20 and”.

21 (2) AMENDMENT RELATED TO EXPEDITED PAY-
22 MENT FOR PUBLIC SAFETY OFFICERS INVOLVED IN
23 THE PREVENTION, INVESTIGATION, RESCUE, OR RE-
24 COVERY EFFORTS RELATED TO A TERRORIST AT-
25 TACK.—Section 611(a) of the Uniting and Strength-

1 *ening America by Providing Appropriate Tools Re-*
2 *quired to Intercept and Obstruct Terrorism Act of*
3 *2001 (42 U.S.C. 3796c–1(a)) is amended by inserting*
4 *“or an entity described in section 1204(7)(B) of the*
5 *Omnibus Crime Control and Safe Streets Act of 1968*
6 *(42 U.S.C. 3796b(7)(B))” after “employed by such*
7 *agency”.*

8 (3) *TECHNICAL AND CONFORMING AMEND-*
9 *MENT.—Section 402(l)(4)(C) of the Internal Revenue*
10 *Code of 1986 is amended—*

11 (A) *by striking “section 1204(9)(A)” and*
12 *inserting “section 1204(10)(A)”;* and

13 (B) *by striking “42 U.S.C. 3796b(9)(A)”*
14 *and inserting “42 U.S.C. 3796b(10)(A)”.*

15 (c) *AUTHORIZATION OF APPROPRIATIONS; DETER-*
16 *MINATIONS; APPEALS.—The matter under the heading*
17 *“PUBLIC SAFETY OFFICERS BENEFITS” under the heading*
18 *“OFFICE OF JUSTICE PROGRAMS” under title II of division*
19 *B of the Consolidated Appropriations Act, 2008 (Public*
20 *Law 110–161; 121 Stat. 1912; 42 U.S.C. 3796c–2) is*
21 *amended—*

22 (1) *by striking “decisions” and inserting “deter-*
23 *minations”;*

24 (2) *by striking “(including those, and any re-*
25 *lated matters, pending)”;* and

1 (3) by striking the period at the end and insert-
2 ing the following: “: Provided further, That, on and
3 after the date of enactment of the Public Safety Offi-
4 cers’ Benefits Improvements Act of 2012, as to each
5 such statute—

6 “(1) the provisions of section 1001(a)(4) of such
7 title I (42 U.S.C. 3793(a)(4)) shall apply;

8 “(2) payment (other than payment made pursu-
9 ant to section 611 of the Uniting and Strengthening
10 America by Providing Appropriate Tools Required to
11 Intercept and Obstruct Terrorism Act of 2001 (42
12 U.S.C. 3796c–1)) shall be made only upon a deter-
13 mination by the Bureau that the facts legally warrant
14 the payment;

15 “(3) any reference to section 1202 of such title
16 I shall be deemed to be a reference to paragraphs (2)
17 and (3) of such section 1202; and

18 “(4) a certification submitted under any such
19 statute (other than a certification submitted pursuant
20 to section 611 of the Uniting and Strengthening
21 America by Providing Appropriate Tools Required to
22 Intercept and Obstruct Terrorism Act of 2001 (42
23 U.S.C. 3796c–1)) may be accepted by the Bureau as
24 prima facie evidence of the facts asserted in the cer-
25 tification:

1 *Provided further, That, on and after the date of enactment*
2 *of the Public Safety Officers' Benefits Improvements Act of*
3 *2012, no appeal shall bring any final determination of the*
4 *Bureau before any court for review unless notice of appeal*
5 *is filed (within the time specified herein and in the manner*
6 *prescribed for appeal to United States courts of appeals*
7 *from United States district courts) not later than 90 days*
8 *after the date on which the Bureau serves notice of the final*
9 *determination: Provided further, That any regulations pro-*
10 *mulgated by the Bureau under such part (or any such stat-*
11 *ute) before, on, or after the date of enactment of the Public*
12 *Safety Officers' Benefits Improvements Act of 2012 shall*
13 *apply to any matter pending on, or filed or accruing after,*
14 *the effective date specified in the regulations."*

15 (d) *EFFECTIVE DATE.—*

16 (1) *IN GENERAL.—Except as provided in para-*
17 *graph (1), the amendments made by this section*
18 *shall—*

19 (A) *take effect on the date of enactment of*
20 *this Act; and*

21 (B) *apply to any matter pending, before the*
22 *Bureau of Justice Assistance or otherwise, on the*
23 *date of enactment of this Act, or filed or accru-*
24 *ing after that date.*

25 (2) *EXCEPTIONS.—*

1 (A) *RESCUE SQUADS AND AMBULANCE*
2 *CREWS.*—*For a member of a rescue squad or am-*
3 *bulance crew (as defined in section 1204(7) of*
4 *title I of the Omnibus Crime Control and Safe*
5 *Streets Act of 1968, as amended by this section),*
6 *the amendments made by this Act shall apply to*
7 *injuries sustained on or after June 1, 2009.*

8 (B) *HEART ATTACKS, STROKES, AND VAS-*
9 *CULAR RUPTURES.*—*Section 1201(k) of title I of*
10 *the Omnibus Crime Control and Safe Streets Act*
11 *of 1968, as amended by this section, shall apply*
12 *to heart attacks, strokes, and vascular ruptures*
13 *sustained on or after December 15, 2003.*

14 **SEC. 5022. SCIENTIFIC FRAMEWORK FOR RECALCITRANT**
15 **CANCERS.**

16 *Subpart 1 of part C of title IV of the Public Health*
17 *Service Act (42 U.S.C. 285 et seq.) is amended by adding*
18 *at the end the following:*

19 **“SEC. 417G. SCIENTIFIC FRAMEWORK FOR RECALCITRANT**
20 **CANCERS.**

21 “(a) *DEVELOPMENT OF SCIENTIFIC FRAMEWORK.*—

22 “(1) *IN GENERAL.*—*For each recalcitrant cancer*
23 *identified under subsection (b), the Director of the In-*
24 *stitute shall develop (in accordance with subsection*

1 *(c)) a scientific framework for the conduct or support*
2 *of research on such cancer.*

3 “(2) *CONTENTS.—The scientific framework with*
4 *respect to a recalcitrant cancer shall include the fol-*
5 *lowing:*

6 “(A) *CURRENT STATUS.—*

7 “(i) *REVIEW OF LITERATURE.—A sum-*
8 *mary of findings from the current literature*
9 *in the areas of—*

10 “(I) *the prevention, diagnosis,*
11 *and treatment of such cancer;*

12 “(II) *the fundamental biologic*
13 *processes that regulate such cancer (in-*
14 *cluding similarities and differences of*
15 *such processes from the biological proc-*
16 *esses that regulate other cancers); and*

17 “(III) *the epidemiology of such*
18 *cancer.*

19 “(ii) *SCIENTIFIC ADVANCES.—The*
20 *identification of relevant emerging scientific*
21 *areas and promising scientific advances in*
22 *basic, translational, and clinical science re-*
23 *lating to the areas described in subclauses*
24 *(I) and (II) of clause (i).*

1 “(iii) *RESEARCHERS.*—A description
2 of the availability of qualified individuals
3 to conduct scientific research in the areas
4 described in clause (i).

5 “(iv) *COORDINATED RESEARCH INITIA-*
6 *TIVES.*—The identification of the types of
7 initiatives and partnerships for the coordi-
8 nation of intramural and extramural re-
9 search of the Institute in the areas described
10 in clause (i) with research of the relevant
11 national research institutes, Federal agen-
12 cies, and non-Federal public and private
13 entities in such areas.

14 “(v) *RESEARCH RESOURCES.*—The
15 identification of public and private re-
16 sources, such as patient registries and tissue
17 banks, that are available to facilitate re-
18 search relating to each of the areas described
19 in clause (i).

20 “(B) *IDENTIFICATION OF RESEARCH QUES-*
21 *TIONS.*—The identification of research questions
22 relating to basic, translational, and clinical
23 science in the areas described in subclauses (I)
24 and (II) of subparagraph (A)(i) that have not

1 *been adequately addressed with respect to such*
2 *recalcitrant cancer.*

3 “(C) *RECOMMENDATIONS.—Recommendations*
4 *for appropriate actions that should be*
5 *taken to advance research in the areas described*
6 *in subparagraph (A)(i) and to address the re-*
7 *search questions identified in subparagraph (B),*
8 *as well as for appropriate benchmarks to meas-*
9 *ure progress on achieving such actions, including*
10 *the following:*

11 “(i) *RESEARCHERS.—Ensuring ade-*
12 *quate availability of qualified individuals*
13 *described in subparagraph (A)(iii).*

14 “(ii) *COORDINATED RESEARCH INITIA-*
15 *TIVES.—Promoting and developing initia-*
16 *tives and partnerships described in sub-*
17 *paragraph (A)(iv).*

18 “(iii) *RESEARCH RESOURCES.—Devel-*
19 *oping additional public and private re-*
20 *sources described in subparagraph (A)(v)*
21 *and strengthening existing resources.*

22 “(3) *TIMING.—*

23 “(A) *INITIAL DEVELOPMENT AND SUBSE-*
24 *QUENT UPDATE.—For each recalcitrant cancer*

1 *identified under subsection (b)(1), the Director of*
2 *the Institute shall—*

3 “(i) *develop a scientific framework*
4 *under this subsection not later than 18*
5 *months after the date of the enactment of*
6 *this section; and*

7 “(ii) *review and update the scientific*
8 *framework not later than 5 years after its*
9 *initial development.*

10 “(B) *OTHER UPDATES.—The Director of the*
11 *Institute may review and update each scientific*
12 *framework developed under this subsection as*
13 *necessary.*

14 “(4) *PUBLIC NOTICE.—With respect to each sci-*
15 *entific framework developed under subsection (a), not*
16 *later than 30 days after the date of completion of the*
17 *framework, the Director of the Institute shall—*

18 “(A) *submit such framework to the Com-*
19 *mittee on Energy and Commerce and Committee*
20 *on Appropriations of the House of Representa-*
21 *tives, and the Committee on Health, Education,*
22 *Labor, and Pensions and Committee on Appro-*
23 *priations of the Senate; and*

1 “(B) make such framework publically avail-
2 able on the Internet website of the Department of
3 Health and Human Services.

4 “(b) IDENTIFICATION OF RECALCITRANT CANCER.—

5 “(1) IN GENERAL.—Not later than 6 months
6 after the date of the enactment of this section, the Di-
7 rector of the Institute shall identify two or more recal-
8 citrant cancers that each—

9 “(A) have a 5-year relative survival rate of
10 less than 20 percent; and

11 “(B) are estimated to cause the death of at
12 least 30,000 individuals in the United States per
13 year.

14 “(2) ADDITIONAL CANCERS.—The Director of the
15 Institute may, at any time, identify other recalcitrant
16 cancers for purposes of this section. In identifying a
17 recalcitrant cancer pursuant to the previous sentence,
18 the Director may consider additional metrics of
19 progress (such as incidence and mortality rates)
20 against such type of cancer.

21 “(c) WORKING GROUPS.—For each recalcitrant cancer
22 identified under subsection (b), the Director of the Institute
23 shall convene a working group comprised of representatives
24 of appropriate Federal agencies and other non-Federal enti-
25 ties to provide expertise on, and assist in developing, a sci-

1 *entific framework under subsection (a). The Director of the*
2 *Institute (or the Director’s designee) shall participate in the*
3 *meetings of each such working group.*

4 “(d) *REPORTING.—*

5 “(1) *BIENNIAL REPORTS.—The Director of NIH*
6 *shall ensure that each biennial report under section*
7 *403 includes information on actions undertaken to*
8 *carry out each scientific framework developed under*
9 *subsection (a) with respect to a recalcitrant cancer,*
10 *including the following:*

11 “(A) *Information on research grants award-*
12 *ed by the National Institutes of Health for re-*
13 *search relating to such cancer.*

14 “(B) *An assessment of the progress made in*
15 *improving outcomes (including relative survival*
16 *rates) for individuals diagnosed with such can-*
17 *cer.*

18 “(C) *An update on activities pertaining to*
19 *such cancer under the authority of section*
20 *413(b)(7).*

21 “(2) *ADDITIONAL ONE-TIME REPORT FOR CER-*
22 *TAIN FRAMEWORKS.—For each recalcitrant cancer*
23 *identified under subsection (b)(1), the Director of the*
24 *Institute shall, not later than 6 years after the initial*
25 *development of a scientific framework under sub-*

1 *The activities described in this subsection shall be referred*
2 *to in this section as ‘public diplomacy activities’.*”

3 (c) *REPORTS.—Section 604(d) of such Act is amended*
4 *to read as follows:*

5 “(d) *REPORTS.—*

6 “(1) *COMPREHENSIVE ANNUAL REPORT.—*

7 “(A) *IN GENERAL.—Not less frequently than*
8 *annually, the Commission shall submit a com-*
9 *prehensive report on public diplomacy and inter-*
10 *national broadcasting activities to Congress, the*
11 *President, and the Secretary of State. This re-*
12 *port shall include—*

13 “(i) *a detailed list of all public diplo-*
14 *macy activities funded by the United States*
15 *Government;*

16 “(ii) *a description of—*

17 “(I) *the purpose, means, and geo-*
18 *graphic scope of each activity;*

19 “(II) *when each activity was*
20 *started;*

21 “(III) *the amount of Federal*
22 *funding expended on each activity;*

23 “(IV) *any significant outside*
24 *sources of funding; and*

1 “(V) the Federal department or
2 agency to which the activity belongs;

3 “(iii) the international broadcasting
4 activities under the direction of the Broad-
5 casting Board of Governors;

6 “(iv) an assessment of potentially du-
7 plicative public diplomacy and inter-
8 national broadcasting activities; and

9 “(v) for any activities determined to be
10 ineffective or results not demonstrated under
11 subparagraph (B), recommendations on ex-
12 isting effective or moderately effective public
13 diplomacy activities that could be aug-
14 mented to carry out the objectives of the in-
15 effective activities.

16 “(B) *EFFECTIVENESS ASSESSMENT.*—In
17 evaluating the public diplomacy and inter-
18 national broadcasting activities described in sub-
19 paragraph (A), the Commission shall conduct an
20 assessment that considers the public diplomacy
21 target impact, the achieved impact, and the cost
22 of public diplomacy activities and international
23 broadcasting. The assessment shall include, if
24 practicable, an appropriate metric such as ‘cost-
25 per-audience’ or ‘cost-per-student’ for each activ-

1 *ity. Upon the completion of the assessment, the*
2 *Commission shall the assign a rating of—*

3 “(i) ‘effective’ for activities that—

4 “(I) set appropriate goals;

5 “(II) achieve results; and

6 “(III) are well-managed and cost
7 efficient;

8 “(ii) ‘moderately effective’ for activities
9 that—

10 “(I) achieve some results;

11 “(II) are generally well-managed;

12 and

13 “(III) need to improve their per-
14 formance results or cost efficiency, in-
15 cluding reducing overhead;

16 “(iii) ‘ineffective’ for activities that—

17 “(I) are not making sufficient use
18 of available resources to achieve stated
19 goals;

20 “(II) are not well-managed; or

21 “(III) have excessive overhead;

22 and

23 “(iv) ‘results not demonstrated’ for ac-
24 tivities that—

1 “(I) do not have acceptable per-
2 formance public diplomacy metrics for
3 measuring results; or

4 “(II) are unable or failed to col-
5 lect data to determine if they are effec-
6 tive.

7 “(2) OTHER REPORTS.—

8 “(A) IN GENERAL.—The Commission shall
9 submit other reports, including working papers,
10 to Congress, the President, and the Secretary of
11 State at least semi-annually on other activities
12 and policies related to United States public di-
13 plomacy.

14 “(B) AVAILABILITY.—The Commission shall
15 make the reports submitted pursuant to subpara-
16 graph (A) publicly available on the website of the
17 Commission to develop a better understanding of,
18 and support for, public diplomacy activities.

19 “(3) ACCESS TO INFORMATION.—The Secretary
20 of State shall ensure that the Commission has access
21 to all appropriate information to carry out its duties
22 and responsibilities under this subsection.”.

23 (d) REAUTHORIZATION.—

24 (1) IN GENERAL.—Section 1334 of the Foreign
25 Affairs Reform and Restructuring Act of 1998 (22

1 *U.S.C. 6553) is amended by striking “October 1,*
2 *2010” and inserting “October 1, 2014”.*

3 (2) *RETROACTIVITY OF EFFECTIVE DATE.—The*
4 *amendment made by paragraph (1) shall take effect*
5 *on October 1, 2010.*

6 (e) *FUNDING.—From amounts appropriated by Con-*
7 *gress under the heading “DIPLOMATIC AND CONSULAR PRO-*
8 *GRAMS”, the Secretary of State shall allocate sufficient*
9 *funding to the United States Advisory Commission on Pub-*
10 *lic Diplomacy to carry out section 604 of the United States*
11 *Information and Educational Exchange Act of 1948 (22*
12 *U.S.C. 1469), as amended by this section.*

13 **SEC. 5024. REMOVAL OF ACTION.**

14 *Section 1442 of title 28, United States Code, is amend-*
15 *ed by striking subsection (c) and inserting the following:*

16 “(c) *Solely for purposes of determining the propriety*
17 *of removal under subsection (a), a law enforcement officer,*
18 *who is the defendant in a criminal prosecution, shall be*
19 *deemed to have been acting under the color of his office if*
20 *the officer—*

21 “(1) *protected an individual in the presence of*
22 *the officer from a crime of violence;*

23 “(2) *provided immediate assistance to an indi-*
24 *vidual who suffered, or who was threatened with, bod-*
25 *ily harm; or*

1 “(3) prevented the escape of any individual who
2 the officer reasonably believed to have committed, or
3 was about to commit, in the presence of the officer,
4 a crime of violence that resulted in, or was likely to
5 result in, death or serious bodily injury.

6 “(d) In this section, the following definitions apply:

7 “(1) The terms ‘civil action’ and ‘criminal pros-
8 ecution’ include any proceeding (whether or not ancil-
9 lary to another proceeding) to the extent that in such
10 proceeding a judicial order, including a subpoena for
11 testimony or documents, is sought or issued. If re-
12 moval is sought for a proceeding described in the pre-
13 vious sentence, and there is no other basis for re-
14 moval, only that proceeding may be removed to the
15 district court.

16 “(2) The term ‘crime of violence’ has the mean-
17 ing given that term in section 16 of title 18.

18 “(3) The term ‘law enforcement officer’ means
19 any employee described in subparagraph (A), (B), or
20 (C) of section 8401(17) of title 5 and any special
21 agent in the Diplomatic Security Service of the De-
22 partment of State.

23 “(4) The term ‘serious bodily injury’ has the
24 meaning given that term in section 1365 of title 18.

1 “(5) The term ‘State’ includes the District of Co-
2 lumbia, United States territories and insular posses-
3 sions, and Indian country (as defined in section 1151
4 of title 18).

5 “(6) The term ‘State court’ includes the Superior
6 Court of the District of Columbia, a court of a United
7 States territory or insular possession, and a tribal
8 court.”.

9 **TITLE LIII—GAO MANDATES**
10 **REVISION ACT**
11 **Subtitle A—GAO Mandates Revision**
12 **Act**

13 **SEC. 5301. SHORT TITLE.**

14 *This subtitle may be cited as the “GAO Mandates Re-*
15 *vision Act of 2012”.*

16 **SEC. 5302. REPEALS AND MODIFICATIONS.**

17 (a) *CAPITOL PRESERVATION FUND FINANCIAL STATE-*
18 *MENTS.—Section 804 of the Arizona-Idaho Conservation*
19 *Act of 1988 (2 U.S.C. 2084) is amended by striking “an-*
20 *nual audits of the transactions of the Commission” and in-*
21 *serting “periodic audits of the transactions of the Commis-*
22 *sion, which shall be conducted at least once every 3 years,*
23 *unless the Chairman or the Ranking Member of the Com-*
24 *mittee on Rules and Administration of the Senate or the*
25 *Committee on House Administration of the House of Rep-*

1 *representatives, the Secretary of the Senate, or the Clerk of the*
2 *House of Representatives requests that an audit be con-*
3 *ducted at an earlier date.”.*

4 *(b) JUDICIAL SURVIVORS’ ANNUITIES FUND AUDIT BY*
5 *GAO.—*

6 *(1) IN GENERAL.—Section 376 of title 28,*
7 *United States Code, is amended—*

8 *(A) by striking subsection (w); and*

9 *(B) by redesignating subsections (x) and (y)*
10 *as subsections (w) and (x), respectively.*

11 *(2) TECHNICAL AND CONFORMING AMEND-*
12 *MENT.—Section 376(h)(2) of title 28, United States*
13 *Code, is amended by striking “subsection (x)” and in-*
14 *serting “subsection (w)”.*

15 *(c) ONDCP ANNUAL REPORT REQUIREMENT.—Sec-*
16 *tion 203 of the Office of National Drug Control Policy Re-*
17 *authorization Act of 2006 (21 U.S.C. 1708a) is amended—*

18 *(1) in subsection (a), by striking “of each year”*
19 *and inserting “, 2013, and every 3 years thereafter;”;*
20 *and*

21 *(2) in subsection (b), in the matter preceding*
22 *paragraph (1), by striking “at a frequency of not less*
23 *than once per year—” and inserting “not later than*
24 *December 31, 2013, and every 3 years thereafter—”.*

1 (d) *USERRA GAO REPORT*.—Section 105(g)(1) of the
 2 *Veterans’ Benefits Act of 2010 (Public Law 111–275; 38*
 3 *U.S.C. 4301 note)* is amended by striking “, and annually
 4 *thereafter during the period when the demonstration project*
 5 *is conducted,”.*

6 (e) *SEMIPOSTAL PROGRAM REPORTS BY THE GEN-*
 7 *ERAL ACCOUNTING OFFICE*.—Section 2 of the *Semipostal*
 8 *Authorization Act (Public Law 106–253; 114 Stat. 636; 39*
 9 *U.S.C. 416 note)* is amended—

10 (1) *by striking subsection (c); and*

11 (2) *by redesignating subsections (d) and (e) as*
 12 *subsections (c) and (d), respectively.*

13 (f) *EARNED IMPORT ALLOWANCE PROGRAM REVIEW*
 14 *BY GAO*.—Section 231A(b)(4) of the *Caribbean Basin Eco-*
 15 *nomie Recovery Act (19 U.S.C. 2703a(b)(4))* is amended—

16 (1) *by striking subparagraph (C); and*

17 (2) *by redesignating subparagraph (D) as sub-*
 18 *paragraph (C).*

19 (g) *AMERICAN BATTLE MONUMENTS COMMISSION’S*
 20 *FINANCIAL STATEMENTS AND AUDITS*.—Section 2103(h) of
 21 *title 36, United States Code,* is amended—

22 (1) *in paragraph (1), by striking “of paragraph*
 23 *(2) of this subsection” and inserting “of section 3515*
 24 *of title 31”;*

25 (2) *in paragraph (1), by striking “(1)”;* and

1 (3) by striking paragraph (2).

2 (h) *SENATE PRESERVATION FUND AUDITS*.—Section
3 3(c)(6) of the Legislative Branch Appropriations Act, 2004
4 (2 U.S.C. 2108(c)(6)) is amended by striking “annual au-
5 dits of the Senate Preservation Fund” and inserting “peri-
6 odic audits of the Senate Preservation Fund, which shall
7 be conducted at least once every 3 years, unless the Chair-
8 man or the Ranking Member of the Committee on Rules
9 and Administration of the Senate or the Secretary of the
10 Senate requests that an audit be conducted at an earlier
11 date.”.

12 ***Subtitle B—Improper Payments***
13 ***Elimination and Recovery Im-***
14 ***provement Act***

15 **SEC. 5311. SHORT TITLE.**

16 This subtitle may be cited as the “Improper Payments
17 Elimination and Recovery Improvement Act of 2012”.

18 **SEC. 5312. DEFINITIONS.**

19 In this subtitle—

20 (1) the term “agency” means an executive agen-
21 cy as that term is defined under section 102 of title
22 31, United States Code; and

23 (2) the term “improper payment” has the mean-
24 ing given that term in section 2(g) of the Improper
25 Payments Information Act of 2002 (31 U.S.C. 3321

1 *note), as redesignated by section __03(a)(1) of this*
2 *subtitle.*

3 **SEC. 5313. IMPROVING THE DETERMINATION OF IMPROPER**
4 **PAYMENTS BY FEDERAL AGENCIES.**

5 *(a) IN GENERAL.—Section 2 of the Improper Pay-*
6 *ments Information Act of 2002 (31 U.S.C. 3321 note) is*
7 *amended—*

8 *(1) by redesignating subsections (b) through (g)*
9 *as subsections (c) through (h), respectively;*

10 *(2) by inserting after subsection (a) the fol-*
11 *lowing:*

12 *“(b) IMPROVING THE DETERMINATION OF IMPROPER*
13 *PAYMENTS.—*

14 *“(1) IN GENERAL.—The Director of the Office of*
15 *Management and Budget shall on an annual basis—*

16 *“(A) identify a list of high-priority Federal*
17 *programs for greater levels of oversight and re-*
18 *view—*

19 *“(i) in which the highest dollar value*
20 *or highest rate of improper payments occur;*
21 *or*

22 *“(ii) for which there is a higher risk of*
23 *improper payments; and*

24 *“(B) in coordination with the agency re-*
25 *sponsible for administering the high-priority*

1 *program, establish annual targets and semi-an-*
2 *nual or quarterly actions for reducing improper*
3 *payments associated with each high-priority pro-*
4 *gram.*

5 “(2) *REPORT ON HIGH-PRIORITY IMPROPER PAY-*
6 *MENTS.—*

7 “(A) *IN GENERAL.—Subject to Federal pri-*
8 *vacancy policies and to the extent permitted by law,*
9 *each agency with a program identified under*
10 *paragraph (1)(A) on an annual basis shall sub-*
11 *mit to the Inspector General of that agency, and*
12 *make available to the public (including avail-*
13 *ability through the Internet), a report on that*
14 *program.*

15 “(B) *CONTENTS.—Each report under this*
16 *paragraph—*

17 “(i) *shall describe—*

18 “(I) *any action the agency—*

19 “(aa) *has taken or plans to*
20 *take to recover improper pay-*
21 *ments; and*

22 “(bb) *intends to take to pre-*
23 *vent future improper payments;*
24 *and*

1 “(i) shall not include any referrals the
2 agency made or anticipates making to the
3 Department of Justice, or any information
4 provided in connection with such referrals.

5 “(C) PUBLIC AVAILABILITY ON CENTRAL
6 WEBSITE.—The Office of Management and Budg-
7 et shall make each report submitted under this
8 paragraph available on a central website.

9 “(D) AVAILABILITY OF INFORMATION TO IN-
10 SPECTOR GENERAL.—Subparagraph (B)(i) shall
11 not prohibit any referral or information being
12 made available to an Inspector General as other-
13 wise provided by law.

14 “(E) ASSESSMENT AND RECOMMENDA-
15 TIONS.—The Inspector General of each agency
16 that submits a report under this paragraph
17 shall, for each program of the agency that is
18 identified under paragraph (1)(A)—

19 “(i) review—

20 “(I) the assessment of the level of
21 risk associated with the program, and
22 the quality of the improper payment
23 estimates and methodology of the agen-
24 cy relating to the program; and

1 “(II) the oversight or financial
2 controls to identify and prevent im-
3 proper payments under the program;
4 and

5 “(ii) submit to Congress recommenda-
6 tions, which may be included in another re-
7 port submitted by the Inspector General to
8 Congress, for modifying any plans of the
9 agency relating to the program, including
10 improvements for improper payments deter-
11 mination and estimation methodology.”;

12 (3) in subsection (d) (as redesignated by para-
13 graph (1) of this subsection), by striking “subsection
14 (b)” each place that term appears and inserting “sub-
15 section (c)”;

16 (4) in subsection (e) (as redesignated by para-
17 graph (1) of this subsection), by striking “subsection
18 (b)” and inserting “subsection (c)”; and

19 (5) in subsection (g)(3) (as redesignated by para-
20 graph (1) of this subsection), by inserting “or a Fed-
21 eral employee” after “non-Federal person or entity”.

22 (b) *IMPROVED ESTIMATES.*—

23 (1) *IN GENERAL.*—Not later than 180 days after
24 the date of enactment of this subtitle, the Director of
25 the Office of Management and Budget shall provide

1 *guidance to agencies for improving the estimates of*
2 *improper payments under the Improper Payments*
3 *Information Act of 2002 (31 U.S.C. 3321 note).*

4 (2) *GUIDANCE.—Guidance under this subsection*
5 *shall—*

6 (A) *strengthen the estimation process of*
7 *agencies by setting standards for agencies to fol-*
8 *low in determining the underlying validity of*
9 *sampled payments to ensure amounts being*
10 *billed are proper; and*

11 (B) *instruct agencies to give the persons or*
12 *entities performing improper payments estimates*
13 *access to all necessary payment data, including*
14 *access to relevant documentation;*

15 (C) *explicitly bar agencies from relying on*
16 *self-reporting by the recipients of agency pay-*
17 *ments as the sole source basis for improper pay-*
18 *ments estimates;*

19 (D) *require agencies to include all identified*
20 *improper payments in the reported estimate, re-*
21 *gardless of whether the improper payment in*
22 *question has been or is being recovered;*

23 (E) *include payments to employees, includ-*
24 *ing salary, locality pay, travel pay, purchase*
25 *card use, and other employee payments, as sub-*

1 *ject to risk assessment and, where appropriate,*
2 *improper payment estimation; and*

3 *(F) require agencies to tailor their correc-*
4 *tive actions for the high-priority programs iden-*
5 *tified under section 2(b)(1)(A) of the Improper*
6 *Payments Information Act of 2002 (31 U.S.C.*
7 *3321 note) to better reflect the unique processes,*
8 *procedures, and risks involved in each specific*
9 *program.*

10 *(c) TECHNICAL AND CONFORMING AMENDMENTS.—The*
11 *Improper Payments Elimination and Recovery Act of 2010*
12 *(Public Law 111–204; 124 Stat. 2224) is amended—*

13 *(1) in section 2(h)(1) (31 U.S.C. 3321 note), by*
14 *striking “section 2(f)” and all that follows and insert-*
15 *ing “section 2(g) of the Improper Payments Informa-*
16 *tion Act of 2002 (31 U.S.C. 3321 note).”; and*

17 *(2) in section 3(a) (31 U.S.C. 3321 note)—*

18 *(A) in paragraph (1), by striking “section*
19 *2(f)” and all that follows and inserting “section*
20 *2(g) of the Improper Payments Information Act*
21 *of 2002 (31 U.S.C. 3321 note).”; and*

22 *(B) in paragraph (3)—*

23 *(i) by striking “section 2(b)” each*
24 *place it appears and inserting “section*
25 *2(c).”; and*

1 (ii) by striking “section 2(c)” each
2 place it appears and inserting “section
3 2(d)”.

4 **SEC. 5314. IMPROPER PAYMENTS INFORMATION.**

5 Section 2(a)(3)(A)(ii) of the Improper Payments In-
6 formation Act of 2002 (31 U.S.C. 3321 note) is amended
7 by striking “with respect to fiscal years following September
8 30th of a fiscal year beginning before fiscal year 2013 as
9 determined by the Office of Management and Budget” and
10 inserting “with respect to fiscal year 2014 and each fiscal
11 year thereafter”.

12 **SEC. 5315. DO NOT PAY INITIATIVE.**

13 (a) *PREPAYMENT AND PREAWARD PROCEDURES.*—

14 (1) *IN GENERAL.*—Each agency shall review pre-
15 payment and preaward procedures and ensure that a
16 thorough review of available databases with relevant
17 information on eligibility occurs to determine pro-
18 gram or award eligibility and prevent improper pay-
19 ments before the release of any Federal funds.

20 (2) *DATABASES.*—At a minimum and before
21 issuing any payment and award, each agency shall
22 review as appropriate the following databases to
23 verify eligibility of the payment and award:

24 (A) *The Death Master File of the Social Se-*
25 *curity Administration.*

1 (B) *The General Services Administration's*
2 *Excluded Parties List System.*

3 (C) *The Debt Check Database of the Depart-*
4 *ment of the Treasury.*

5 (D) *The Credit Alert System or Credit Alert*
6 *Interactive Voice Response System of the Depart-*
7 *ment of Housing and Urban Development.*

8 (E) *The List of Excluded Individuals/Enti-*
9 *ties of the Office of Inspector General of the De-*
10 *partment of Health and Human Services.*

11 (b) *DO NOT PAY INITIATIVE.*—

12 (1) *ESTABLISHMENT.*—*There is established the*
13 *Do Not Pay Initiative which shall include—*

14 (A) *use of the databases described under*
15 *subsection (a)(2); and*

16 (B) *use of other databases designated by the*
17 *Director of the Office of Management and Budget*
18 *in consultation with agencies and in accordance*
19 *with paragraph (2).*

20 (2) *OTHER DATABASES.*—*In making designa-*
21 *tions of other databases under paragraph (1)(B), the*
22 *Director of the Office of Management and Budget*
23 *shall—*

1 (A) consider any database that substan-
2 tially assists in preventing improper payments;
3 and

4 (B) provide public notice and an oppor-
5 tunity for comment before designating a data-
6 base under paragraph (1)(B).

7 (3) ACCESS AND REVIEW BY AGENCIES.—For
8 purposes of identifying and preventing improper pay-
9 ments, each agency shall have access to, and use of,
10 the Do Not Pay Initiative to verify payment or
11 award eligibility in accordance with subsection (a)
12 when the Director of the Office of Management and
13 Budget determines the Do Not Pay Initiative is ap-
14 propriately established for the agency.

15 (4) PAYMENT OTHERWISE REQUIRED.—When
16 using the Do Not Pay Initiative, an agency shall rec-
17 ognize that there may be circumstances under which
18 the law requires a payment or award to be made to
19 a recipient, regardless of whether that recipient is
20 identified as potentially ineligible under the Do Not
21 Pay Initiative.

22 (5) ANNUAL REPORT.—The Director of the Office
23 of Management and Budget shall submit to Congress
24 an annual report, which may be included as part of
25 another report submitted to Congress by the Director,

1 *regarding the operation of the Do Not Pay Initiative,*
2 *which shall—*

3 *(A) include an evaluation of whether the Do*
4 *Not Pay Initiative has reduced improper pay-*
5 *ments or improper awards; and*

6 *(B) provide the frequency of corrections or*
7 *identification of incorrect information.*

8 *(c) DATABASE INTEGRATION PLAN.—Not later than 60*
9 *days after the date of enactment of this subtitle, the Director*
10 *of the Office of Management and Budget shall provide to*
11 *the Congress a plan for—*

12 *(1) inclusion of other databases on the Do Not*
13 *Pay Initiative;*

14 *(2) to the extent permitted by law, agency access*
15 *to the Do Not Pay Initiative; and*

16 *(3) the multilateral data use agreements de-*
17 *scribed under subsection (e).*

18 *(d) INITIAL WORKING SYSTEM.—*

19 *(1) ESTABLISHMENT.—Not later than 90 days*
20 *after the date of enactment of this subtitle, the Direc-*
21 *tor of the Office of Management and Budget shall es-*
22 *tablish a working system for prepayment and*
23 *preaward review that includes the Do Not Pay Initia-*
24 *tive as described under this section.*

1 (2) *WORKING SYSTEM.*—*The working system es-*
2 *tablished under paragraph (1)—*

3 *(A) may be located within an appropriate*
4 *agency;*

5 *(B) shall include not less than 3 agencies as*
6 *users of the system; and*

7 *(C) shall include investigation activities for*
8 *fraud and systemic improper payments detection*
9 *through analytic technologies and other tech-*
10 *niques, which may include commercial database*
11 *use or access.*

12 (3) *APPLICATION TO ALL AGENCIES.*—*Not later*
13 *than June 1, 2013, each agency shall review all pay-*
14 *ments and awards for all programs of that agency*
15 *through the system established under this subsection.*

16 *(e) FACILITATING DATA ACCESS BY FEDERAL AGEN-*
17 *CIES AND OFFICES OF INSPECTORS GENERAL FOR PUR-*
18 *POSES OF PROGRAM INTEGRITY.*—

19 (1) *DEFINITION.*—*In this subsection, the term*
20 *“Inspector General” means an Inspector General de-*
21 *scribed in subparagraph (A), (B), or (I) of section*
22 *11(b)(1) of the Inspector General Act of 1978 (5*
23 *U.S.C. App.).*

1 (2) *COMPUTER MATCHING BY FEDERAL AGEN-*
2 *CIES FOR PURPOSES OF INVESTIGATION AND PREVEN-*
3 *TION OF IMPROPER PAYMENTS AND FRAUD.—*

4 (A) *IN GENERAL.—Except as provided in*
5 *this paragraph, in accordance with section 552a*
6 *of title 5, United States Code (commonly known*
7 *as the Privacy Act of 1974), each Inspector Gen-*
8 *eral and the head of each agency may enter into*
9 *computer matching agreements that allow ongo-*
10 *ing data matching (which shall include auto-*
11 *mated data matching) in order to assist in the*
12 *detection and prevention of improper payments.*

13 (B) *REVIEW.—Not later than 60 days after*
14 *a proposal for an agreement under subparagraph*
15 *(A) has been presented to a Data Integrity*
16 *Board established under section 552a(u) of title*
17 *5, United States Code, for consideration, the*
18 *Data Integrity Board shall respond to the pro-*
19 *posal.*

20 (C) *TERMINATION DATE.—An agreement*
21 *under subparagraph (A)—*

22 (i) *shall have a termination date of*
23 *less than 3 years; and*

24 (ii) *during the 3-month period ending*
25 *on the date on which the agreement is*

1 *scheduled to terminate, may be renewed by*
2 *the agencies entering the agreement for not*
3 *more than 3 years.*

4 (D) *MULTIPLE AGENCIES.*—*For purposes of*
5 *this paragraph, section 552a(o)(1) of title 5,*
6 *United States Code, shall be applied by sub-*
7 *stituting “between the source agency and the re-*
8 *recipient agency or non-Federal agency or an*
9 *agreement governing multiple agencies” for “be-*
10 *tween the source agency and the recipient agency*
11 *or non-Federal agency” in the matter preceding*
12 *subparagraph (A).*

13 (E) *COST-BENEFIT ANALYSIS.*—*A justifica-*
14 *tion under section 552a(o)(1)(B) of title 5,*
15 *United States Code, relating to an agreement*
16 *under subparagraph (A) is not required to con-*
17 *tain a specific estimate of any savings under the*
18 *computer matching agreement.*

19 (F) *GUIDANCE BY THE OFFICE OF MANAGE-*
20 *MENT AND BUDGET.*—*Not later than 6 months*
21 *after the date of enactment of this subtitle, and*
22 *in consultation with the Council of Inspectors*
23 *General on Integrity and Efficiency, the Sec-*
24 *retary of Health and Human Services, the Com-*
25 *missioner of Social Security, and the head of*

1 *any other relevant agency, the Director of the Of-*
2 *fice of Management and Budget shall—*

3 *(i) issue guidance for agencies regard-*
4 *ing implementing this paragraph, which*
5 *shall include standards for—*

6 *(I) reimbursement of costs, when*
7 *necessary, between agencies;*

8 *(II) retention and timely destruc-*
9 *tion of records in accordance with sec-*
10 *tion 552a(o)(1)(F) of title 5, United*
11 *States Code;*

12 *(III) prohibiting duplication and*
13 *redisclosure of records in accordance*
14 *with section 552a(o)(1)(H) of title 5,*
15 *United States Code;*

16 *(ii) review the procedures of the Data*
17 *Integrity Boards established under section*
18 *552a(u) of title 5, United States Code, and*
19 *develop new guidance for the Data Integrity*
20 *Boards to—*

21 *(I) improve the effectiveness and*
22 *responsiveness of the Data Integrity*
23 *Boards; and*

24 *(II) ensure privacy protections in*
25 *accordance with section 552a of title 5,*

1 *United States Code (commonly known*
2 *as the Privacy Act of 1974); and*

3 *(III) establish standard matching*
4 *agreements for use when appropriate;*
5 *and*

6 *(iii) establish and clarify rules regard-*
7 *ing what constitutes making an agreement*
8 *entered under subparagraph (A) available*
9 *upon request to the public for purposes of*
10 *section 552a(o)(2)(A)(ii) of title 5, United*
11 *States Code, which shall include requiring*
12 *publication of the agreement on a public*
13 *website.*

14 *(G) CORRECTIONS.—The Director of the Of-*
15 *ice of Management and Budget shall establish*
16 *procedures providing for the correction of data*
17 *in order to ensure—*

18 *(i) compliance with section 552a(p) of*
19 *title 5, United States Code; and*

20 *(ii) that corrections are made in any*
21 *Do Not Pay Initiative database and in any*
22 *relevant source databases designated by the*
23 *Director of the Office of Management and*
24 *Budget under subsection (b)(1).*

1 (H) *COMPLIANCE.*—*The head of each agen-*
2 *cy, in consultation with the Inspector General of*
3 *the agency, shall ensure that any information*
4 *provided to an individual or entity under this*
5 *subsection is provided in accordance with proto-*
6 *cols established under this subsection.*

7 (I) *RULE OF CONSTRUCTION.*—*Nothing in*
8 *this subsection shall be construed to affect the*
9 *rights of an individual under section 552a(p) of*
10 *title 5, United States Code.*

11 (f) *DEVELOPMENT AND ACCESS TO A DATABASE OF IN-*
12 *CARCERATED INDIVIDUALS.*—*Not later than 1 year after the*
13 *date of enactment of this subtitle, the Attorney General shall*
14 *submit to Congress recommendations for increasing the use*
15 *of, access to, and the technical feasibility of using data on*
16 *the Federal, State, and local conviction and incarceration*
17 *status of individuals for purposes of identifying and pre-*
18 *venting improper payments by Federal agencies and pro-*
19 *grams and fraud.*

20 (g) *PLAN TO CURB FEDERAL IMPROPER PAYMENTS TO*
21 *DECEASED INDIVIDUALS BY IMPROVING THE QUALITY AND*
22 *USE BY FEDERAL AGENCIES OF THE SOCIAL SECURITY AD-*
23 *MINISTRATION DEATH MASTER FILE.*—

24 (1) *ESTABLISHMENT.*—*In conjunction with the*
25 *Commissioner of Social Security and in consultation*

1 *with relevant stakeholders that have an interest in or*
2 *responsibility for providing the data, and the States,*
3 *the Director of the Office of Management and Budget*
4 *shall establish a plan for improving the quality, accu-*
5 *racy, and timeliness of death data maintained by the*
6 *Social Security Administration, including death in-*
7 *formation reported to the Commissioner under section*
8 *205(r) of the Social Security Act (42 U.S.C. 405(r)).*

9 (2) *ADDITIONAL ACTIONS UNDER PLAN.—The*
10 *plan established under this subsection shall include*
11 *recommended actions by agencies to—*

12 (A) *increase the quality and frequency of*
13 *access to the Death Master File and other death*
14 *data;*

15 (B) *achieve a goal of at least daily access*
16 *as appropriate;*

17 (C) *provide for all States and other data*
18 *providers to use improved and electronic means*
19 *for providing data;*

20 (D) *identify improved methods by agencies*
21 *for determining ineligible payments due to the*
22 *death of a recipient through proactive*
23 *verification means; and*

1 (E) address improper payments made by
2 agencies to deceased individuals as part of Fed-
3 eral retirement programs.

4 (3) *REPORT.*—Not later than 120 days after the
5 date of enactment of this subtitle, the Director of the
6 Office of Management and Budget shall submit a re-
7 port to Congress on the plan established under this
8 subsection, including recommended legislation.

9 **SEC. 5316. IMPROVING RECOVERY OF IMPROPER PAY-**
10 **MENTS.**

11 (a) *DEFINITION.*—In this section, the term “recovery
12 *audit*” means a recovery audit described under section 2(h)
13 *of the Improper Payments Elimination and Recovery Act*
14 *of 2010.*

15 (b) *REVIEW.*—The Director of the Office of Manage-
16 *ment and Budget shall determine—*

17 (1) *current and historical rates and amounts of*
18 *recovery of improper payments (or, in cases in which*
19 *improper payments are identified solely on the basis*
20 *of a sample, recovery rates and amounts estimated on*
21 *the basis of the applicable sample), including a list of*
22 *agency recovery audit contract programs and specific*
23 *information of amounts and payments recovered by*
24 *recovery audit contractors; and*

1 (2) targets for recovering improper payments,
2 including specific information on amounts and pay-
3 ments recovered by recovery audit contractors.

4 **Subtitle C—Sense of Congress**
5 **Regarding Spectrum**

6 **SEC. 5317. SENSE OF CONGRESS REGARDING SPECTRUM.**

7 *It is the sense of Congress that—*

8 (1) *the Nation’s mobile communications industry*
9 *is a significant economic engine, by one estimate di-*
10 *rectly or indirectly supporting 3,800,000 jobs, or 2.6*
11 *percent of all United States employment, contributing*
12 *\$195,500,000,000 to the United States gross domestic*
13 *product and driving \$33,000,000,000 in productivity*
14 *improvements in 2011;*

15 (2) *while wireless carriers are continually imple-*
16 *menting new and more efficient technologies and tech-*
17 *niques to maximize their existing spectrum capacity,*
18 *there is a pressing need for additional spectrum for*
19 *mobile broadband services, with one report predicting*
20 *that global mobile data traffic will increase 18-fold*
21 *between 2011 and 2016 at a compound annual*
22 *growth rate of 78 percent, reaching 10.8 exabytes per*
23 *month by 2016;*

24 (3) *as the Nation faces the growing demand for*
25 *spectrum, consideration should be given to both the*

1 *supply of spectrum for licensed networks and for unli-*
2 *censed devices;*

3 *(4) while this additional demand can be met in*
4 *part by reallocating spectrum from existing non-gov-*
5 *ernmental uses, the long-term solution must include*
6 *reallocation and sharing of Federal Government spec-*
7 *trum for private sector use;*

8 *(5) recognizing the important uses of spectrum*
9 *by the Federal Government, including for national*
10 *and homeland security, law enforcement and other*
11 *critical federal uses, existing law ensures that Federal*
12 *operations are not harmed as a result of a realloca-*
13 *tion of spectrum for commercial use, including*
14 *through the establishment of the Spectrum Relocation*
15 *Fund to reimburse Federal users for the costs of plan-*
16 *ning and implementing relocation and sharing ar-*
17 *rangements and, with respect to spectrum vacated by*
18 *the Department of Defense, certification under section*
19 *1062 of P.L. 106–65 by the Secretaries of Defense and*
20 *Commerce and the Chairman of the Joint Chiefs of*
21 *Staff that replacement spectrum provides comparable*
22 *technical characteristics to restore essential military*
23 *capability; and*

24 *(6) given the need to determine equitable out-*
25 *comes for the Nation in relation to spectrum use that*

1 *balance the private sector's demand for spectrum with*
2 *national security and other critical federal missions,*
3 *all interested parties should be encouraged to continue*
4 *the collaborative efforts between industry and govern-*
5 *ment stakeholders that have been launched by the Na-*
6 *tional Telecommunications and Information Admin-*
7 *istration to assess and recommend practical frame-*
8 *works for the development of relocation, transition,*
9 *and sharing arrangement and plans for 110 mega-*
10 *hertz of federal spectrum in the 1695–1710 MHz and*
11 *the 1755–1850 MHz bands.*

Attest:

Secretary.

112TH CONGRESS
2^D SESSION

H.R. 4310

AMENDMENT