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112TH CONGRESS
2D SESSION

S. 3254

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.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2013''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into seven divisions as follows:

(1) Division A–Department of Defense Authorizations.

(2) Division B–Military Construction Authorizations.

(3) Division C–Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D–Funding Tables.

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

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Subtitle C—Sense of Congress Regarding Spectrum.

Sec. 5317. Sense of Congress regarding spectrum.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

For purposes of this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 4. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR ARMY CH–47F HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Army may enter into a multiyear contract or contracts, beginning with the fiscal year 2013 program year, for the procurement of airframes for CH–47F helicopters.

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

Subtitle C—Navy Programs

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

(a) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—Of the amount authorized to be appropriated for fiscal year 2013 by section 101 and available for shipbuilding and conversion as specified in the funding table in section 4101, $1,613,392,000 is authorized to be available for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln (CVN–72) during fiscal year 2013. The amount authorized to be made available in the preceding sentence is the first increment in the two-year sequence of incremental funding planned for the nuclear refueling and complex overhaul of that vessel.

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

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (b) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 122. FORD CLASS AIRCRAFT CARRIERS.

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

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for any subsequent fiscal year is subject to the availability of appropriations for that purpose for such subsequent fiscal year.

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

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

(a) LIMITATION.—Of the amount authorized to be appropriated for fiscal year 2013 by section 101 and available for shipbuilding and conversion for the second Ford class aircraft carrier as specified in the funding table in section 4101, not more than 50 percent of such amount may be obligated or expended until the Secretary of the Navy submits to the congressional defense committees a report setting forth a description of the program management and cost control measures that will be employed in constructing the second Ford class aircraft carrier.

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

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

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

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

(4) To increase the size of erection units to eliminate disruptive unit breaks and improve unit alignment and fairness.

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

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

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

(8) To ensure the shipbuilder initiates plans that will improve productivity through capital improvements that would provide targeted return on investment, including—

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

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

(C) increasing lift capacity to enable construction of larger, more fully outfitted superlifts.

SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into multiyear contracts, beginning with the fiscal year 2014 program year, for procurement of Virginia class submarines and Government-furnished equipment associated with the Virginia class submarine program.

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

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

(d) LIMITATION ON TERMINATION LIABILITY.—contract for construction of vessels or equipment, entered into in accordance with subsection (a) shall include a clause that limits the liability of the Government to the contractor for any termination of the contract. The maximum liability of the Government under the clause shall be the amount appropriated for the vessels or equipment covered by the contract. Additionally, in the event of cancellation, the maximum liability of the Government shall include the amount of the unfunded cancellation ceiling in the contract.

(e) AUTHORITY TO EXPAND MULTIYEAR PROCUREMENT.—The Secretary may employ incremental funding

for the procurement of Virginia class submarines and Government-furnished equipment associated with the Virginia class submarines to be procured during fiscal years 2013 through 2018 if the Secretary—

(1) determines that such an approach will permit the Navy to procure an additional Virginia class submarine in fiscal year 2014; and

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

SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into multiyear contracts, beginning with the fiscal year 2013 program year, for the procurement of up to 10 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2013, for advance procurement associated with the vessels and systems for which authorization to

enter into a multiyear procurement contract is provided under subsection (a).

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

SEC. 126. AUTHORITY FOR RELOCATION OF CERTAIN AEGIS WEAPON SYSTEM ASSETS BETWEEN AND WITHIN THE DDG–51 CLASS DESTROYER AND AEGIS ASHORE PROGRAMS IN ORDER TO MEET MISSION REQUIREMENTS.

(a) AUTHORITY.—

(1) TRANSFER TO AEGIS ASHORE SYSTEM.—Notwithstanding any other provision of law, the Secretary of the Navy may transfer AEGIS Weapon System (AWS) equipment with ballistic missile defense (BMD) capability to the Missile Defense Agency for use in the AEGIS Ashore System of the Agency for installation in the country designated as Host Nation #1 (HN–1) by transferring to the Agency such equipment procured with amounts authorized to be appropriated to the SCN account for

fiscal years 2010 and 2011 for the DDG–51 Class Destroyer Program.

(2) ADJUSTMENTS IN EQUIPMENT DELIVERIES.—

(A) USE OF FY12 FUNDS FOR AWS SYSTEMS ON DESTROYERS PROCURED WITH FY11 FUNDS.—Amounts authorized to be appropriated to the SCN account for fiscal year 2012, and any AEGIS Weapon System assets procured with such amounts, may be used to deliver complete, mission-ready AEGIS Weapon Systems with ballistic missile defense capability to any DDG–51 class destroyer for which amounts were authorized to be appropriated for the SCN account for fiscal year 2011.

(B) USE OF AWS SYSTEMS PROCURED WITH RDTE FUNDS ON DESTROYERS.—The Secretary may install on any DDG–51class destroyer AEGIS weapon systems with ballistic missile defense capability transferred pursuant to paragraph (3).

(3) TRANSFER FROM AEGIS ASHORE SYSTEM.—The Director of the Missile Defense Agency shall transfer AEGIS Weapon System equipment with ballistic missile defense capability procured for in-

stallation in the AEGIS Ashore System to the Department of the Navy for the DDG–51 Class Destroyer Program to replace any equipment transferred to Agency under paragraph (1).

(4) TREATMENT OF TRANSFER IN FUNDING DESTROYER CONSTRUCTION.—Notwithstanding the source of funds for any equipment transferred under paragraph (3), the Secretary shall fund all work necessary to complete construction and outfitting of any destroyer in which such equipment is installed in the same manner as if such equipment had been acquired using amounts in the SCN account.

(5) SCN ACCOUNT DEFINED.—In this subsection, the term ''SCN account'' means the Shipbuilding and Conversion, Navy account.

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

SEC. 127. DESIGNATION OF MISSION MODULES OF THE LITTORAL COMBAT SHIP AS A MAJOR DEFENSE ACQUISITION PROGRAM.

(a) DESIGNATION REQUIRED.—The Secretary of Defense shall—

(1) designate the effort to develop and produce all variants of the mission modules in support of the Littoral Combat Ship program as a major defense acquisition program under section 2430 of title 10, United States Code; and

(2) with respect to the development and production of each variant, submit to the congressional defense committees a report setting forth such cost, schedule, and performance information as would be provided if such effort were a major defense acquisition program, including Selected Acquisition Reports, unit cost reports, and program baselines.

(b) ADDITIONAL QUARTERLY REPORTS.—The Secretary shall submit to the congressional defense committees on a quarterly basis a report on the development and production of each variant of the mission modules in support of the Littoral Combat Ship, including cost, schedule, and performance, and identifying actual and potential problems with such development or production and potential mitigation plans to address such problems.

SEC. 128. TRANSFER OF CERTAIN FISCAL YEAR 2012 PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS FUNDS.

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds, $88,300,000 to other, higher priority programs of the Navy and the Marine Corps.

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

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 129. TRANSFER OF CERTAIN FISCAL YEAR 2012 PROCUREMENT, MARINE CORPS FUNDS FOR PROCUREMENT OF WEAPONS AND COMBAT VEHICLES.

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles, $135,200,000 to other, higher priority programs of the Navy and the Marine Corps.

(b) COVERED FUNDS.—For purposes of this section, the term ''fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles'' means amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1317) and available for Procurement, Marine Corps for the procurement of weapons and combat vehicles as specified in the funding table in section 4101 of that Act.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 130. SENSE OF CONGRESS ON MARINE CORPS AMPHIBIOUS LIFT AND PRESENCE REQUIREMENTS.

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

(1) The United States Marine Corps is a combat force which leverages maneuver from the sea as a force multiplier allowing for a variety of operational tasks ranging from major combat operations to humanitarian assistance.

(2) The United States Marine Corps is unique in that, while embarked upon Naval vessels, they bring all the logistic support necessary for the full range of military operations, operating ''from the sea'' they require no third party host nation permission to conduct military operations.

(3) The Department of the Navy has a requirement for 38 amphibious assault ships to meet this full range of military operations.

(4) Due to fiscal constraints only, that requirement of 38 vessels was reduced to 33 vessels, which adds military risk to future operations.

(5) The Department of the Navy has been unable to meet even the minimal requirement of 30 operationally available vessels and has submitted a shipbuilding and ship retirement plan to Congress which will reduce the force to 28 vessels.

(6) Experience has shown that early engineering and design of naval vessels has significantly reduced the acquisition costs and life-cycle costs of those vessels.

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

(1) the Department of Defense should carefully evaluate the maritime force structure necessary to execute demand for forces by the commanders of the combatant commands;

(2) the Department of the Navy carefully evaluate amphibious lift capabilities to meet current and projected requirements;

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

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

(5) operation and maintenance requirements analysis, as well as the potential to leverage a common hull form design, should be considered to reduce total ownership cost and acquisition cost; and

(6) maintaining a robust amphibious ship building industrial base is vital for the future of the national security of the United States.

SEC. 131. SENSE OF SENATE ON DEPARTMENT OF NAVY FISCAL YEAR 2014 BUDGET REQUEST FOR TACTICAL AVIATION AIRCRAFT.

It is the sense of Senate that, if the budget request of the Department of the Navy for fiscal year 2014 for F–18 aircraft includes a request for funds for more than 13 new F–18 aircraft, the budget request of the Department of the Navy for fiscal year 2014 for F–35 aircraft should include a request for funds for not fewer than 6 F–35B aircraft and 4 F–35C aircraft, presuming that development, testing, and production of the F–35 aircraft are proceeding according to current plans.

SEC. 132. SPIDERNET/SPECTRAL WARRIOR HARDWARE.

(a) ADDITIONAL AMOUNT FOR OTHER PROCUREMENT, NAVY.—The amount authorized to be appropriated for fiscal year 2013 by section 101 is hereby increased by $2,000,000, with the amount of the increase to be available for amounts authorized to be appropriated by

that section and available for other procurement, Navy, Satellite Communications, line 085, Satellite Communications Systems, as specified in the funding table in section 4101.

(b) AVAILABILITY OF AMOUNT.—To the extent provided in appropriations Acts, the amount authorized and made available by subsection (a) may be obligated and expended for a new program to procure SPIDERNet/Spectral Warrior Hardware and installation in order to provide a cloud network for Spectral Warrior terminals in support of requirements of the commanders of the combatant commands.

Subtitle D—Air Force Programs

SEC. 141. REDUCTION IN NUMBER OF AIRCRAFT REQUIRED TO BE MAINTAINED IN STRATEGIC AIRLIFT AIRCRAFT INVENTORY.

(a) REDUCTION IN INVENTORY REQUIREMENT.—Section 8062(g)(1) of title 10, United States Code, is amended—

(1) by striking "Effective October 1, 2011, the" and inserting "The"; and

(2) by striking "301 aircraft" and inserting "275 aircraft".

(b) MODIFICATION OF CERTIFICATION REQUIREMENT.—Section 137(d)(3)(B) of the National Defense

Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2221) is amended by striking ''316 strategic airlift aircraft'' and inserting ''275 strategic airlift aircraft''.

(c) PRESERVATION OF CERTAIN RETIRED C–5 AIRCRAFT.—The Secretary of the Air Force shall preserve each C–5 aircraft retired by the Secretary after September 30, 2012, such that the aircraft—

(1) is stored in flyable condition;

(2) can be returned to service; and

(3) is not used to supply parts to other aircraft unless specifically authorized by the Secretary of Defense upon a request by the Secretary of the Air Force.

SEC. 142. TREATMENT OF CERTAIN PROGRAMS FOR THE F–22A RAPTOR AIRCRAFT AS MAJOR DEFENSE ACQUISITION PROGRAMS.

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

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

(1) Any modernization program through Increment 3.2A.

(2) The Reliability and Maintainability Maturation Program (RAMMP) and the Structural Repair Program (SRP II).

(3) The modernization Increment 3.2B and any future F–22A Raptor aircraft modernization program that would otherwise, if a standalone program, qualify for treatment as a major defense acquisition program for purposes of chapter 144 of title 10, United States Code.

SEC. 143. AVIONICS SYSTEMS FOR C–130 AIRCRAFT.

(a) LIMITATIONS.—

(1) AVIONICS MODERNIZATION PROGRAM.—The Secretary of the Air Force shall take no action to cancel or modify the Avionics Modernization Program (AMP) for the C–130 aircraft until 30 days after the date of the submittal to the congressional defense committees of the report required by subsection (b).

(2) CNS/ATM PROGRAM.—

(A) IN GENERAL.—The Secretary shall take no action described in subparagraph (B) until 30 days after the date of the submittal to the congressional defense committees of the report required by subsection (b).

(B) COVERED ACTIONS.—An action described in this subparagraph is an action to begin an alternative communication, navigation, surveillance, and air traffic management (CNS/ATM) program for the C–130 aircraft that is designed or intended—

(i) to meet international communication, navigation, surveillance, and air traffic management standards for the fleet of C–130 aircraft; or

(ii) to replace the current Avionics Modernization Program for the C–130 aircraft.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees report on the results of a study to be conducted by the Office of Cost Assessment and Program Evaluation of the Department of Defense on the following:

(1) The costs and schedule to complete the current program of record for the Avionics Modernization Program for the C–130 aircraft, as anticipated at the time of the last certification on that program under section 2433a of title 10, United States Code.

(2) The total cost and schedule, from start to completion, of any proposed alternative communication, navigation, surveillance, and air traffic management program for the C–130 aircraft.

(3) The projected manpower savings to be derived from the current program of record for the Avionics Modernization Program for the C–130 aircraft in comparison with the projected manpower savings to be derived from any proposed alternative communication, navigation, surveillance, and air traffic management program for the C–130 aircraft.

SEC. 144. PROCUREMENT OF SPACE-BASED INFRARED SYSTEM SATELLITES.

(a) CONTRACT AUTHORITY.—

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

(2) COST REDUCTION.—The Secretary may include in a contract entered into under paragraph (1) the following:

(A) The procurement of material and equipment in economic order quantities if the procurement of such material and equipment in such quantities will result in cost savings.

(B) Cost reduction initiatives.

(3) USE OF INCREMENTAL FUNDING.—The Secretary may use incremental funding for a contract entered into under paragraph (1) for a period not to exceed six fiscal years.

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

(A) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

(B) the total liability of the Federal Government for the termination of the contract shall be limited to the total amount of funding obligated at the time of the termination of the contract.

(b) LIMITATION OF COSTS.—

(1) LIMITATION.—Except as provided in subsection (c), and excluding amounts described in paragraph (2), the total amount obligated or expended for the procurement of two space-based infrared system satellites authorized by subsection (a) may not exceed $3,900,000,000.

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

(A) Plans.

(B) Technical data packages.

(C) Post-delivery and program-related support costs.

(D) Technical support for obsolescence studies.

(c) ADJUSTMENT TO LIMITATION AMOUNT.—

(1) IN GENERAL.—The Secretary may increase the limitation set forth in subsection (b)(1) by the amount of an increase described in paragraph (2) if the Secretary submits to the congressional defense committees written notification of the increase made to that limitation.

(2) INCREASE DESCRIBED.—An increase described in this paragraph is one of the following:

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

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

(C) An increase in the cost of a space-based infrared system satellite that is attributable to the insertion of a new technology into the satellite that was not built into such satellites procured before fiscal year 2013, if the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology into the satellite is—

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

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

(d) REPORTS.—

(1) REPORT ON CONTRACTS.—Not later than 30 days after the date on which the Secretary enters into a contract under subsection (a), the Secretary

shall submit to the congressional defense committees a report on the contract that includes the following:

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

(B) The type and duration of the contract.

(C) The total value of the contract.

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

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

(2) PLAN FOR USING COST SAVINGS.—Not later than 90 days after the date on which the Secretary enters into a contract under subsection (a), the Secretary shall submit to the congressional defense committees a plan for using the cost savings described in paragraph (1)(A) to improve the capability of military infrared and early warning satellites that includes a description of the following:

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

(B) The specific activities or subprograms to be funded using such cost savings and the

funds, by year, allocated to each such activity or subprogram.

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

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

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

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

(G) The process for determining how and when such activities and subprograms would transition to an existing program or be established as a new program of record.

(e) USE OF FUNDS AVAILABLE FOR SPACE VEHICLE NUMBER 5 FOR SPACE VEHICLE NUMBER 6.—The Secretary may obligate and expend amounts authorized to be appropriated for fiscal year 2013 by section 101 for procurement for the Air Force as specified in the funding table in section 4101 and available for the advanced procurement of long-lead parts and the replacement of obso-

lete parts for space-based infrared system satellite space vehicle number 5 for the advanced procurement of long-lead parts and the replacement of obsolete parts for space-based infrared system space vehicle number 6.

(f) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should not enter into a fixed-price contract under subsection (a) for the procurement of two space-based infrared system satellites unless the Secretary determines that entering into such a contract will save the Air Force not less than 20 percent over the cost of procuring two such satellites separately.

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

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from fiscal year 2011 and 2012 Aircraft Procurement, Air Force funds, an aggregate of $920,748,000 to other, higher priority programs of the Air Force.

(b) COVERED FUNDS.—For purposes of this section, the term ''fiscal year 2011 and 2012 Aircraft Procurement, Air Force funds'' means—

(1) amounts authorized to be appropriated for fiscal year 2011 by section 103(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year

2011 (Public Law 111–383; 124 Stat. 4152) for aircraft procurement for the Air Force; and

(2) amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1317) and available for Aircraft Procurement, Air Force as specified in the funding table in section 4101 of that Act.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

Subtitle E—Joint and Multiservice Matters

SEC. 151. MULTIYEAR PROCUREMENT AUTHORITY FOR V–22 JOINT AIRCRAFT PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract or contracts, beginning with the fiscal year 2013 pro-

gram year, for the procurement of V–22 aircraft for the Department of the Navy, the Department of the Air Force, and the United States Special Operations Command.

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

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

Amounts available for the Joint Tactical Radio System (JTRS) program may not be obligated or expended for full-rate production of the Handheld, Manpack, and Small Form/Fit (HMS) radios under that program until the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies to the congressional defense committees that the acquisition strategy for such radios provides, to the maximum extent practicable, for full and open competition in the acquisition of such radios.

SEC. 153. SHALLOW WATER COMBAT SUBMERSIBLE PROGRAM.

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

(1) A description of the efforts of the contractor under the Shallow Water Combat Submersible (SWCS) program and the United States Special Operations Command to improve the accuracy of the tracking of the schedule and costs of the program.

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

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

(b) SUBSEQUENT REPORTS.—

(1) QUARTERLY REPORTS REQUIRED.—The Commander of the United States Special Operations Command shall submit to the congressional defense committees on a quarterly basis updates on the metrics from the earned value management system with which the Command is tracking the schedule and cost performance of the contractor of the Shallow Water Combat Submersible program.

(2) SUNSET.—The requirement in paragraph (1) shall cease on the date the Shallow Water Combat Submersible has completed operational testing and has been found to be operationally effective and operationally suitable.

SEC. 154. AC–130 AIRCRAFT ELECTRO-OPTICAL AND INFRARED SENSORS.

(a) ADDITIONAL AMOUNT FOR PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2013 by section 101 is hereby increased by $6,000,000, with the amount of the increase to be available for amounts authorized to be appropriated by that section and available for procurement, Defense-wide, other procurement programs, line 079, Combat mission requirements, as specified in the funding table in section 4101.

(b) AVAILABILITY OF AMOUNT.—To the extent provided in appropriations Acts, the amount authorized and made available by subsection (a) may be obligated and expended for a new program to procure color electro-optical and infrared imaging sensors for AC–130 aircraft used by the United States Special Operations Command in ongoing contingency operations.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. NEXT GENERATION FOUNDRY FOR THE DEFENSE MICROELECTRONICS ACTIVITY.

Amounts authorized to be appropriated for fiscal year 2013 by section 201 and available for research, development, test, and evaluation for the Next Generation Foundry for the Defense Microelectronics Activity (DMEA) (PE #603720S) as specified in the funding table in section 4201 may not be obligated or expended for that purpose until 60 days after the date on which the Assistant Secretary of Defense for Research and Engineering—

(1) develops a microelectronics strategy as described in the Senate report to accompany S. 1235

of the 112th Congress (S. Rept. 112–26) and an estimate of the full life-cycle costs for the upgrade of the Next Generation Foundry; and

(2) submits the strategy and cost estimate required by paragraph (1) to the congressional defense committees.

SEC. 212. ADVANCED ROTORCRAFT INITIATIVE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in consultation with the military departments, the Defense Advanced Research Projects Agency, and industry (including the Vertical Lift Consortium (VLC)), submit to the congressional defense committees a report setting forth a strategy for the use of integrated platform design teams and agile prototyping approaches for the development of advanced rotorcraft capabilities.

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

(1) Mechanisms for establishing agile prototyping practices and programs, including rotorcraft X-planes, and an identification of the resources required for such purposes.

(2) A restructuring of the Joint Multi-role (JMR) development program of the Army to include

more technology demonstration platforms with challenge goals of significant reductions in cost and time to flight.

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

(4) Approaches, including competitive prize awards, to encourage the development of advanced rotorcraft capabilities to address challenge problems such as nap-of-earth automated flight, urban operation near buildings, slope landings, automated autorotation or power-off recovery, and automated selection of landing areas.

SEC. 213. TRANSFER OF CERTAIN FISCAL YEAR 2012 NAVY RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Navy research, development, test, and evaluation funds, $8,832,000 to other, higher priority programs of the Navy.

(b) COVERED FUNDS.—For purposes of this section, the term ''fiscal year 2012 Navy research, development,

test, and evaluation funds'' means amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Navy as specified in the funding table in section 4201 of that Act.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 214. AUTHORITY FOR DEPARTMENT OF DEFENSE LABORATORIES TO ENTER INTO EDUCATION PARTNERSHIPS WITH EDUCATIONAL INSTITUTIONS IN UNITED STATES TERRITORIES AND POSSESSIONS.

(a) AUTHORITY.—Subsection (a) of section 2194 of title 10, United States Code, is amended by inserting '', the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any possession of the United States'' after ''institutions of the United States''.

(b) TECHNICAL AMENDMENT.—Subsection (f)(2) of such section is amended by inserting ''(20 U.S.C. 7801)'' before the period.

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

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from fiscal year 2012 Air Force research, development, test, and evaluation funds, $78,426,000 to other, higher priority programs of the Air Force.

(b) COVERED FUNDS.—For purposes of this section, the term ''fiscal year 2012 Air Force research, development, test, and evaluation funds'' means amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Air Force as specified in the funding table in section 4201 of that Act.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount

is transferred by an amount equal to the amount transferred.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 216. RELOCATION OF C–BAND RADAR FROM ANTIGUA TO H.E. HOLT STATION IN WESTERN AUSTRALIA TO ENHANCE SPACE SITUATIONAL AWARENESS CAPABILITIES.

To the extent provided in appropriations Acts, of the amounts authorized to be appropriated for fiscal year 2013 by section 201 and available for research, development, test, and evaluation for Space Situation Awareness Systems (PE 0604425F) for System Development and Demonstration as specified in the funding table in section 4201, $3,000,000 may be obligated and expended for a new program for the relocation and research and development activities to enhance Space Situational Awareness capabilities through—

(1) the repurposing of the C–Band Radar at Antigua;

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

(3) upgrades of the hardware and software of that radar to meet Space Situational Awareness mission needs;

(4) operational testing of that radar; and

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

SEC. 217. DETAILED DIGITAL RADIO FREQUENCY MODULATION COUNTERMEASURES STUDIES AND SIMULATIONS.

(a) ADDITIONAL AMOUNT FOR RDT&E, ARMY.—The amount authorized to be appropriated for fiscal year 2013 by section 201 is hereby increased by $38,000,000, with the amount of the increase to be available for amounts authorized to be appropriated by that section and available for research, development, test, and evaluation, Army, for system development and demonstration (PE 0605457A) Army Integrated Air and Missile Defense (AIAMD), as specified in the funding table in section 4201.

(b) AVAILABILITY OF AMOUNT.—To the extent provided in appropriations Acts, the amount authorized and made available by subsection (a) may be obligated and expended for a new program to conduct detailed digital radio frequency modulation (DRFM) countermeasures studies and simulations to develop algorithms to address this

threat change in support of the accelerated fielding of a new capability in Patriot, Sentinel, and Integrated Air and Missile Defense (IAMD) for the requirements of the commanders of the combatant commands.

Subtitle C—Missile Defense Matters

SEC. 231. HOMELAND BALLISTIC MISSILE DEFENSE.

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

(1) The Ballistic Missile Defense Review of February 2010 stated as its first policy priority that ''the United States will continue to defend the homeland against the threat of limited ballistic missile attack'' and that ''an essential element of the United States' homeland ballistic missile defense strategy is to hedge against future uncertainties, including both the uncertainty of future threat capabilities and the technical risks inherent to our own development plans''.

(2) The United States currently has an operational Ground-based Midcourse Defense (GMD) system with 30 Ground-Based Interceptors (GBIs) deployed in Alaska and California, protecting the United States against the potential future threat of

limited ballistic missile attack from countries such as North Korea and Iran.

(3) As Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy Bradley Roberts testified before the Committee on Armed Services of the Senate on April 25, 2012, ''[w]ith 30 GBIs in place, the United States is in an advantageous position vis-à-vis the threats from North Korea and Iran,'' and ''neither has successfully tested an ICBM or demonstrated an ICBM-class warhead''.

(4) Deputy Assistant Secretary Roberts testified that maintaining this advantageous position ''requires continued improvement to the GMD system, including enhanced performance by the GBIs and the deployment of new sensors. It also requires the development of the Precision Tracking Space System (PTSS) to handle larger raid sizes and the Standard Missile-3 (SM–3) Block IIB as the ICBM threat from states like Iran and North Korea matures. These efforts will help to ensure that the United States possesses the capability to counter the projected threat for the foreseeable future''.

(5) As its highest priority, the Missile Defense Agency is designing a correction to the problem that

caused a December 2010 flight test failure of the Ground-based Midcourse Defense system using the Capability Enhancement II (CE–II) model of exo-atmospheric kill vehicle, and plans to demonstrate the correction in two flight tests before resuming production or assembly of additional Capability Enhancement II kill vehicles.

(6) The Department of Defense has a program to improve the performance and reliability of the Ground-based Midcourse Defense system, including a plan to test every component of the Ground-Based Interceptors for reliability. According to Department of Defense officials, the goal of the Ground-Based Interceptor reliability program is to double the number of threat Intercontinental Ballistic Missiles (ICBMs) that our current inventory of Ground-Based Interceptors could defeat, thereby effectively doubling the capability of our current Ground-based Midcourse Defense system.

(7) The Missile Defense Agency, working with the Director of Operational Test and Evaluation and with United States Strategic Command, has developed a comprehensive Integrated Master Test Plan (IMTP) for missile defense, with flight tests for the Ground-based Midcourse Defense system planned

through fiscal year 2022, including salvo testing, multiple simultaneous engagement testing, and operational testing.

(8) The Director of Operational Test and Evaluation, who must review, approve, and sign each semi-annual version of the Integrated Master Test Plan, testified that the Test Plan is ''a robust and rigorous test plan''. He also testified that the current pace of Ground-based Midcourse Defense system testing of one flight test per year is the ''best that we've been able to achieve over a decade''.

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

(10) As part of its homeland defense hedging strategy, the Department of Defense has already decided upon or implemented a number of actions to improve the missile defense posture of the United States in case the threat of Intercontinental Ballistic Missiles from North Korea or Iran emerges sooner

or in greater numbers than anticipated. These include the following actions:

(A) The Missile Defense Agency has completed construction of Missile Field-2 at Fort Greely, Alaska, with eight extra silos available to deploy additional operational Ground-Based Interceptors, if needed.

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

(C) The Department has decided not to decommission prototype Missile Field-1 at Fort Greely but, instead, to keep it in a storage status that would permit it to be refurbished and reactivated within a few years if future threat developments make that necessary.

(D) The Missile Defense Agency plans to build an in-flight interceptor communications

terminal at Fort Drum, New York, to enhance the performance of Ground-Based Interceptors defending the eastern United States against possible future missile threats from Iran.

(E) The Missile Defense Agency is continuing the development and testing of the two-stage Ground-Based Interceptor for possible deployment in the future, if needed.

(F) The Missile Defense Agency is upgrading early warning radars in Clear, Alaska, and Cape Cod, Massachusetts, to enhance the ability to defend against potential multiple future Intercontinental Ballistic Missile threats from North Korea and Iran.

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

(H) The Missile Defense Agency is pursuing development of the Precision Tracking

Space System, a satellite sensor system to provide persistent tracking of large numbers of missiles in flight, and fire-control quality targeting data to various missile defense interceptor systems. According to the Director of the Missile Defense Agency, ''the greatest future enhancement for both homeland and regional defense in the next ten years is the development of the Precision Tracking Space System satellites''.

(11) As part of its homeland defense hedging strategy review, the Department of Defense is considering other options to enhance the future United States posture to defend the homeland, including the feasibility, advisability and affordability of deploying additional Ground-Based Interceptors, either in Alaska or at a missile defense site on the East Coast of the United States.

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

(1) it is a national priority to defend the homeland against the potential future threat of limited ballistic missile attack from countries such as North Korea and Iran;

(2) the currently deployed Ground-based Midcourse Defense system, with 30 Ground-Based Interceptors deployed in Alaska and California, provides protection of the United States homeland against the potential future threat of limited ballistic missile attack from North Korea and Iran;

(3) it is essential for the Ground-based Midcourse Defense system to achieve the levels of reliability, availability, sustainability, and operational performance that will allow it to continue providing protection of the United States homeland against limited ballistic missile attack;

(4) the Missile Defense Agency should, as its highest priority, correct the problem that caused the December 2010 Ground-based Midcourse Defense system flight test failure and demonstrate the correction in flight tests before resuming production of the Capability Enhancement-II kill vehicle, in order to provide confidence that the system will work as intended;

(5) the Department of Defense should continue to enhance the performance and reliability of the Ground-based Midcourse Defense system, and enhance the capability of the Ballistic Missile Defense System, to provide improved capability to defend the

homeland against possible increased future missile threats from North Korea and Iran;

(6) the Missile Defense Agency should continue its robust, rigorous, and realistic testing of the Ground-based Midcourse Defense system at a pace of one flight test per year, as described in the Integrated Master Test Plan, including salvo testing, multiple simultaneous engagement testing, and operational testing;

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

(8) the Precision Tracking Space System has the potential to improve dramatically the capability of homeland and regional missile defense systems against large numbers of missiles launched simultaneously, and should remain a high priority for development;

(9) the Department of Defense has taken a number of prudent, affordable, cost-effective, and operationally significant steps to hedge against the possibility of future growth in the missile threat to the homeland from North Korea and Iran; and

(10) the Department of Defense should continue to evaluate the evolution of the long-range missile threat from North Korea and Iran and consider other possibilities for prudent, affordable, cost-effective, and operationally significant steps to improve the posture of the United States to defend the homeland against possible future growth in the threat.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of efforts to improve the homeland ballistic missile defense capability of the United States.

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

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

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

(C) A description of the results of the two planned flight tests of the Ground-based Mid-course Defense system (Control Test Vehicle flight test-1, and GMD Flight Test–06b) intended to demonstrate the success of the correction of the problem that caused the flight test failure of December 2010, and the status of any decision to resume production of the Capability Enhancement-II kill vehicle.

(D) A detailed description of actions taken or planned to improve the homeland defense posture of the United States to hedge against potential future Intercontinental Ballistic Missile threat growth from North Korea and Iran.

(E) Any other matters the Secretary considers appropriate.

(3) FORM OF REPORT.—The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 232. REGIONAL BALLISTIC MISSILE DEFENSE.

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

(1) In the introduction to the Ballistic Missile Defense Review of February 2010, Secretary of Defense Robert Gates states that ''I have made defending against near-term regional threats a top priority of our missile defense plans, programs and capabilities''.

(2) In describing the threat of regional ballistic missiles, the report of the Ballistic Missile Defense Review states that ''there is no uncertainty about the existence of regional threats. They are clear and present. The threat from short-range, medium-range, and intermediate-range ballistic missiles (SRBMs, MRBMs, and IRBMs) in regions where the United States deploys forces and maintains security relationships is growing at a particularly rapid pace''.

(3) In testimony before the Committee on Armed Services of the Senate on April 25, 2012, Dr. Bradley Roberts, Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy stated, with respect to regional missile defense, that ''the need arises from the rapidly emerging threats to our armed forces in Europe, the Middle East, and East Asia from regional missile proliferators and the basic challenge such proliferation poses to the safety and

security of our forces and allies and to our power projection strategy''.

(4) Iran has the largest inventory of regional ballistic missiles in the Middle East, with hundreds of missiles that can reach southeastern Europe and all of the Middle East, including Israel. Iran is improving its existing missiles and developing new and longer-range missiles.

(5) North Korea has a large and growing inventory of short-range and medium-range ballistic missiles that can reach United States forces and allies in South Korea and Japan. North Korea is improving its existing missiles and developing new and longer-range missiles.

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

(7) In November 2010, at the Lisbon Summit, the North Atlantic Treaty Organization (NATO) decided to adopt the core mission of missile defense of

its population, territory and forces. The North Atlantic Treaty Organization agreed to enhance its missile defense command and control system, the Active Layered Theater Ballistic Missile Defense, to provide a North Atlantic Treaty Organization command and control capability. This is in addition to contributions of missile defense capability from individual nations.

(8) During 2011, the United States successfully implemented Phase 1 of the European Phased Adaptive Approach, including deployment of an AN/TPY–2 radar in Turkey, deployment of an Aegis Ballistic Missile Defense ship in the eastern Mediterranean Sea with Standard Missile-3 Block IA interceptors, and establishment of a missile defense command and control system in Germany.

(9) During 2011, the United States successfully negotiated all the international agreements with North Atlantic Treaty Organization allies needed to permit future phases of the European Phased Adaptive Approach, including agreements with Romania and Poland to permit the deployment of Aegis Ashore missile defense systems on their territory, an agreement with Turkey to permit deployment of an AN/TPY–2 radar on its territory, and an agreement

with Spain to permit the forward stationing of four Aegis Ballistic Missile Defense ships at Rota.

(10) Phase 2 of the European Phased Adaptive Approach is planned for deployment in 2015, and is planned to include the deployment of Standard Missile-3 Block IB interceptors on Aegis Ballistic Missile Defense ships and at an Aegis Ashore site in Romania.

(11) Phase 3 of the European Phased Adaptive Approach is planned for deployment in 2018, and is planned to include the deployment of Standard Missile-3 Block IIA interceptors on Aegis Ballistic Missile Defense ships and at an Aegis Ashore site in Poland.

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

(13) At the North Atlantic Treaty Organization Summit in Chicago in 2012, the North Atlantic Treaty Organization plans to announce it has achieved an ''interim capability'' for the North At-

lantic Treaty Organization missile defense system, including initial capability of its Active Layered Theater Ballistic Missile Defense system at a command and control facility in Germany.

(14) The United States has a robust program of missile defense cooperation with Israel, including joint development of the Arrow Weapon System and the new Arrow-3 upper tier interceptor, designed to defend Israel against ballistic missiles from Iran. These jointly developed missile defense systems are designed to be interoperable with United States ballistic missile defenses, and these interoperable systems are tested in large military exercises. The United States has deployed an AN/TPY–2 radar in Israel to enhance missile defense against missiles from Iran.

(15) The United States is working with the nations of the Gulf Cooperation Council on enhanced national and regional missile defense capabilities against growing missile threats from Iran. As part of this effort, the United Arab Emirates plans to purchase two batteries of the Terminal High Altitude Air Defense (THAAD) system, as well as other equipment.

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

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

(1) the threat from regional ballistic missiles, particularly from Iran and North Korea, is serious and growing, and puts at risk forward-deployed United States forces and allies and partners in Europe, the Middle East, and the Asia-Pacific region;

(2) the Department of Defense has an obligation to provide force protection of forward-deployed United States forces, assets, and facilities from regional ballistic missile attack;

(3) the United States has an obligation to meet its security commitments to its allies, including ballistic missile defense commitments;

(4) the Department of Defense has a balanced program of investment and capabilities to provide for both homeland defense and regional defense against ballistic missiles, consistent with the Ballistic Missile Defense Review and with the prioritized and integrated needs of the commanders of the combatant commands;

(5) the European Phased Adaptive Approach to missile defense is an appropriate and necessary response to the existing and growing ballistic missile threat from Iran to forward deployed United States forces and allies and partners in Europe;

(6) the Department of Defense—

(A) should, as a high priority, continue to develop, test, and plan to deploy all four phases of the European Phased Adaptive Approach, including all variants of the Standard Missile-3 interceptor; and

(B) should also continue with its other phased and adaptive regional missile defense efforts tailored to the Middle East and the Asia-Pacific region;

(7) European members of the North Atlantic Treaty Organization are making valuable contributions to missile defense in Europe, by hosting ele-

ments of United States missile defense systems on their territories, through individual national contributions to missile defense capability, and by collective funding and development of the Active Layered Theater Ballistic Missile Defense system; and

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

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the status and progress of regional missile defense programs and efforts.

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

(A) An assessment of the adequacy of the existing and planned European Phased Adaptive Approach to provide force protection for forward deployed United States forces in Europe against ballistic missile threats from Iran, and an assessment whether adequate force protec-

tion would be available absent the European Phased Adaptive Approach.

(B) An assessment whether the European Phased Adaptive Approach and other planned regional missile defense approaches of the United States meet the integrated priorities of the commanders of the regional combatant commands in an affordable and balanced manner.

(C) A description of the progress made in the development and testing of elements of systems intended for deployment in Phases 2 through 4 of the European Phased Adaptive Approach, including the Standard Missile-3 Block IB interceptor and the Aegis Ashore system.

(D) A description of the manner in which elements of regional missile defense architectures, such as forward-based X-band radars in Turkey and Japan, contribute to the enhancement of homeland defense of the United States.

(E) A description of the current and planned contributions of North Atlantic Treaty Organization allies, both collectively and individually, to missile defense in Europe.

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

SEC. 233. MISSILE DEFENSE COOPERATION WITH RUSSIA.

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

(1) For more than a decade, the United States and Russia have discussed a variety of options for cooperation on shared early warning and ballistic missile defense. For example, on May 1, 2001, President George W. Bush spoke of a ''new cooperative relationship'' with Russia and said ''it should be premised on openness, mutual confidence and real opportunities for cooperation, including the area of missile defense. It should allow us to share information so that each nation can improve its early warning capability, and its capability to defend its people and territory. And perhaps one day, we can even cooperate in a joint defense''.

(2) Section 1231 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 1654A–329) authorized the Department of Defense to establish in Russia a ''joint center for the exchange of data from systems to provide early warn-

ing of launches of ballistic missiles and for notification of launches of such missiles'', also known as the Joint Data Exchange Center (JDEC).

(3) On March 31, 2008, Deputy Secretary of Defense Gordon England stated that ''we have offered Russia a wide-ranging proposal to cooperate on missile defense—everything from modeling and simulation, to data sharing, to joint development of a regional missile defense architecture—all designed to defend the United States, Europe, and Russia from the growing threat of Iranian ballistic missiles. An extraordinary series of transparency measures have also been offered to reassure Russia. Despite some Russian reluctance to sign up to these cooperative missile defense activities, we continue to work toward this goal''.

(4) On July 6, 2009, President Barack Obama and Russian President Dmitry Medvedev issued a joint statement on missile defense issues, which stated that ''Russia and the United States plan to continue the discussion concerning the establishment of cooperation in responding to the challenge of ballistic missile proliferation. . . We have instructed our experts to work together to analyze the ballistic mis-

sile challenges of the 21st century and to prepare appropriate recommendations''.

(5) The February 2010 report of the Ballistic Missile Defense Review established as one of its central policy pillars that increased international missile defense cooperation is in the national security interest of the United States and, with regard to cooperation with Russia, the United States ''is pursuing a broad agenda focused on shared early warning of missile launches, possible technical cooperation, and even operational cooperation''.

(6) at the November 2010 Lisbon Summit, the North Atlantic Treaty Organization (NATO) decided to develop a missile defense system to ''protect NATO European populations, territory and forces'' and also to seek cooperation with Russia on missile defense. In its Lisbon Summit Declaration, the North Atlantic Treaty Organization reaffirmed its readiness to ''invite Russia to explore jointly the potential for linking current and planned missile defence systems at an appropriate time in mutually beneficial ways''. The new NATO Strategic Concept adopted at the Lisbon Summit states that ''we will actively seek cooperation on missile defense with Russia'', that ''NATO-Russia cooperation is of stra-

tegic importance'', and that ''the security of the North Atlantic Treaty Organization and Russia is intertwined''.

(7) In a December 18, 2010, letter to the leadership of the Senate, President Obama wrote that the North Atlantic Treaty Organization ''invited Russia to cooperate on missile defense, which could lead to adding Russian capabilities to those deployed by NATO to enhance our common security against common threats. The Lisbon Summit thus demonstrated that the Alliance's missile defenses can be strengthened by improving NATO-Russian relations. This comes even as we have made clear that the system we intend to pursue with Russia will not be a joint system, and it will not in any way limit United States' or NATO's missile defense capabilities. Effective cooperation with Russia could enhance the overall efficiency of our combined territorial missile defenses, and at the same time provide Russia with greater security''.

(8) Section 221(a)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4167) states that it is the sense of Congress ''to support the efforts of the United States Government and the

North Atlantic Treaty Organization to pursue cooperation with the Russian Federation on ballistic missile defense relative to Iranian missile threats''.

(9) In a speech in Russia on March 21, 2011, Secretary of Defense Robert Gates cited ''the NATO-Russian decision to cooperate on defense against ballistic missiles. We've disagreed before, and Russia still has uncertainties about the European Phased Adaptive Approach, a limited system that poses no challenges to the large Russian nuclear arsenal. However, we've mutually committed to resolving these difficulties in order to develop a roadmap toward truly effective anti-ballistic missile collaboration. This collaboration may include exchanging launch information, setting up a joint data fusion center, allowing greater transparency with respect to our missile defense plans and exercises, and conducting a joint analysis to determine areas of future cooperation''.

(10) In testimony to the Committee on Armed Services of the Senate on April 13, 2011, Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy Bradley H. Roberts stated that the United States has been pursuing a Defense Technology Cooperation Agreement with Russia

since 2004, and that such an agreement is necessary "for the safeguarding of sensitive information in support of cooperation" on missile defense, and to "provide the legal framework for undertaking cooperative efforts". Further, Dr. Roberts stated that the United States would not provide any classified information to Russia without first conducting a National Disclosure Policy review. He also stated that the United States is not considering sharing "hit-to-kill" technology with Russia.

(11) In a March 2012 answer to a question from the Committee on Armed Services of the Senate on missile defense cooperation with Russia, Acting Under Secretary of Defense for Policy Jim Miller wrote that "I support U.S.-Russian cooperation on missile defenses first and foremost because it could improve the effectiveness of U.S. and NATO missile defenses, thereby improving the protection of the United States, our forces overseas, and our Allies. Missile defense cooperation with Russia is in the security interests of the United States, NATO, and Russia, first and foremost because it could strengthen capabilities across Europe to intercept Iranian missiles". He also wrote that "[t]he United States has pursued missile defense cooperation with

Russia with the clear understanding that we would not accept constraints on missile defense, and that we would undertake necessary qualitative and quantitative improvements to meet U.S. Security needs''.

(12) In February 2012, an international group of independent experts known as the Euro-Atlantic Security Initiative issued a report proposing missile defense cooperation between the United States (with its North Atlantic Treaty Organization allies) and Russia. The group, whose leaders included Stephen Hadley, the National Security Advisor to President George W. Bush, proposed that the nations share satellite and radar early warning data at joint cooperation centers in order to improve their ability to detect, track, and defeat medium-range and intermediate-range ballistic missiles from the Middle East.

(13) In a letter dated April 13, 2012, Robert Nabors, Assistant to the President and Director of the Office of Legislative Affairs, wrote that ''it is Administration policy that we will only provide information to Russia that will enhance the effectiveness of our missile defenses. The Administration will not provide Russia with sensitive information that would

in any way compromise our national security, including hit-to-kill technology and interceptor telemetry''.

(14) The United States and Russia already engage in substantial cooperation on a number of international security efforts, including nuclear nonproliferation, anti-piracy, counter-narcotics, nuclear security, counter-terrorism, and logistics resupply through Russia of coalition forces in Afghanistan. These areas of cooperation require each side to share and protect sensitive information, which they have both done successfully.

(15) The United States currently has shared early warning agreements and programs of cooperation with eight nations in addition to the North Atlantic Treaty Organization. The United States has developed procedures and mechanisms for sharing early warning information with partner nations while ensuring the protection of sensitive United States information.

(16) Russia and the United States each have missile launch early warning and detection and tracking sensors that could contribute to and enhance each others' ability to detect, track, an defend against ballistic missile threats from Iran.

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

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

(1) it is in the national security interest of the United States to pursue efforts at missile defense cooperation with Russia that would enhance the security of the United States, its North Atlantic Treaty Organization allies, and Russia, particularly against missile threats from Iran;

(2) the United States should pursue ballistic missile defense cooperation with Russia on both a bilateral basis and a multilateral basis with its North Atlantic Treaty Organization allies, particularly through the NATO-Russia Council;

(3) missile defense cooperation with Russia should not "in any way limit United States' or NATO's missile defense capabilities", as acknowledged in the December 18, 2010, letter from President Obama to the leadership of the Senate, and should be mutually beneficial and reciprocal in nature;

(4) the United States should not provide Russia with sensitive missile defense information that would

in any way compromise United States national security, including ''hit-to-kill'' technology and interceptor telemetry; and

(5) the United States should pursue missile defense cooperation with Russia in a manner that ensures that—

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

(B) prior to sharing classified information with Russia, the United States conducts a National Disclosure Policy review and determines the types and levels of information that may be shared and whether any additional procedures are necessary to protect such information;

(C) prior to entering into missile defense technology cooperation projects, the United States enters into a Defense Technology Cooperation Agreement with Russia that establishes the legal framework for a broad spectrum of potential cooperative defense projects; and

(D) such cooperation does not limit the missile defense capabilities of the United States or its North Atlantic Treaty Organization allies.

SEC. 234. NEXT GENERATION EXO-ATMOSPHERIC KILL VEHICLE.

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

(b) DEFINITION OF PARAMETERS AND CAPABILITIES.—

(1) ASSESSMENT REQUIRED.—The Director shall define the desired technical parameters and performance capabilities for a next generation Exo-atmospheric Kill Vehicle using an assessment conducted by the Director for that purpose that is designed to ensure that a next generation Exo-atmospheric Kill Vehicle design—

(A) enables ease of manufacturing, high tolerances to production processes and supply chain variability, and inherent reliability;

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

(C) leverages all relevant kill vehicle development activities and technologies, including from the current Standard Missile-3 Block IIB (SM–3 IIB) program and the previous Multiple Kill Vehicle technology development program;

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

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

(2) EVALUATION OF PAYLOADS.—The assessment required by paragraph (1) shall include an evaluation of the potential benefits and drawbacks of options for both unitary and multiple Exo-atmospheric Kill Vehicle payloads.

(3) STANDARD MISSILE-3 BLOCK IIB INTERCEPTOR.—As part of the assessment required by paragraph (1), the Director shall evaluate whether there are potential options and opportunities arising from the Standard Missile-3 Block IIB interceptor development program for development of an exo-atmospheric kill vehicle, or kill vehicle technologies or components, that could be used for potential upgrades to the Ground-Based Interceptor or for a next generation Exo-atmospheric Kill Vehicle.

(c) REPORT.—

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

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

SEC. 235. MODERNIZATION OF THE PATRIOT AIR AND MISSILE DEFENSE SYSTEM.

(a) PLAN FOR MODERNIZATION.—Not later than 180 days after the date of the enactment of this Act, the Sec-

retary of the Army shall submit to the congressional defense committees a prioritized plan for support of the long-term requirements in connection with the modernization of the Patriot air and missile defense system.

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

(1) An assessment of the integrated air and missile defense capabilities required to meet the demands of evolving and emerging threats.

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

SEC. 236. MEDIUM EXTENDED AIR DEFENSE SYSTEM.

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

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

Of the amounts authorized to be appropriated for fiscal year 2013 by section 201 for research, development, test, and evaluation, Defense-wide, and available for the Missile Defense Agency, $210,000,000 may be provided

to the Government of Israel for the Iron Dome short-range rocket defense program as specified in the funding table in section 4201.

SEC. 238. READINESS AND FLEXIBILITY OF INTERCONTINENTAL BALLISTIC MISSILE FORCE.

The Secretary of Defense may, in a manner consistent with the obligations of the United States under international agreements—

(1) retain intercontinental ballistic missile launch facilities currently supporting deployed strategic nuclear delivery vehicles within the limit of 800 deployed and non-deployed strategic launchers;

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

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

SEC. 239. SENSE OF CONGRESS ON THE SUBMITTAL TO CONGRESS OF THE HOMELAND DEFENSE HEDGING POLICY AND STRATEGY REPORT OF THE SECRETARY OF DEFENSE.

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

(1) Section 233 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1340) requires a homeland de-

fense hedging policy and strategy report from the Secretary of Defense.

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

(3) The Secretary of Defense has not yet submitted the report as required.

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

(5) Phase 4 of the European Phased Adaptive Approach (EPAA) is intended to augment the currently deployed homeland defense capability of the Ground-based Midcourse Defense system against a potential future Iranian long-range missile threat by

deploying an additional layer of forward-deployed interceptors in Europe in the 2020 timeframe.

(6) The Director of National Intelligence, James Clapper, has testified to Congress that, although the intelligence community does ''not know if Iran will eventually decide to build nuclear weapons'', it judges ''that Iran would likely choose missile delivery as its preferred method of delivering a nuclear weapon''. He also testified that ''Iran already has the largest inventory of ballistic missiles in the Middle East, and it is expanding the scale, reach, and sophistication of its ballistic missile forces, many of which are inherently capable of carrying a nuclear payload''.

(7) The 2012 Annual Report to Congress on the Military Power of Iran by the Department of Defense states that, in addition to increasing its missile inventories, ''Iran has boosted the lethality and effectiveness of its existing missile systems with accuracy improvements and new submunitions payloads'', and that it continues to develop missiles that can strike Israel and Eastern Europe. It also states that ''Iran has launched multistage space launch vehicles that could serve as a testbed for developing long-range ballistic missiles technologies'', and that

"[w]ith sufficient foreign assistance, Iran may be technically capable of flight-testing an intercontinental ballistic missile by 2015".

(8) Despite the failure of its April 2012 satellite launch attempt, North Korea warned the United States in October 2012 that the United States mainland is within range of its missiles.

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

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

(1) the homeland defense hedging policy and strategy report required by section 233 of the National Defense Authorization Act for Fiscal Year 2012 is necessary to inform Congress on options to protect the United States homeland against the evolving ballistic missile threat, including potential options prior to the deployment of Phase 4 of the European Phased Adaptive Approach to missile defense; and

(2) the Secretary of Defense should comply with the requirements of section 233 of the National Defense Authorization Act for Fiscal Year 2012 by

submitting the homeland defense hedging policy and 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 development phase of the system to minimize costs of concurrency.

SEC. 252. COMPTROLLER GENERAL OF THE UNITED STATES ANNUAL REPORTS ON THE ACQUISITION PROGRAM FOR THE AMPHIBIOUS COMBAT VEHICLE.

(a) ANNUAL GAO REVIEW.—The Comptroller General of the United States shall conduct on an annual basis a review of the acquisition program for the Amphibious Combat Vehicle (ACV).

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than March 1 of each year beginning in 2013, the Comptroller General shall submit to the congressional defense committees a report on the review of the acquisition program for the Amphibious Combat Vehicle conducted under subsection (a).

(2) MATTERS TO BE INCLUDED.—Each report on the review of the acquisition program for the Amphibious Combat Vehicle shall include, to the extent appropriate and feasible, the following:

(A) An assessment of the extent to which the program is meeting development and procurement cost, schedule, performance, and risk mitigation goals.

(B) With respect to meeting the desired initial operational capability and full operational capability dates for the Amphibious Combat Vehicle, an assessment of the progress and results of—

(i) developmental and operational testing of the vehicle; and

(ii) plans for correcting deficiencies in vehicle performance, operational effectiveness, reliability, suitability, and safety.

(C) An assessment of procurement plans, production results, and efforts to improve manufacturing efficiency and supplier performance in connection with the Amphibious Combat Vehicle.

(D) An assessment of the acquisition strategy for the Amphibious Combat Vehicle, including whether the strategy complies with acquisition management best-practices and the acquisition policy and regulations of the Department of Defense.

(E) A risk assessment of the integrated master schedule and the test and evaluation master plan of the Amphibious Combat Vehicle as it relates to—

(i) the probability of success;

(ii) the funding required for the vehicle in comparison with the funding programmed for the vehicle; and

(iii) development and production concurrency.

(3) ADDITIONAL INFORMATION IN FIRST REPORT.—In submitting to the congressional defense committees the first report under paragraph (1), the Comptroller General shall include, with respect to the Amphibious Combat Vehicle program, an assessment of the sufficiency and objectivity of the following documents:

(A) The analysis of alternatives.

(B) The initial capabilities document.

(C) The capability development document.

(4) INFORMATION IN SUBSEQUENT REPORTS.—

(A) CERTAIN INFORMATION REQUIRED ONLY FOLLOWING SIGNIFICANT CHANGES.—A report under this subsection after the first report under paragraph (1) shall address the

matters identified in subparagraphs (C), (D), and (E) of paragraph (2) only to the extent that the Comptroller General determines that there have been significant changes to the applicable plans, strategies, or schedules since the last report under this subsection addressing such matters.

(B) ADDITIONAL INFORMATION AFTER APPROVAL OR CHANGE OF DOCUMENTS.—If any document specified in paragraph (3) is approved or changed after the first report under paragraph (1), the Comptroller General shall provide an assessment of the sufficiency and objectivity of that document in the report to the congressional defense committees under paragraph (1) submitted immediately following such approval or change.

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

SEC. 253. CONDITIONAL REQUIREMENT FOR REPORT ON AMPHIBIOUS ASSAULT VEHICLES FOR THE MARINE CORPS.

(a) IN GENERAL.—If the ongoing Marine Corps ground combat vehicle fleet mix study recommends the acquisition of a separate Marine Personnel Carrier, the Secretary of the Navy and the Commandant of the Marine Corps shall jointly submit to the congressional defense committees a report that includes the following:

(1) A detailed description of the capability gaps that Marine Personnel Carriers are intended to mitigate and the capabilities that the Marine Personnel Carrier will be required to have to mitigate such gaps, and an assessment whether, and to what extent, Amphibious Combat Vehicles could mitigate such gaps.

(2) A detailed explanation of the role of the Marine Personnel Carriers in fulfilling the forcible entry requirement for the two Marine Expeditionary Brigades (MEBs) that make up the assault echelons of the three Marine Expeditionary Brigade force required to meet applicable war plans of the combatant commands.

(3) A description of the fraction of the assault echelon of the brigades referred to in paragraph (2)

that would be comprised of Marine Personnel Carriers.

(4) An assessment of the direct operational risk associated with using ship-to-shore connectors to deliver Marine Personnel Carriers to shore in an amphibious assault.

(5) An assessment of the indirect operational risk associated with using ship-to-shore connectors to deliver Marine Personnel Carriers rather than tanks and artillery and other tactical vehicles.

(6) A comparative estimate of the acquisition and life-cycle costs of a split fleet of Amphibious Combat Vehicles and Marine Personnel Carriers with the acquisition and life-cycle costs of a pure fleet of Amphibious Combat Vehicles.

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

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

(2) February 1, 2013.

Subtitle E—Other Matters

SEC. 271. TRANSFER OF ADMINISTRATION OF OCEAN RESEARCH AND RESOURCES ADVISORY PANEL FROM DEPARTMENT OF THE NAVY TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

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

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

(A) by inserting ", through the Administrator of the National Oceanic and Atmospheric Administration," after "The Council";

(B) by inserting "and Resources" after "Ocean Research";

(C) by striking "Panel consisting" and inserting "Panel. The Panel shall consist"; and

(D) by striking "chairman" and inserting "Administrator, on behalf of the Council";

(2) in paragraph (1), by striking "National Academy of Science" and inserting "National Academies of Science";

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

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

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

(1) by inserting ", through the Administrator of the National Oceanic and Atmospheric Administration," after "The Council";

(2) by striking paragraph (2);

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

(4) by inserting after paragraph (1) the following new paragraphs (2) and (3):

"(2) To advise the Council on the determination of scientific priorities and needs.

"(3) To provide the Council strategic advice regarding national ocean program execution and collaboration.".

(c) FUNDING TO SUPPORT ACTIVITIES OF PANEL.—Subsection (c) of such section is amended by striking "Secretary of the Navy" and inserting "Secretary of Commerce".

(d) CONFORMING AMENDMENT.—Section 7902(e)(1) of such title is amended by striking "Ocean Research Advisory Panel" and inserting "Ocean Research and Resources Advisory Panel".

(e) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 7903 of such title is amended to read as follows:

"§ 7903. Ocean Research and Resources Advisory Panel".

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

"7903. Ocean Research and Resources Advisory Panel.".

(f) REFERENCES.—Any reference to the Ocean Research Advisory Panel in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Ocean Research and Resources Advisory Panel.

SEC. 272. SENSE OF SENATE ON INCREASING THE COST-EFFECTIVENESS OF TRAINING EXERCISES FOR MEMBERS OF THE ARMED FORCES.

It is the sense of the Senate that—

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

(2) while increased modeling and simulation has reduced overall costs of training of members of the Armed Forces, there are still significant costs associated with the human resources required to execute

certain training exercises where role-playing actors for certain characters such as opposing forces, the civilian populace, other government agencies, and non-governmental organizations are required;

(3) technological advances in areas such as varying levels of autonomy for systems, multi-player gaming techniques, and artificial intelligence could reduce the number of personnel required to support certain training exercises for members of the Armed Forces, and thereby reduce the overall cost of the exercises; and

(4) the Secretary of Defense should develop a plan to increase the use of emerging technologies in autonomous systems, the commercial gaming sector, and artificial intelligence for training exercises for members of the Armed Forces to increase training effectiveness and reduce costs.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for

expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environmental Provisions

SEC. 311. DEPARTMENT OF DEFENSE GUIDANCE ON ENVIRONMENTAL EXPOSURES AT MILITARY INSTALLATIONS.

(a) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue to the appropriate military departments and other defense agencies written guidance on environmental exposures at military installations. The guidance shall—

(1) set forth criteria for when and under what circumstances public health assessments by the Agency for Toxic Substances and Disease Registry shall be requested in connection with environmental contamination at military installations, including past incidents of environmental contamination;

(2) establish procedures for tracking and documenting the status and nature of responses to the findings and recommendations of the public health assessments of the Agency of Toxic Substances and Disease Registry that involve contamination at military installations; and

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

(b) REPORT.—Not later than 30 days after issuing the guidance required under subsection (a), the Secretary of Defense shall transmit a copy of the guidance to the congressional defense committees.

SEC. 312. FUNDING OF AGREEMENTS UNDER THE SIKES ACT.

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

(1) in subsection (b)—

(A) by inserting ''(1)'' before ''Funds''; and

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

''(2) In the case of a cooperative agreement under subsection (a)(2), such funds—

''(A) may be paid in a lump sum and include an amount intended to cover the future costs of the natural resource maintenance and improvement activities provided for under the agreement; and

"(B) may be placed by the recipient in an interest-bearing account, and any interest shall be applied for the same purposes as the principal."; and

(2) by amending subsection (c) to read as follows:

"(c) AVAILABILITY OF FUNDS; AGREEMENT UNDER OTHER LAWS.—(1) Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds.

"(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the United States Government.".

SEC. 313. REPORT ON PROPERTY DISPOSALS AND ADDITIONAL AUTHORITIES TO ASSIST LOCAL COMMUNITIES AROUND CLOSED MILITARY INSTALLATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the disposition of any not yet completed closure of an active duty military installation since 1988 in the United States that was not subject to the property disposal provisions contained in the Defense Base Closure

and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

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

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

(2) An assessment of the environmental conditions of, and plans and costs for environmental remediation for, each such property.

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

(4) An estimate of the costs, and a description of additional potential future financial liability or other impacts on the Department of Defense, if the authorities provided by Congress for military installations closed under defense base closure and realignment (BRAC) are extended to military installations closed outside the defense base closure and realignment process and for which property has yet to be disposed.

(5) Such recommendations as the Secretary considers appropriate for additional authorities to assist the Department in expediting the disposal of property at closed military installations in order to

facilitate economic redevelopment for local communities.

(c) MILITARY INSTALLATION DEFINED.—In this section, the term ''military installation'' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam.

Subtitle C—Logistics and Sustainment

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

(a) REPEAL.—

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

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

(b) REVIVAL OF SUPERSEDED PROVISIONS.—

(1) The provisions of section 2460 of title 10, United States Code, as in effect on December 30, 2011 (the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012), are hereby revived.

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

(B) The table of sections at the beginning of chapter 146 of such title is amended by striking the item relating to section 2464 and inserting the following new item:

''2464. Core logistics capabilities.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 2366a of title 10, United States Code, is amended by striking ''core depot-level maintenance and repair capabilities'' each place it appears and inserting ''core logistics capabilities''.

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

(3) Section 801(c) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1483; 10 U.S.C. 2366a note) is amended by striking

"core depot-level maintenance and repair capabilities, as well as the associated logistics capabilities" and inserting "core logistics capabilities".

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on December 31, 2011, the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, immediately after the enactment of that Act.

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

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

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

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

(2) in subsection (b), by striking "Logistics Center, Navy Fleet Readiness Center," and inserting

"Logistics Complex, Navy Fleet Readiness Center, Navy shipyard, Marine Corps Logistics Base,".

(b) REAUTHORIZATION.—Such section is further amended—

(1) in subsection (d), by striking "2013" and inserting "2018"; and

(2) in subsection (e), by striking "2014" and inserting "2019".

SEC. 323. RATING CHAINS FOR SYSTEM PROGRAM MANAGERS.

The Secretary of the Air Force, in managing system program management responsibilities for sustainment programs not assigned to a program executive officer or a direct reporting program manager, shall comply with the Department of Defense Instructions regarding assignment of program responsibility.

Subtitle D—Reports

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

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

(1) in paragraph (1)—

(A) in subparagraph (B), by inserting ", including available validated data on return on

investment for completed corrosion projects and activities'' after ''the strategy'';

(B) in subparagraph (E), by striking ''For the fiscal year covered by the report and the preceding fiscal year'' and inserting ''For the preceding fiscal year covered by the report''; and

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

''(F) For the preceding fiscal year covered by the report, a breakdown of the amount of funds used for military corrosion projects, the Technical Corrosion Collaboration pilot program, and other corrosion-related activities.'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 332. MODIFIED DEADLINE FOR COMPTROLLER GENERAL REVIEW OF ANNUAL REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.

Section 2229a(b) of title 10, United States Code, is amended by striking ''By not later than 120 days after the date on which a report is submitted under subsection (a), the Comptroller General shall review the report'' and

inserting ''The Comptroller General shall review the report submitted under subsection (a)''.

Subtitle E—Other Matters

SEC. 341. SAVINGS TO BE ACHIEVED IN CIVILIAN WORKFORCE AND CONTRACTOR EMPLOYEE WORKFORCE OF THE DEPARTMENT OF DEFENSE.

(a) REQUIRED SAVINGS.—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall begin the implementation of an efficiencies plan for the civilian workforce and the service contractor workforce of the Department of Defense which shall achieve savings in the funding for each such workforce over the period from fiscal year 2012 through fiscal year 2017 that are not less, as a percentage of such funding, than the savings in funding for military personnel achieved by the planned reduction in military end strengths over the same period of time.

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

(1) Civilian personnel expenses for personnel as follows:

(A) Personnel in Mission Critical Occupations, as defined by the Civilian Human Capital Strategic Plan of the Department of Defense

and the Acquisition Workforce Plan of the Department of Defense.

(B) Personnel employed at facilities providing core logistics capabilities pursuant to section 2464 of title 10, United States Code.

(C) Personnel in the Offices of the Inspectors General of the Department of Defense.

(2) Service contractor expenses for personnel as follows:

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

(B) Personnel providing medical services.

(C) Personnel performing financial audit services.

(3) Personnel expenses for personnel in the civilian personnel or service contractor workforce performing such other critical functions as may be identified by the Secretary as requiring exemption in the interest of the national defense.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report including a comprehensive description of the plan required by subsection (a).

(2) STATUS REPORTS.—Not later than 60 days after the end of each fiscal year from fiscal year 2013 through fiscal year 2017, the Secretary shall submit to the congressional defense committees a report describing the implementation of the plan during the prior fiscal year. Each such report shall include a direct comparison of the savings achieved under the plan to the savings achieved in the same fiscal year through reductions in military end strengths. In any case in which savings fall short of the annual target, the report shall include an explanation of the reasons for such shortfall.

(3) EXEMPTIONS.—Each report under paragraphs (1) and (2) shall specifically identify any exemption granted by the Secretary under subsection (b)(3) in the period of time covered by the report.

(d) LIMITATION ON TRANSFERS OF FUNCTIONS.—The Secretary shall ensure that the savings required by this section are not achieved through unjustified transfers of functions between or among the military, civilian, and service contractor workforces of the Department of Defense.

(e) SENSE OF CONGRESS.—It is the sense of Congress that an amount equal to 30 percent of the amount of the reductions in appropriated funds attributable to re-

duced budgets for the civilian and service contractor workforces of the Department by reason of the plan required by subsection (a) should be made available for costs of assisting military personnel separated from the Armed Forces in the transition from military service.

(f) SERVICE CONTRACTOR WORKFORCE DEFINED.—In this section, the term ''service contractor workforce'' means contractor employees performing contract services, as defined in section 2330(c)(2) of title 10, United States Code, other than contract services that are funded out of amounts available for overseas contingency operations.

SEC. 342. NATO SPECIAL OPERATIONS HEADQUARTERS.

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

''§ 2350n. NATO Special Operations Headquarters

''(a) AUTHORIZATION.—Of the amounts authorized to be appropriated for fiscal year 2013 and for subsequent fiscal years for the Department of Defense for operation and maintenance, up to $50,000,000 may be used for a fiscal year for the purposes set forth in subsection (b) for support of operations of the North Atlantic Treaty Organization (NATO) Special Operations Headquarters.

"(b) PURPOSES.—The Secretary of Defense may provide funds for the NATO Special Operations Headquarters—

"(1) to improve coordination and cooperation between the special operations forces of NATO member countries;

"(2) to facilitate joint operations by special operations forces of NATO member countries;

"(3) to support command, control, and communications capabilities peculiar to special operations forces of NATO member countries;

"(4) to promote special operations forces intelligence and informational requirements within the NATO structure; and

"(5) to promote interoperability through the development of common equipment standards, tactics, techniques, and procedures, and through execution of multinational education and training programs.

"(c) ANNUAL REPORT.—Not later than April 1 of each year, the Secretary of Defense shall submit to the congressional defense committees a report regarding Department of Defense support for the NATO Special Operations Headquarters. Each report shall include the following:

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

"(2) A summary of the activities funded with such support.

"(3) Other contributions, financial or in kind, provided in support of the NATO Special Operations Headquarters by other NATO member countries.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2350m the following new item:

"2350n. NATO Special Operations Headquarters.".

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

Section 372 of title 10, United States Code, is amended—

(1) by striking "(a) IN GENERAL.—"; and

(2) by striking subsection (b).

SEC. 344. SENSE OF THE CONGRESS ON NAVY FLEET REQUIREMENTS.

It is the sense of Congress that—

(1) The Secretary of the Navy, in supporting the operational requirements of the combatant commands, should maintain in the operational capability

of and perform the necessary maintenance on each cruiser and dock landing ship belonging to the Navy;

(2) for retirements of ships owned by the Navy prior to their projected end of service life, the Chief of Naval Operations must explain to the Congressional Defense Committees how the retention of each ship would degrade the overall readiness of the fleet and endanger United States National Security and the objectives of the combatant commanders; and

(3) revitalizing the Navy's 30-year shipbuilding plan should be a national priority, and a commensurate amount of increased funding should be provided to the Navy in the Future Years Defense Program to help close the gap between requirements and the current size of the fleet.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

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

(1) The Army, 552,100.

(2) The Navy, 322,700.

(3) The Marine Corps, 197,300.

(4) The Air Force, 329,597.

SEC. 402. ADDITIONAL MARINE CORPS PERSONNEL FOR THE MARINE CORPS SECURITY GUARD PROGRAM.

(a) ADDITIONAL PERSONNEL.—

(1) IN GENERAL.—The Secretary of Defense shall develop and implement a plan which shall increase the number of Marine Corps personnel assigned to the Marine Corps Embassy Security Group at Quantico, Virginia, and Marine Security Group Regional Commands and Marine Security Group detachments at United States missions around the world by up to 1,000 Marines during fiscal years 2014 through 2017.

(2) PURPOSE.—The purpose of the increase under paragraph (1) shall be to provide the end strength and resources necessary to support an increase in Marine Corps security at United States consulates and embassies throughout the world, and in particular at locations identified by the Secretary of State as in need of increased security in light of threats to United States personnel and property by terrorists.

(b) CONSULTATION.—The Secretary of Defense shall develop and implement the plan required by subsection (a) in consultation with the Secretary of State pursuant to the responsibility of the Secretary of State for diplomatic

security under section 103 of the Diplomatic Security Act (22 U.S.C. 4802), and in accordance with any current memorandum of understanding between the Department of State and the Marine Corps on the operational and administrative supervision of the Marine Corps Security Guard Program.

(c) FUNDING.—

(1) BUDGET REQUESTS.—The budget of the President for each fiscal year after fiscal year 2013, as submitted to Congress pursuant to section 1105(a) of title 31, United States Code, shall set forth as separate line elements, under the amounts requested for such fiscal year for each of procurement, operation and maintenance, and military personnel to fully fund each of the following:

(A) The Marine Corps.

(B) The Marine Corps Security Guard Program, including for the additional personnel under the Marine Corps Security Guard Program as result of the plan required by subsection (a).

(2) PRESERVATION OF FUNDING FOR USMC UNDER NATIONAL MILITARY STRATEGY.—In determining the amounts to be requested for a fiscal year for the Marine Corps Security Guard Program and

for additional personnel under the Marine Corps Security Guard Program under paragraph (1), the President shall ensure that amounts requested for the Marine Corps for that fiscal year do not degrade the readiness of the Marine Corps to fulfill the requirements of the National Military Strategy.

(d) REPORTS.—

(1) REPORTS ON PROGRAM.—Not later than October 1, 2014, and annually thereafter through October 1, 2017, the Secretary of Defense shall, in coordination with the Secretary of State, submit to Congress a report on the Marine Corps Security Guard Program. Each report shall include the following:

(A) A description of the expanded security support provided by Marine Corps Security Guards to the Department of State during the fiscal year ending on the date of such report, including—

(i) any increased internal security provided at United States embassies and consulates throughout the world;

(ii) any increased support for emergency action planning, training, and advising of host nation security forces; and

(iii) any expansion of intelligence collection activities.

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

(C) A description of the Department of Defense resources required in the fiscal year ending on the date of such report to support the Marine Corps Security Guard program, including total end strength and key supporting programs that enable both its current and expanded mission during such fiscal year.

(D) A reassessment of the mission of the Program, as well as procedural rules of engagement under the Program, in light of current and emerging threats to United States diplomatic personnel, and a description and assessment of options to improve the Program to respond to such threats.

(E) An assessment of the feasibility and advisability of authorizing, funding, and administering the Program as a separate program within the Marine Corps, and if such actions are determined to be feasible and advisable, rec-

ommendations for legislative and administrative actions to provide for authorizing, funding, and administering the Program as a separate program within the Marine Corps.

(2) REPORT ON CHANGES IN SCOPE OF PROGRAM IN RESPONSE TO CHANGING THREATS.—If the President determines that a modification (whether an increase or a decrease) in the scope of the Marine Corps Security Guard Program is necessary or advisable in light of any change in the nature of threats to United States embassies, consulates and other diplomatic facilities abroad, the President shall—

(A) notify Congress of such modification and the change in the nature of threats prompting such modification; and

(B) take such modification into account in requesting an end strength and funds for the Program for any fiscal year in which such modification is in effect.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2013, as follows:

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

(2) The Army Reserve, 205,000.

(3) The Navy Reserve, 62,500.

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

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

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

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

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

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve

component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

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

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

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

(2) The Army Reserve, 16,277.

(3) The Navy Reserve, 10,114.

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

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

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

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

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

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

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

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

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

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

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2013, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2013, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2013, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term "non-dual status technician" has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2013, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

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

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

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

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2013.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Policy

SEC. 501. EXTENSION OF RELAXATION OF LIMITATION ON SELECTIVE EARLY DISCHARGES.

Section 638a(d)(2) of title 10 United States Code, is amended in subparagraphs (A) and (B) by striking ''except that during the period beginning on October 1, 2006,

and ending on December 31, 2012,'' and inserting ''except that through December 31, 2018,''.

SEC. 502. EXCEPTION TO 30-YEAR RETIREMENT FOR REGULAR NAVY WARRANT OFFICERS IN THE GRADE OF CHIEF WARRANT OFFICER, W–5.

(a) EXCEPTION TO STATUTORY 30-YEAR RETIREMENT.—Paragraph (1) of section 1305(a) of title 10, United States Code, is amended—

(1) by inserting ''or a regular Navy warrant officer in the grade of chief warrant officer, W–5, exempted under paragraph (3)'' after ''Army warrant officer''; and

(2) by striking ''he'' and inserting ''the officer''.

(b) MODIFICATION OF STATUTORY RETIREMENT FROM 30 TO 33 YEARS.—Such section is further amended by adding at the end the following new paragraph:

''(3) In the case of a regular Navy warrant officer in the grade of chief warrant officer, W–5, the officer shall be retired 60 days after the date on which the officer completes 33 years of total active service.''.

SEC. 503. MODIFICATION OF DEFINITION OF JOINT DUTY ASSIGNMENT TO INCLUDE ALL INSTRUCTOR ASSIGNMENTS FOR JOINT TRAINING AND EDUCATION.

Section 668(b)(1)(B) of title 10, United States Code, is amended by striking ''assignments for joint'' and all that follows through ''Phase II'' and inserting ''student assignments for joint training and education''.

SEC. 504. SENSE OF SENATE ON INCLUSION OF ASSIGNMENTS AS ACADEMIC INSTRUCTOR AT THE MILITARY SERVICE ACADEMIES AS JOINT DUTY ASSIGNMENTS.

It is the sense of the Senate that the Secretary of Defense should include assignments in which military officers are assigned as instructors responsible for preparing and presenting academic courses on the faculty of the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy as joint duty assignments.

Subtitle B—Reserve Component Management

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

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

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

SEC. 512. RESERVE COMPONENT SUICIDE PREVENTION AND RESILIENCE PROGRAM.

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

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

''§ 10219. Suicide prevention and resilience program

''(a) PROGRAM REQUIREMENT.—The Secretary of Defense shall carry out a program to provide members of the National Guard and Reserves and their families with training in suicide prevention, resilience, and community healing and response to suicide.

''(b) SUICIDE PREVENTION TRAINING.—Under the program, the Secretary shall provide members of the National Guard and Reserves with training in suicide prevention. Such training may include—

''(1) describing the warning signs for suicide and teaching effective strategies for prevention and intervention;

''(2) examining the influence of military culture on risk and protective factors for suicide; and

1 "(3) engaging in interactive case scenarios and
2 role plays to practice effective intervention strate-
3 gies.
4 "(c) COMMUNITY RESPONSE TRAINING.—Under the
5 program, the Secretary shall provide the families and com-
6 munities of members of the National Guard and Reserves
7 with training in responses to suicide that promote indi-
8 vidual and community healing. Such training may in-
9 clude—
10 "(1) enhancing collaboration among community
11 members and local service providers to create an in-
12 tegrated, coordinated community response to suicide;
13 "(2) communicating best practices for pre-
14 venting suicide, including safe messaging, appro-
15 priate memorial services, and media guidelines;
16 "(3) addressing the impact of suicide on the
17 military and the larger community, and the in-
18 creased risk that can result; and
19 "(4) managing resources to assist key commu-
20 nity and military service providers in helping the
21 families, friends, and fellow servicemembers of a sui-
22 cide victim through the processes of grieving and
23 healing.
24 "(d) COMMUNITY TRAINING ASSISTANCE.—The pro-
25 gram shall include the provision of assistance with such

training to the local communities of those servicemembers and families, to be provided in coordination with local community programs.

"(e) COLLABORATION.—In carrying out the program, the Secretary shall collect and analyze 'lessons learned' and suggestions from State National Guard and Reserve organizations with existing or developing suicide prevention and community response programs.

"(f) TERMINATION.—The program under this section shall terminate on October 1, 2015.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1007 of such title is amended by adding at the end the following new item:

"10219. Suicide prevention and resilience program.".

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

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.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study of the adequacy of mechanisms for

the reintegration into civilian life of members of the National Guard and the Reserves following a deployment on active duty in the Armed Forces, including whether permitting such members to remain on active duty for a limited period after such deployment (often referred to as a ''soft landing'') is feasible and advisable for facilitating and easing that reintegration.

(b) ELEMENTS.—

(1) IN GENERAL.—The study required by subsection (a) shall address the unique challenges members of the National Guard and the Reserves face when reintegrating into civilian life following a deployment on active duty in the Armed Forces and the adequacy of the policies, programs, and activities of the Department of Defense to assist such members in meeting such challenges.

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

(A) Disparities in reintegration after deployment between members of the regular components of the Armed Forces and members of the reserve components of the Armed Forces, including—

(i) disparities in access to services, including, but not limited to, health care,

mental health counseling, job counseling, and family counseling;

(ii) disparities in amounts of compensated time provided to take care of personal affairs;

(iii) disparities in amounts of time required to properly access services and to take care of personal affairs, including travel time; and

(iv) disparities in costs of uncompensated events or requirements, including, but not limited to, travel costs and legal fees.

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

(C) Disparities in the lengths of time of deployment between the regular and reserve components of the Armed Forces.

(D) Applicable medical studies on reintegration, including studies on the rest and recuperation needed to appropriately recover from combat and training stress.

(E) Other applicable studies on reintegration policies and practices, including the recommendations made by such studies.

(F) Appropriate recommendations for the elements of a program to assist members of the National Guard and the Reserves following a deployment on active duty in the Armed Forces in reintegrating into civilian life, including means of ensuring that the program applies uniformly across the Armed Forces and between the regular components and reserve components of the Armed Forces.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study required by subsection (a). The report shall set forth the results of the study, including the matters specified in subsection (b), and include such comments and recommendation in light of the study as the Secretary considers appropriate.

Subtitle C—General Service Authorities

SEC. 521. DIVERSITY IN THE ARMED FORCES AND RELATED REPORTING REQUIREMENTS.

(a) PLAN TO ACHIEVE DIVERSITY IN THE ARMED FORCES.—The Secretary of Defense shall develop and implement a plan to accurately measure the efforts of the Department of Defense to achieve the goal of having a dynamic and sustainable 20–30 year pipeline that yields a diverse officer and enlisted corps for the Armed Forces that reflects the population of the United States eligible to serve in the Armed Forces across all the Armed Forces, and all grades of each Armed Force, that is able to prevail in its wars, prevent and deter conflicts, defeat adversaries and succeed in a wide-range of contingencies, and preserve and enhance the all volunteer force. Any metric established pursuant to this subsection may not be used in a manner that undermines the merit-based processes of the Department of Defense, including such processes for accession, retention, and promotion. Such metrics may not be combined with the identification of specific quotas based upon diversity characteristics. The Secretary shall continue to account for diversified language and cultural skills among the total force of the military.

(b) METRICS TO MEASURE PROGRESS IN DEVELOPING AND IMPLEMENTING PLAN.—In developing and implementing the plan under subsection (a), the Secretary of Defense shall develop a standard set of metrics and collection procedures that are uniform across the armed forces. The metrics required by this subsection shall be designed—

(1) to accurately capture the inclusion and capability aspects of the armed forces broader diversity plans, including race, ethnic, and gender specific groups, functional expertise, and diversified cultural and language skills so as to leverage and improve readiness; and

(2) to be verifiable and systematically linked to strategic plans that will drive improvements.

(c) DEFINITION OF DIVERSITY.—In developing and implementing the plan under subsection (a), each Secretary of a military department shall, in consultation with the Secretary of Defense, develop a definition of diversity that is reflective of the culture, mission, and core values of each Armed Force under the jurisdiction of such Secretary.

(d) CONSULTATION.—Not less than annually, the Secretary of Defense shall meet with the Secretaries of the military departments, the Joint Chiefs of Staff, and

1 senior enlisted members of the Armed Forces to discuss
2 the progress being made toward developing and imple-
3 menting the plan established under subsection (a).

4 (e) REPORTS ON IMPLEMENTATION OF PLAN.—Not
5 later than July 1, 2013, and biennially thereafter through
6 July 1, 2017, the Secretary of Defense shall submit to
7 the congressional defense committees a report on the fol-
8 lowing:

9 (1) The progress made in implementing the
10 plan required by subsection (a) to accurately meas-
11 ure the efforts of the Department of Defense to
12 achieve its diversity goals.

13 (2) The number of members of the Armed
14 Forces, including reserve components, listed by sex
15 and race or ethnicity for each grade under each mili-
16 tary department.

17 (3) The number of members of the Armed
18 Forces, including reserve components, who were pro-
19 moted during the years covered by the report, listed
20 by sex and race or ethnicity for each grade under
21 each military department.

22 (4) The number of members of the Armed
23 Forces, including reserve components, who reenlisted
24 or otherwise extended the commitment to military
25 service during the years covered by the report, listed

by sex and race or ethnicity for each grade under each military department.

(5) The available pool of qualified candidates for the general officer grades of general and lieutenant general and the flag officer grades of admiral and vice admiral.

(f) APPLICABILITY TO COAST GUARD.—The Secretary of Homeland Security shall apply the provisions of this section (other than subsection (d)) to the Coast Guard when it is not operating as a service in the Navy in order to achieve diversity in the Coast Guard in the same manner, under the same schedule, and subject to the same conditions as diversity is achieved in the other Armed Forces under this section. The Secretary shall submit to the congressional defense committees the reports required by subsection (e) with respect to the implementation of the provisions of this section regarding the Coast Guard when it is not operating as a service in the Navy.

SEC. 522. MODIFICATION OF AUTHORITY TO CONDUCT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) EXTENSION OF PROGRAMS TO CERTAIN ACTIVE GUARD AND RESERVE PERSONNEL.—Section 533 of Dun-

can Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is amended—

(1) in subsection (a)(1), by inserting ''and members on active Guard and Reserve duty'' after ''officers and enlisted members of the regular components'';

(2) by redesignating subsection (l) as subsection (m); and

(3) by inserting after subsection (k) the following new subsection (l)

''(l) DEFINITION.—In this section, the term 'active Guard and Reserve duty' has the meaning given that term in section 101(d)(6) of title 10, United States Code.''.

(b) AUTHORITY TO CARRY FORWARD UNUSED ACCRUED LEAVE.—Subsection (h) of such section is amended by adding at the end the following new paragraph:

''(5) LEAVE.—A member who participates in a pilot program is entitled to carry forward the existing leave balance accumulated in accordance with section 701 of title 10, United States Code, but not to exceed 60 days.''.

(c) AUTHORITY FOR DISABILITY PROCESSING.—Subsection (j) of such section is amended—

(1) by striking ''for purposes of the entitlement'' and inserting ''for purposes of—

"(1) the entitlement";

(2) by striking the period at the end and inserting "; and"; and

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

"(2) retirement or separation for physical disability under the provisions of chapters 55 and 61 of title 10, United States Code.".

SEC. 523. AUTHORITY FOR ADDITIONAL BEHAVIORAL HEALTH PROFESSIONALS TO CONDUCT PRE-SEPARATION MEDICAL EXAMINATIONS FOR POST-TRAUMATIC STRESS DISORDER.

Section 1177(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking "or psychiatrist" and inserting "psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner"; and

(2) in paragraph (3), by striking "or psychiatrist" and inserting ", psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner".

SEC. 524. QUARTERLY REPORTS ON INVOLUNTARY SEPARATION OF MEMBERS OF THE ARMED FORCES.

(a) QUARTERLY REPORTS REQUIRED.—Not later than 30 days after the end of each calendar year quarter

in 2013 and 2014, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the number of members of the regular components of the Armed Forces under the jurisdiction of such Secretary who were involuntarily separated from active duty in the Armed Forces during such calendar year quarter.

(b) ELEMENTS.—Each report on an Armed Force for a calendar year quarter under subsection (a) shall set forth the following:

(1) The total number members involuntarily separated.

(2) The number of members separated set forth by grade.

(3) The number of members separated set forth by total years of service in the Armed Forces at the time of separation.

(4) The number of members separated set forth by military occupational specialty or rating, or competitive category for officers.

(5) The number of members separated who received involuntary separation pay, or who are authorized to receive temporary retired pay, in connection with separation.

(6) The number of members who completed transition assistance programs relating to future employment.

(7) The average number of months deployed to overseas contingency operations set forth by grade.

SEC. 525. REVIEW OF ELIGIBILITY OF VICTIMS OF DOMESTIC TERRORISM FOR AWARD OF THE PURPLE HEART AND THE DEFENSE MEDAL OF FREEDOM.

(a) REPORT.—Not later than March 1, 2013, the Secretary of Defense shall, in coordination with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on—

(1) the advisability of modifying the criteria for the award of the Purple Heart to provide for the award of the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist attack within the United States that is determined to be inspired by ideological, political, or religious beliefs that give rise to terrorism; and

(2) the advisability of modifying the criteria for the award of the Defense Medal of Freedom to provide for the award of the Defense Medal of Freedom to civilian employees of the United States who are

killed or wounded in a terrorist attack within the United States that is determined to be inspired by ideological, political, or religious beliefs that give rise to terrorism.

(b) DETERMINATION.—As part of the review undertaken to prepare the report required by subsection (a), the Secretary of Defense shall conduct a review of each death or wounding of a member of the Armed Forces or civilian employee of the United States Government that occurred within the United States since September 11, 2001, that could meet the criteria as being the result of a terrorist attack within the United States in order to determine whether such death or wounding qualifies or potentially would qualify for the award of the Purple Heart or the Defense Medal of Freedom.

(c) CONSIDERATIONS.—In conducting the review to prepare the report required by subsection (a), the Secretary of Defense shall take into consideration the following:

(1) The views of veterans service organizations, including the Military Order of the Purple Heart.

(2) The importance that has been assigned to determining all available facts before a decision is made to award the Purple Heart.

(3) Potential effects of an award on the ability to prosecute perpetrators of terrorist acts in military or civilian courts.

(4) The views of the Chairman of the Joint Chiefs of Staff.

SEC. 526. EXTENSION OF TEMPORARY INCREASE IN ACCUMULATED LEAVE CARRYOVER FOR MEMBERS OF THE ARMED FORCES.

Section 701(d) of title 10, United States Code, is amended by striking "September 30, 2013" and inserting "September 30, 2015".

SEC. 527. PROHIBITION ON WAIVER FOR COMMISSIONING OR ENLISTMENT IN THE ARMED FORCES FOR ANY INDIVIDUAL CONVICTED OF A FELONY SEXUAL OFFENSE.

An individual may not be provided a waiver for commissioning or enlistment in the Armed Forces if the individual has been convicted under Federal or State law of a felony offense of any of the following:

(1) Rape.

(2) Sexual abuse.

(3) Sexual assault.

(4) Incest.

(5) Any other sexual offense.

SEC. 528. RESEARCH STUDY ON RESILIENCE IN MEMBERS OF THE ARMY.

(a) RESEARCH STUDY REQUIRED.—

(1) IN GENERAL.—The Secretary of the Army shall carry out a research program on resilience in members of the Army.

(2) PURPOSE.—The purpose of the research study shall be to determine the effectiveness of the current Comprehensive Soldier and Family Fitness (CSF2) Program of the Army while verifying the current means of the Army to reduce trends in high risk or self-destructive behavior and to prepare members of the Army to manage stressful or traumatic situations by training members in resilience strategies and techniques.

(3) ELEMENTS.—In carrying out the research study, the Secretary shall determine the effectiveness of training under the Comprehensive Soldier and Family Fitness program in—

(A) enhancing individual performance through resiliency techniques and use of positive and sports psychology; and

(B) identifying and responding to early signs of high-risk behavior in members of the Army assigned to units involved in the research study.

(4) SCIENCE-BASED EVIDENCE AND TECHNIQUES.—The research study shall be rooted in scientific evidence, using professionally accepted measurements of experiments, of longitudinal research, random-assignment, and placebo-controlled outcome studies to evaluate which interventions can prove positive results and which result in no impact.

(b) LOCATIONS.—The Secretary carry out the research study at locations selected by the Secretary from among Army installations which are representative of the Total Force. Units from all components of the Army shall be involved in the research study.

(c) TRAINING.—In carrying out the research study at an installation selected pursuant to subsection (b), the Secretary shall ensure, at a minimum, that whenever a unit returns from combat deployment to the installation the training established for purposes of the research study is provided to all members of the Army returning for such deployment. The training shall include such training as the Secretary considers appropriate to reduce trends in high risk or self-destructive behavior.

(d) PERIOD.—The Secretary shall carry out the research study through September 30, 2014.

(e) REPORTS.—Not later than 30 days after the end of each of fiscal years 2013 and 2014, the Secretary shall

submit to the Committees on Armed Forces of the Senate and the House of Representatives a report on the research study during the preceding fiscal year. Each report shall include the following:

(1) A description of the trends in high risk or self-destructive behavior within each of the units involved in the research study during the fiscal year covered by such report.

(2) A description of the effectiveness of Comprehensive Soldier and Family Fitness Program training in enhancing individual performance through resiliency techniques, utilization of positive psychology.

(3) In the case of the report on fiscal year 2014, such recommendations for the expansion or modification of the research study as the Secretary considers appropriate.

Subtitle D—Military Justice and Legal Matters Generally

SEC. 531. CLARIFICATION AND ENHANCEMENT OF THE ROLE OF THE STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS.

(a) APPOINTMENT BY THE PRESIDENT AND PERMANENT APPOINTMENT TO GRADE OF MAJOR GENERAL.—

Subsection (a) of section 5046 of title 10, United States Code, is amended—

(1) in the first sentence, by striking ''detailed'' and inserting ''appointed by the President, by and with the advice and consent of the Senate,''; and

(2) in the second sentence—

(A) by striking ''The'' and inserting ''If an officer appointed as the''; and

(B) by striking '', while so serving, has the grade'' and inserting ''holds a lower grade, the officer shall be appointed in the grade''.

(b) DUTIES, AUTHORITY, AND ACCOUNTABILITY.—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) The Staff Judge Advocate to the Commandant of the Marine Corps, under the direction of the Commandant of the Marine Corps and the Secretary of the Navy, shall—

''(1) perform duties relating to legal matters arising in the Marine Corps as may be assigned to the Staff Judge Advocate;

"(2) perform the functions and duties and exercise the powers prescribed for the Staff Judge Advocate to the Commandant of the Marine Corps in chapter 47 of this title (the Uniform Code of Military Justice) and chapter 53 of this title; and

"(3) perform such other duties as may be assigned to the Staff Judge Advocate.".

(c) COMPOSITION OF HEADQUARTERS, MARINE CORPS.—Section 5041(b) of such title is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

"(4) The Staff Judge Advocate to the Commandant of the Marine Corps.".

(d) SUPERVISION OF CERTAIN LEGAL SERVICES.—

(1) ADMINISTRATION OF MILITARY JUSTICE.—Section 806(a) of such title (article 6(a) of the Uniform Code of Military Justice) is amended in the third sentence by striking "The Judge Advocate General" and all that follows through "shall" and inserting "The Judge Advocates General, and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps, or senior members of their staffs, shall".

(2) DELIVERY OF LEGAL ASSISTANCE.—Section 1044(b) of such title is amended by inserting ''and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps'' after ''title)''.

SEC. 532. ADDITIONAL INFORMATION IN REPORTS ON ANNUAL SURVEYS OF THE COMMITTEE ON THE UNIFORM CODE OF MILITARY JUSTICE.

Subsection (c)(2) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) Information from the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps on the following:

''(i) The appellate review process, including—

''(I) information on compliance with processing time goals;

''(II) discussions of the circumstances surrounding cases in which general court-martial or special court-martial convictions

are reversed as a result of command influence or denial of the right to a speedy review or otherwise remitted due to loss of records of trial or other administrative deficiencies; and

"(III) discussions of cases in which a provision of this chapter is held unconstitutional.

"(ii) Developments in appellate case law relating to courts-martial involving allegations of sexual misconduct under this chapter.

"(iii) Issues associated with implementing recent, legislatively directed changes to this chapter or the Manual for Courts-Martial.

"(iv) Measures implemented by each armed force to ensure the ability of judge advocates to competently participate as trial and defense counsel in, and preside as military judges over, capital cases, national security cases, sexual assault cases, and proceedings of military commissions.

"(v) The independent views of the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps on the sufficiency of resources available within

their respective armed forces, including manpower, funding, training, and officer and enlisted grade structure, to capably perform military justice functions.''.

Subtitle E—Sexual Assault, Hazing, and Related Matters

SEC. 541. AUTHORITY TO RETAIN OR RECALL TO ACTIVE DUTY RESERVE COMPONENT MEMBERS WHO ARE VICTIMS OF SEXUAL ASSAULT WHILE ON ACTIVE DUTY.

(a) IN GENERAL.—Chapter 1209 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 12323. Active duty for response to sexual assault

''(a) CONTINUATION ON ACTIVE DUTY.—In the case of a member of a reserve component who is the alleged victim of sexual assault committed while on active duty and who is expected to be released from active duty before the determination of whether the member was assaulted while in the line of duty, the Secretary concerned may, upon the request of the member, order the member to be retained on active duty until the line of duty determination. A member eligible for continuation on active duty under this subsection shall be informed as soon as prac-

1 ticable after the alleged assault of the option to request
2 continuation on active duty under this subsection.

3 "(b) RETURN TO ACTIVE DUTY.—In the case of a
4 member of a reserve component not on active duty who
5 is the alleged victim of a sexual assault that occurred while
6 the member was on active duty and when the determina-
7 tion whether the member was in the line of duty is not
8 completed, the Secretary concerned may, upon the request
9 of the member, order the member to active duty for such
10 time as necessary to complete the line of duty determina-
11 tion.

12 "(c) REGULATIONS.—The Secretaries of the military
13 departments shall prescribe regulations to carry out this
14 section, subject to guidelines prescribed by the Secretary
15 of Defense. The guidelines of the Secretary of Defense
16 shall provide that—

17 "(1) a request submitted by a member de-
18 scribed in subsection (a) or (b) to continue on active
19 duty, or to be ordered to active duty, respectively,
20 must be decided within 30 days from the date of the
21 request; and

22 "(2) if the request is denied, the member may
23 appeal to the first general officer or flag officer in
24 the chain of command of the member, and in the
25 case of such an appeal a decision on the appeal must

be made within 15 days from the date of the appeal.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1209 of such title is amended adding at the end the following new item:

''12323. Active duty for response to sexual assault.''.

SEC. 542. ADDITIONAL ELEMENTS IN COMPREHENSIVE DEPARTMENT OF DEFENSE POLICY ON SEXUAL ASSAULT PREVENTION AND RESPONSE.

(a) ADDITIONAL ELEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall modify the revised comprehensive policy for the Department of Defense sexual assault prevention and response program required by section 1602 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4430; 10 U.S.C. 1561 note) to include in the policy the following:

(1) A requirement to establish within each military department, under regulations prescribed by the Secretary of Defense, an enhanced capability for the investigation, prosecution, and defense of special victim offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(2) A requirement that each military department initiate and retain for a period prescribed by

the Secretary of Defense a record on the disposition of allegations of sexual assault using forms and procedures prescribed by the Secretary.

(3) A requirement that all commanders and commanding officers receive training on sexual assault prevention, response, and policies before, or shortly after, assuming command.

(4) A requirement that all new members of the Armed Forces (whether in the regular or reserve components) receive training on the Department of Defense policy on sexual assault prevention and response program during initial entry training.

(5) A requirement for military commands and units specified by the Secretary of Defense for purposes of the policy to conduct periodic climate assessments of such commands and units for purposes of preventing and responding to sexual assaults.

(6) A requirement to post and widely disseminate information about resources available to report and respond to sexual assaults, including hotline phone numbers and Internet websites available to all members of the Armed Forces.

(7) A requirement to assign responsibility to receive and investigate complaints against members of the Armed Forces and civilian personnel of the De-

partment of Defense for the violation or failure to provide the rights of a crime victim established by section 3771 of title 18, United States Code, as applicable to such members and personnel in accordance with Department of Defense Directive 1030.1, or a successor directive, and Department of Defense Instruction 1030.2, or a successor instruction.

(8) A requirement that each Secretary of a military department establish policies that require that each member of the Armed Forces under the jurisdiction of such Secretary whose conviction for a covered offense is final and who is not punitively discharged from the Armed Forces in connection with such conviction be processed for administrative separation from the Armed Forces, which requirement shall not be interpreted to limit or alter the authority of such Secretary to process members of the Armed Forces for administrative separation for other offenses or under other provisions of law.

(b) DEFINITIONS.—In this section:

(1) The term ''covered offense'' means the following:

(A) Rape or sexual assault under subsection (a) or (b) of section 920 of title 10,

United States Code (article 120 of the Uniform Code of Military Justice).

(B) Forcible sodomy under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice).

(C) An attempt to commit an offense specified in subparagraph (A) or (B) under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(2) The term ''special victim offenses'' means offenses involving allegations of any of the following:

(A) Child abuse.

(B) Rape, sexual assault, or forcible sodomy.

(C) Domestic violence involving aggravated assault.

SEC. 543. HAZING IN THE ARMED FORCES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on hazing in such Armed Force. Not later than 180 days after the date of the enactment of this Act, the Secretary

of Homeland Security shall submit to the committees of Congress referred to in the preceding sentence a report on hazing in the Coast Guard when it is not operating as a service in the Navy, and, for purposes of such report, the Armed Forces shall include the Coast Guard when it is not operating as a service in the Navy.

(b) ELEMENTS.—Each report on an Armed Force required by subsection (a) shall include the following:

(1) A discussion of the policies of the Armed Force for preventing and responding to incidents of hazing.

(2) A description of the methods implemented to track and report, including report anonymously, incidents of hazing in the Armed Force.

(3) An assessment by the Secretary submitting such report of the following:

(A) The scope of the problem of hazing in the Armed Force.

(B) The training on recognizing and preventing hazing provided members of the Armed Force.

(C) The actions taken to prevent and respond to hazing incidents in the Armed Force.

(4) A description of the additional actions, if any, the Secretary submitting such report and the

Chief of Staff of the Armed Force propose to take to further address the incidence of hazing in the Armed Force.

SEC. 544. RETENTION OF CERTAIN FORMS IN CONNECTION WITH RESTRICTED REPORTS ON SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.

(a) PERIOD OF RETENTION.—The Secretary of Defense shall ensure that all copies of Department of Defense Form 2910 and Department of Defense Form 2911 filed in connection with a Restricted Report on an incident of sexual assault involving a member of the Armed Forces shall be retained for the longer of—

(1) 50 years commencing on the date of signature of the member on Department of Defense Form 2910; or

(2) the time provided for the retention of such forms in connection with Unrestricted Reports on incidents of sexual assault involving members of the Armed Forces under Department of Defense Directive-Type Memorandum (DTM) 11–062, entitled "Document Retention in Cases of Restricted and Unrestricted Reports of Sexual Assault", or any successor directive or policy.

(b) PROTECTION OF CONFIDENTIALITY.—Any Department of Defense form retained under subsection (a) shall be retained in a manner that protects the confidentiality of the member of the Armed Forces concerned in accordance with procedures for the protection of confidentiality of information in Restricted Reports under Department of Defense memorandum JTF–SAPR–009, relating to the Department of Defense policy on confidentiality for victims of sexual assault, or any successor policy or directive.

SEC. 545. PREVENTION AND RESPONSE TO SEXUAL HARASSMENT IN THE ARMED FORCES.

(a) COMPREHENSIVE POLICY REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments and the Equal Opportunity Office of the Department of Defense, develop a comprehensive policy to prevent and respond to sexual harassment in the Armed Forces. The policy shall provide for the following:

(A) Training for members of the Armed Forces on the prevention of sexual harassment.

(B) Mechanisms for reporting incidents of sexual harassment in the Armed Forces, including procedures for reporting anonymously.

(C) Mechanisms for responding to and resolving incidents of alleged sexual harassment incidences involving members of the Armed Forces, including through the prosecution of offenders.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the policy required by paragraph (1).

(b) COLLECTION AND RETENTION OF RECORDS ON DISPOSITION OF REPORTS OF SEXUAL HARASSMENT.—

(1) COLLECTION.—The Secretary of Defense shall require that the Secretary of each military department establish a record on the disposition of any report of sexual harassment, whether such disposition is court martial, non-judicial punishment, or other administrative action. The record of any such disposition shall include the following, as appropriate:

(A) Documentary information collected about the incident reported.

(B) Punishment imposed, including the sentencing by judicial or non-judicial means in-

cluding incarceration, fines, restriction, and extra duty as a result of military court-martial, Federal and local court and other sentencing, or any other punishment imposed.

(C) Reasons for the selection of the disposition and punishments selected.

(D) Administrative actions taken, if any.

(E) Any pertinent referrals offered as a result of the incident (such as drug and alcohol counseling and other types of counseling or intervention).

(2) RETENTION.—The Secretary of Defense shall require that—

(A) the records established pursuant to paragraph (1) be retained by the Department of Defense for a period of not less than 50 years; and

(B) a copy of such records be maintained at a centralized location for the same period as applies to retention of the records under subparagraph (A).

(c) ANNUAL REPORT ON SEXUAL HARASSMENT INVOLVING MEMBERS OF THE ARMED FORCES.—

(1) ANNUAL REPORT ON SEXUAL HARASSMENT.—Not later than March 1, 2015, and each

March 1 thereafter through March 1, 2018, the Secretary of each military department shall submit to the Secretary of Defense a report on the sexual harassments involving members of the Armed Forces under the jurisdiction of such Secretary during the preceding year. Each Secretary of a military department shall submit the report on a year under this section at the same time as the submittal of the annual report on sexual assaults during that year under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 1561 note). In the case of the Secretary of the Navy, separate reports shall be prepared under this section for the Navy and the Marine Corps.

(2) CONTENTS.—The report of a Secretary of a military department for an Armed Force under paragraph (1) shall contain the following:

(A) The number of sexual harassments committed against members of the Armed Force that were reported to military officials during the year covered by the report, and the number of the cases so reported that were substantiated.

(B) The number of sexual harassments committed by members of the Armed Force

that were reported to military officials during the year covered by the report, and the number of the cases so reported that were substantiated. The information required by this subparagraph may not be combined with the information required by subparagraph (A).

(C) A synopsis of each such substantiated case and, for each such case, the action taken in such case, including the type of disciplinary or administrative sanction imposed, section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(D) The policies, procedures, and processes implemented by the Secretary during the year covered by the report in response to incidents of sexual harassment involving members of that Armed Force.

(E) Any other matters relating to sexual harassment involving members of the Armed Forces that the Secretary considers appropriate.

SEC. 546. ENHANCEMENT OF ANNUAL REPORTS REGARDING SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 1561 note) is amended—

(1) by striking paragraph (3) and inserting the following new paragraph (3):

"(3) A synopsis of each such substantiated case, organized by offense, and, for each such case, the action taken in such case, including the following information:

"(A) The type of disciplinary or administrative sanction imposed, if any, including courts-martial sentences, non-judicial punishments administered by commanding officers pursuant to section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice), and administrative separations.

"(B) A description of and rationale for the final disposition and punishment, regardless of type of disciplinary or administrative sanction imposed.

"(C) The unit and location of service at which the incident occurred.

"(D) Whether the accused was previously accused of a substantiated sexual assault or sexual harassment.

"(E) Whether the accused was admitted to the Armed Forces under a moral waiver granted with respect to prior sexual misconduct.

"(F) Whether alcohol was involved in the incident.

"(G) If the member was administratively separated or, in the case of an officer, allowed to resign in lieu of facing a court-martial, the characterization given the service of the member upon separation."; and

(2) by adding at the end the following new paragraphs

"(7) The number of applications submitted under section 673 of title 10, United States Code, during the year covered by the report for a permanent change of station or unit transfer for members of the Armed Forces on active duty who are the victim of a sexual assault or related offense, the number of applications denied, and, for each application denied, a description of the reasons why such application was denied.

"(8) An analysis and assessment of trends in the incidence, disposition, and prosecution of sexual assaults by commands and installations during the year covered by the report, including trends relating to prevalence of incidents, prosecution of incidents, and avoidance of incidents.

"(9) An assessment of the adequacy of sexual assault prevention and response activities carried out by training commands during the year covered by the report.

"(10) An analysis of the specific factors that may have contributed to sexual assault during the year covered by the report, including sexual harassment and substance abuse, an assessment of the role of such factors in contributing to sexual assaults during that year, and recommendations for mechanisms to eliminate or reduce the incidence of such factors or their contributions to sexual assaults.".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply beginning with the report required to be submitted by March 1, 2014, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (as amended by subsection (a)).

Subtitle F—Education and Training

SEC. 551. INCLUSION OF THE SCHOOL OF ADVANCED MILITARY STUDIES SENIOR LEVEL COURSE AS A SENIOR LEVEL SERVICE SCHOOL.

Section 2151(b)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(E) The Senior Level Course of the School of Advanced Military Studies of the United States Army Command and General Staff College.".

SEC. 552. MODIFICATION OF ELIGIBILITY FOR ASSOCIATE DEGREE PROGRAMS UNDER THE COMMUNITY COLLEGE OF THE AIR FORCE.

Section 9315(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(3) Enlisted members of the armed forces other than the Air Force who are participating in joint-service medical training and education or serving as instructors in joint-service medical training and education.".

SEC. 553. SUPPORT OF NAVAL ACADEMY ATHLETIC PROGRAMS.

(a) IN GENERAL.—Chapter 603 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 6981. Support of athletic and physical fitness programs

"(a) AUTHORITY.—

"(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Navy may enter into contracts and cooperative agreements with the Association for the purpose of supporting the athletic and physical fitness programs of the Naval Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Naval Academy.

"(2) LEASES.—The Secretary may enter into leases, in accordance with section 2667 of this title, or licenses with the Association for the purpose of supporting the athletic and physical fitness programs of the Naval Academy. Any such lease or li-

cense shall be deemed to satisfy the conditions of section 2667(h)(2) of this title.

"(b) USE OF NAVY PERSONAL PROPERTY BY THE ASSOCIATION.—The Secretary may allow the Association to use, at no cost, personal property of the Department of the Navy to assist the Association in supporting the athletic and physical fitness programs of the Naval Academy.

"(c) ACCEPTANCE OF SUPPORT.—

"(1) SUPPORT RECEIVED FROM THE ASSOCIATION.—Notwithstanding section 1342 of title 31, the Secretary may accept from the Association funds, supplies, and services for the support of the athletic and physical fitness programs of the Naval Academy. For purposes of this section, employees or personnel of the Association may not be considered to be employees of the United States.

"(2) FUNDS RECEIVED FROM NCAA.—The Secretary may accept funds from the National Collegiate Athletic Association to support the athletic and physical fitness programs of the Naval Academy.

"(3) LIMITATION.—The Secretary shall ensure that contributions under this subsection do not reflect unfavorably on the ability of the Department of the Navy, any of its employees, or any member of

the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the integrity or appearance of integrity of any program of the Department of the Navy, or any individual involved in such a program.

"(d) RETENTION AND USE OF FUNDS.—Notwithstanding section 2260(d) of this title, funds received under this section may be retained for use in support of the Naval Academy athletic program and shall remain available until expended.

"(e) TRADEMARKS AND SERVICE MARKS.—

"(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a)(1) may, consistent with sections 2260 (other than subsection (d)) and 5022(b)(3) of this title, authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Naval Academy, subject to the approval of the Department of the Navy.

"(2) LIMITATIONS.—No such licensing, marketing, or sponsorship agreement may be entered into if it would reflect unfavorably on the ability of the Department of the Navy, any of its employees, or any member of the armed forces to carry out any

responsibility or duty in a fair and objective manner, or if the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Navy, or any individual involved in such a program.

''(f) SERVICE ON ASSOCIATION BOARD OF CONTROL.—The Association is a designated entity for which authorization under sections 1033(a) and 1589(a) of this title may be provided.

''(g) CONDITIONS.—The authority provided in this section with respect to the Association is available only so long as the Association continues to—

''(1) qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the laws of the State of Maryland, and the constitution and bylaws of the Association; and

''(2) operate exclusively to support the athletic and physical fitness programs of the Naval Academy.

''(h) ASSOCIATION DEFINED.—In this section, the term 'Association' means the Naval Academy Athletic Association.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 603 of such title is amended by adding at the end the following new item:

"6981. Support of athletic and physical fitness programs.".

SEC. 554. GRADE OF COMMISSIONED OFFICERS IN UNIFORMED MEDICAL ACCESSION PROGRAMS.

(a) MEDICAL STUDENTS OF USUHS.—Section 2114(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking the second sentence and inserting the following new sentences: "Each medical student shall be appointed as a regular officer in the grade of second lieutenant or ensign. An officer so appointed may, upon meeting such criteria for promotion as may be prescribed by the Secretary concerned, be appointed in the regular grade of first lieutenant or lieutenant (junior grade). Medical students commissioned under this section shall serve on active duty in their respective grades."; and

(2) in paragraph (2), by striking "grade of second lieutenant or ensign" and inserting "grade in which the member is serving under paragraph (1)".

(b) PARTICIPANTS IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.—Section 2121(c) of such title is amended—

(1) in paragraph (1), by striking the second sentence and inserting the following new sentences: ''Each person so commissioned shall be appointed as a reserve officer in the grade of second lieutenant or ensign. An officer so appointed may, upon meeting such criteria for promotion as may be prescribed by the Secretary concerned, be appointed in the reserve grade of first lieutenant or lieutenant (junior grade). Medical students commissioned under this section shall serve on active duty in their respective grades for a period of 45 days during each year of participation in the program.''; and

(2) in paragraph (2), by striking ''grade of second lieutenant or ensign'' and inserting ''grade in which the member is serving under paragraph (1)''.

(c) OFFICERS DETAILED AS STUDENTS AT MEDICAL SCHOOLS.—Subsection (e) of section 2004a of such title is amended—

(1) in the subsection heading, by striking ''APPOINTMENT AND TREATMENT OF PRIOR ACTIVE SERVICE'' and inserting ''SERVICE ON ACTIVE DUTY''; and

(2) by striking paragraph (1) and inserting the following new paragraph (1):

"(1) A commissioned officer detailed under subsection (a) shall serve on active duty, subject to the limitations on grade specified in section 2114(b)(1) of this title and with the entitlement to basic pay as specified in section 2114(b)(2) of this title.".

SEC. 555. AUTHORITY FOR SERVICE COMMITMENT FOR RESERVISTS WHO ACCEPT FELLOWSHIPS, SCHOLARSHIPS, OR GRANTS TO BE PERFORMED IN THE SELECTED RESERVE.

(a) IN GENERAL.—Subsection (b) of section 2603 of title 10, United States Code, is amended by striking "on active duty" and all that follows and inserting the following: "as follows:

"(1) On active duty for a period at least three times the length of the period of the education or training.

"(2) In the case of a member of the Selected Reserve—

"(A) on active duty in accordance with paragraph (1); or

"(B) in the Selected Reserve for a period at least five times the length of the period of the education or training.".

(b) TECHNICAL AMENDMENTS.—Such section is further amended by striking ''Armed Forces'' each place it appears and inserting ''armed forces''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to agreements entered into under section 2603(b) of title 10, United States Code, after the date of the enactment of this Act.

SEC. 556. REPEAL OF REQUIREMENT FOR ELIGIBILITY FOR IN-STATE TUITION OF AT LEAST 50 PERCENT OF PARTICIPANTS IN SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM.

Section 2107(c)(1) of title 10, United States Code, is amended by striking the third sentence.

SEC. 557. MODIFICATION OF REQUIREMENTS ON PLAN TO INCREASE THE NUMBER OF UNITS OF THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) NUMBER OF UNITS COVERED BY PLAN.—Subsection (a) of section 548 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4466) is amended by striking ''not less than 3,700 units'' and inserting ''not less than 3,000, and not more than 3,700, units''.

(b) ADDITIONAL EXCEPTION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

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

''(3) if the Secretaries of the military departments determine that the level of support of all kinds (including, but not limited to, appropriated funds) provided to youth development programs within the Armed Forces is consistent with funding limitations and the achievement of the objectives of such programs.''.

(c) SUBMITTAL OF REPORTS.—Subsection (e) of such section is amended by striking ''not later than'' and all that follows and inserting ''annually through 2012, and thereafter not later than March 31 of each of 2015, 2018, and 2020.''.

SEC. 558. CONSOLIDATION OF MILITARY DEPARTMENT AUTHORITY TO ISSUE ARMS, TENTAGE, AND EQUIPMENT TO EDUCATIONAL INSTITUTIONS NOT MAINTAINING UNITS OF THE JUNIOR ROTC.

(a) CONSOLIDATION OF AUTHORITY.—Chapter 152 of title 10, United States Code, is amended by inserting after section 2552 the following new section:

"§ 2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior Reserve Officers' Training Corps

''The Secretary of a military department may issue arms, tentage, and equipment to an educational institution at which no unit of the Junior Reserve Officers' Training Corps is maintained if the educational institution—

''(1) offers a course in military instruction prescribed by that Secretary; and

''(2) has a student body of at least 50 students who are in a grade above the eighth grade.''.

(b) CONFORMING REPEALS.—Sections 4651, 7911, and 9651 of such title are repealed.

(c) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 152 of such title is amended by inserting after the item relating to section 2552 the following new item:

"2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior Reserve Officers' Training Corps".

(2) The table of sections at the beginning of chapter 441 of such title is amended by striking the item relating to section 4651.

(3) The table of sections at the beginning of chapter 667 of such title is amended by striking the item relating to section 7911.

(4) The table of sections at the beginning of chapter 941 of such title is amended by striking the item relating to section 9651.

SEC. 559. MODIFICATION OF REQUIREMENT FOR REPORTS IN FEDERAL REGISTER ON INSTITUTIONS OF HIGHER EDUCATION INELIGIBLE FOR CONTRACTS AND GRANTS FOR DENIAL OF ROTC OR MILITARY RECRUITER ACCESS TO CAMPUS.

Section 983 of title 10, United States Code, is amended by striking subsection (f).

SEC. 560. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE RESERVE OFFICERS' TRAINING CORPS.

(a) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth

the assessment of the Comptroller General regarding the following:

(1) Whether the Reserve Officers' Training Corps (ROTC) programs of the Departments of the Army, the Navy, and the Air Force are effectively meeting, and structured to meet, current and projected requirements for newly commissioned officers in the Armed Forces.

(2) The cost-effectiveness and unit productivity of the current Reserve Officers' Training Corps programs.

(3) The adequacy of current oversight and criteria for unit closure for the Reserve Officers' Training Corps programs.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) A list of the units of the Reserve Officers' Training Corps programs by Armed Force, and by college or university, and the number of cadets and midshipman currently enrolled by class or year group.

(2) The number of officers commissioned in 2012 from the Reserve Officers' Training Corps programs, and the number projected to be commissioned over the period of the current future-years

defense program under section 221 of title 10, United States Code, from each unit listed under paragraph (1).

(3) An assessment of the requirements of each Armed Force for newly commissioned officers in 2012 and the strategic planning regarding such requirements over the period of the current future-years defense program.

(4) The number of military and civilian personnel of the Department of Defense assigned to lead and manage Reserve Officers' Training Corps program units, and the grades of the military personnel so assigned.

(5) An assessment of Department of Defense-wide and Armed-Force specific standards regarding the productivity of Reserve Officers' Training Corps program units, and an assessment of compliance with such standards.

(6) An assessment of the projected use by the Armed Forces of the procedures available to the Armed Forces to respond to overages in the number of cadets and midshipmen in the Reserve Officers' Training Corps programs.

(7) A description of the plans of the Armed Forces to retain or disestablish Reserve Officers'

Training Corps program units that do not meet productivity standards.

SEC. 561. REPORT ON DEPARTMENT OF DEFENSE EFFORTS TO STANDARDIZE EDUCATIONAL TRANSCRIPTS ISSUED TO SEPARATING MEMBERS OF THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the efforts of the Department of Defense to standardize the educational transcripts issued to members of the Armed Forces on their separation from the Armed Forces.

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

(1) A description of the similarities and differences between the educational transcripts issued to members separating from the various Armed Forces.

(2) A description of any assessments done by the Department, or in conjunction with educational institutions, to identify shortcomings in the transcripts issued to separating members in connection

with their ability to qualify for civilian educational credits.

(3) A description of the implementation plan for the Joint Services Transcript, including a schedule and the elements of existing educational transcripts to be incorporated into the Transcript.

SEC. 562. COMPTROLLER GENERAL OF THE UNITED STATES REPORTS ON JOINT PROFESSIONAL MILITARY EDUCATION MATTERS.

(a) REPORT ON REVIEW OF MILITARY EDUCATION COORDINATION COUNCIL REPORT.—

(1) REVIEW OF METHODOLOGY.—The Comptroller General of the United States shall review the methodology used by the Military Education Coordination Council in compiling the report on joint professional military education that is to be submitted to the Director of Joint Force Development by March 1, 2013, pursuant to the Joint Staff Memorandum, Joint Staff Review, dated July 16, 2012. The review shall include an examination of the analytical approach used by the Council for that report, including the types of information considered, the cost savings identified, the benefits of options considered, the time frames for implementation, and transparency.

(2) REPORT.—Not later than 90 days after receiving from the Director of Joint Force Development the report described in paragraph (1), the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review under paragraph (1) of the report described in that paragraph. The report of the Comptroller General under this paragraph shall set forth the following:

(A) The results of the review under paragraph (1).

(B) Such recommendations as the Comptroller General considers appropriate in light of the results of the review.

(b) REPORT ON JOINT PROFESSIONAL MILITARY EDUCATION RESEARCH INSTITUTIONS.—

(1) REPORT REQUIRED.—Not later than January 31, 2014, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the assessment by the Comptroller General of the work performed by joint professional military education research institutions in support of professional military education and the broader mission of the Department of De-

fense, the military departments, and the Defense Agencies.

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of the following:

(A) The systems, mechanisms, and structures within the senior and intermediate joint professional military education colleges and universities for oversight, governance, and management of the joint professional military education research institutions, including systems, mechanisms, and structures relating to the development of policies and budgets for research.

(B) The factors contributing to and the extent of growth in the number and size of joint professional military education research institutions since 2000.

(C) The causes and extent of cost growth at joint professional military education research institutions since 2000.

(D) The focus of research activity conducted by the joint professional military education research institutions, and the extent to which each joint professional military education research institution performs a unique research

function or engages in similar or duplicative efforts with other components or elements of the Department of Defense.

(E) The measures of effectiveness used by the joint professional military education research institutions, the senior and intermediate joint professional military education colleges and universities, and other oversight entities to evaluate the performance of the joint professional military education research institutions in meeting established goals or objectives.

(3) DEFINITIONS.—In this subsection:

(A) The term ''joint professional military education research institutions'' means subordinate organizations (including centers, institutes, and schools) under the senior and intermediate joint professional military education colleges and universities for which research is the primary mission or reason for existence.

(B) The term ''senior and intermediate joint professional military education colleges and universities'' means the following:

(i) The National Defense University.

(ii) The Army War College.

(iii) The Navy War College.

(iv) The Air University.

(v) The Air War College.

(vi) The Marine Corp University.

SEC. 563. TROOPS-TO-TEACHERS PROGRAM ENHANCEMENTS.

(a) MEMORANDUM OF AGREEMENT.—The Secretary of Defense and the Secretary of Education shall enter into a memorandum of agreement pursuant to which the Secretary of Education will undertake the following:

(1) Disseminate information about the Troops-to-Teachers Program to eligible schools (as defined in section 2301(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671(3)), as added by subsection (b)(2)).

(2) Advise the Department of Defense on how to prepare eligible members of the Armed Forces described in section 2303(a) of such Act to become participants in the Program to meet the requirements necessary to become a teacher in an eligible school.

(3) Advise the Department of Defense on how to identify teacher preparation programs for participants in the Program.

(4) Inform the Department of Defense of academic subject areas with critical teacher shortages.

(5) Identify geographic areas with critical teacher shortages, especially in high-need schools (as defined in section 2301(4) of such Act, as added by subsection (b)(2)).

(b) DEFINITIONS.—Section 2301 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) CHARTER SCHOOL.—The term 'charter school' has the meaning given that term in section 5210.

''(3) ELIGIBLE SCHOOL.—The term 'eligible school' means—

''(A) a public school, including a charter school, at which—

''(i) at least 30 percent of the students enrolled in the school are from families with incomes below 185 percent of poverty level (as defined by the Office of Management and Budget and revised at least annually in accordance with section 9(b)(1) of the Richard B. Russell National School

Lunch Act (42 U.S.C. 1758(b)(1)) applicable to a family of the size involved; or

"(ii) at least 13 percent of the students enrolled in the school qualify for assistance under part B of the Individuals with Disabilities Education Act; or

"(B) a Bureau-funded school as defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021).

"(4) HIGH-NEED SCHOOL.—Except for purposes of section 2304(d), the term 'high-need school' means—

"(A) an elementary school or middle school in which at least 50 percent of the enrolled students are children from low-income families, based on the number of children eligible for free and reduced priced lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the number of children eligible to receive medical assistance under the Medicaid program, or a composite of these indicators;

"(B) a high school in which at least 40 percent of enrolled students are children from low-income families, which may be calculated using comparable data from feeder schools; or

"(C) a school that is in a local educational agency that is eligible under section 6211(b).".

(c) PROGRAM AUTHORIZATION.—Section 2302 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6672(b)) is amended by striking subsections (b) through (e) and inserting the following:

"(b) PROGRAM AUTHORIZED.—The Secretary may carry out a program (to be known as the 'Troops-to-Teachers Program') to assist eligible members of the Armed Forces described in section 2303(a) to obtain certification or licensing as elementary school teachers, secondary school teachers, or vocational or technical teachers to meet the requirements necessary to become a teacher in an eligible school.".

(d) YEARS OF SERVICE REQUIREMENTS.—Section 2303(a)(2)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6673(a)(2)(A)(i)) is amended by striking "6 or more years" and inserting "4 or more years".

(e) PARTICIPATION AGREEMENT.—

(1) AMENDMENT.—Section 2304 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6674) is amended—

(A) by striking paragraph (1) of subsection (a) and inserting the following:

''(1) IN GENERAL.—An eligible member of the Armed Forces selected to participate in the Program under section 2303 and to receive financial assistance under this section shall be required to enter into an agreement with the Secretary in which the member agrees—

''(A) within such time as the Secretary may require, to obtain certification or licensing as an elementary school teacher, secondary school teacher, or vocational or technical teacher to meet the requirements necessary to become a teacher in an eligible school; and

''(B) to accept an offer of full-time employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher for not less than 3 school years in an eligible school, to begin the school year after obtaining that certification or licensing.''; and

(B) by striking subsection (f) and inserting the following:

"(f) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—A participant who is paid a stipend or bonus shall be subject to the repayment provisions of section 373 of title 37, United States Code under the following circumstances:

"(1) FAILURE TO OBTAIN QUALIFICATIONS OR EMPLOYMENT.—The participant fails to obtain teacher certification or licensing or to meet the requirements necessary to become a teacher in an eligible school or to obtain employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher as required by the participation agreement.

"(2) TERMINATION OF EMPLOYMENT.—The participant voluntarily leaves, or is terminated for cause from, employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher during the 3 years of required service in violation of the participation agreement.

"(3) FAILURE TO COMPLETE SERVICE UNDER RESERVE COMMITMENT AGREEMENT.—The participant executed a written agreement with the Secretary concerned under section 2303(e)(2) to serve as a member of a reserve component of the Armed

Forces for a period of 3 years and fails to complete the required term of service.''.

(f) EFFECTIVE DATE.—The amendments made by subsections (b) through (e) shall take effect on the first day of the first month beginning more than 90 days after the date of the enactment of this Act.

Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

SEC. 571. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2013 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

SEC. 572. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 573. AMENDMENTS TO THE IMPACT AID PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Impact Aid Improvement Act of 2012''.

(b) AMENDMENTS TO THE IMPACT AID PROGRAM.—Title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) is amended—

(1) in section 8002 (20 U.S.C. 7702)—

(A) in subsection (b)—

(i) in paragraph (2), by striking ''aggregate assessed'' and inserting ''estimated taxable''; and

(ii) by striking paragraph (3) and inserting the following:

''(3) DETERMINATION OF TAXABLE VALUE FOR ELIGIBLE FEDERAL PROPERTY.—

''(A) IN GENERAL.—In determining the estimated taxable value of such acquired Federal property for fiscal year 2010 and each succeeding fiscal year, the Secretary shall—

''(i) first determine the total taxable value for the purpose of levying property tax for school purposes for current expenditures of real property located within the boundaries of such local educational agency;

''(ii) then determine the total taxable value of the eligible Federal property by dividing the total taxable value as determined in clause (i) by the difference between the total acres located within the boundaries of the local educational agency

and the number of Federal acres eligible under this section; and

"(iii) multiply the per acre value as calculated under clause (ii) by the number of Federal acres eligible under this section.

"(B) SPECIAL RULE.—In the case of Federal property eligible under this section that is within the boundaries of 2 or more local educational agencies, such a local educational agency may ask the Secretary to calculate the per acre value of each such local educational agency as provided under subparagraph (A) and apply the average of these per acre values to the acres of the Federal property in such agency.";

(B) in subsection (h)—

(i) in paragraph (1)—

(I) in the paragraph heading, by striking "FOR PRE-1995 RECIPIENTS";

(II) in subparagraph (A), by striking "is eligible" and all that follows through the period at the end and inserting "was eligible to receive a payment under this section for fiscal year 2010."; and

(III) in subparagraph (B), by striking "38 percent" and all that follows through the period at the end and inserting "90 percent of the average payment the local educational agency received in 2006, 2007, 2008, and 2009."; and

(ii) by striking paragraphs (2) through (4) and inserting the following:

"(2) FOUNDATION PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES DETERMINED ELIGIBLE AFTER FISCAL YEAR 2010.—

"(A) FIRST YEAR.—From any amounts remaining after making payments under paragraph (1) and subsection (i)(1) for the fiscal year involved, the Secretary shall make a payment, in an amount determined in accordance with subparagraph (C), to each local educational agency that the Secretary determines eligible for a payment under this section for a fiscal year after fiscal year 2010, for the fiscal year for which such agency was determined eligible for such payment.

"(B) SECOND AND SUCCEEDING YEARS.—For any succeeding fiscal year after the first

fiscal year that a local educational agency receives a foundation payment under subparagraph (A), the amount of the local educational agency's foundation payment under this paragraph for such succeeding fiscal year shall be equal to the local educational agency's foundation payment under this paragraph for the first fiscal year.

"(C) AMOUNTS.—The amount of a payment under subparagraph (A) for a local educational agency shall be determined as follows:

"(i) Calculate the local educational agency's maximum payment under subsection (b).

"(ii) Calculate the percentage that the amount appropriated under section 8014(a) for the most recent fiscal year for which the Secretary has completed making payments under this section is of the total maximum payments for such fiscal year for all local educational agencies eligible for a payment under subsection (b) and multiply the agency's maximum payment by such percentage.

"(iii) Multiply the amount determined under clause (ii) by 90 percent.

"(3) REMAINING FUNDS.—From any funds remaining after making payments under paragraphs (1) and (2) for the fiscal year involved, the Secretary shall make a payment to each local educational agency that received a foundation payment under paragraph (1) or (2) or subsection (i)(1), for the fiscal year involved in an amount that bears the same relation to the remainder as a percentage share determined for the local educational agency (by dividing the maximum amount that the agency is eligible to receive under subsection (b) by the total of the maximum amounts for all such agencies) bears to the percentage share determined (in the same manner) for all local educational agencies eligible to receive a payment under this section for the fiscal year involved, except that, for the purpose of calculating a local educational agency's maximum amount under subsection (b), data from the most current fiscal year shall be used."; and

(C) in subsection (i)(1), by striking "the Secretary shall use the remainder described in subsection (h)(3) for the fiscal year involved" and inserting "the Secretary shall use amounts

remaining after making payments under subsection (h)(1) for the fiscal year involved''; (2) in section 8003(a)(4) (20 U.S.C. 7703(a)(4))—

(A) in the paragraph heading, by striking ''RENOVATION OR REBUILDING'' and inserting ''RENOVATION, REBUILDING, OR AUTHORIZED FOR DEMOLITION'';

(B) in subparagraph (A), by striking ''renovation or rebuilding'' both places the term appears and inserting ''renovation, rebuilding, or authorized for demolition'';

(C) in subparagraph (B)—

(i) by striking ''renovation or rebuilding'' each place the term appears and inserting ''renovation, rebuilding, or authorized for demolition''; and

(ii) in clause (i)(I), by striking ''3 fiscal years'' and inserting ''4 fiscal years (which are not required to run consecutively)''; and

(iii) in clause (ii)(I), by striking ''3 fiscal years'' and inserting ''4 fiscal years (which are not required to run consecutively)''; and

(D) by adding at the end the following:

''(C) ELIGIBLE HOUSING.—Renovation, rebuilding, or authorized for demolition shall be defined as projects considered as recapitalization, modernization, or restoration as defined by the Secretary of Defense or the Secretary of the Interior (as the case may be) and are projects that last more than 30 days, but do not include 'sustainment projects' such as painting, carpeting, or minor repairs.''; and

(3) in section 8010 (20 U.S.C. 7710)—

(A) in subsection (c)—

(i) in paragraph (1), by striking ''paragraph (3) of this subsection'' both places the term appears and inserting ''paragraph (2)''; and

(ii) in paragraph (2)(E), by striking ''under section 8003(b)'' and all that follows through the period at the end and inserting ''under this title.''; and

(B) by adding at the end the following:

''(d) TIMELY PAYMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall pay a local educational agency the full amount that the agency is eligible to receive

under this title for a fiscal year not later than September 30 of the second fiscal year following the fiscal year for which such amount has been appropriated if, not later than 1 calendar year following the fiscal year in which such amount has been appropriated, such local educational agency submits to the Secretary all the data and information necessary for the Secretary to pay the full amount that the agency is eligible to receive under this title for such fiscal year.

''(2) PAYMENTS WITH RESPECT OF FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—For a fiscal year in which the amount appropriated under section 8014 is insufficient to pay the full amount a local educational agency is eligible to receive under this title, paragraph (1) shall be applied by substituting 'is available to pay the agency' for 'the agency is eligible to receive' both places the term appears.''.

(c) EFFECTIVE DATE.—Notwithstanding section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)), subsection (b)(1), and the amendments made by subsection (b)(1), shall take effect with respect to applications submitted under section 8002

of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702) for fiscal year 2010.

SEC. 574. MILITARY SPOUSES.

(a) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

"§ 3330d. Appointment of certain military spouses

"(a) DEFINITIONS.—In this section—

"(1) the term 'active duty'—

"(A) has the meaning given that term in section 101(d)(1) of title 10;

"(B) includes full-time National Guard duty (as defined in section 101(d)(5) of title 10); and

"(C) for a member of a reserve component (as described in section 10101 of title 10), does not include training duties or attendance at a service school;

"(2) the term 'agency'—

"(A) has the meaning given the term 'Executive agency' in section 105; and

"(B) does not include the Government Accountability Office;

"(3) the term 'geographic area of the permanent duty station' means the area from which indi-

viduals reasonably can be expected to travel daily to and from work at the location of a member's permanent duty station;

"(4) the term 'permanent change of station' means the assignment, detail, or transfer of a member of the Armed Forces who is on active duty and serving at a permanent duty station under a competent authorization or order that does not—

"(A) specify the duty as temporary;

"(B) provide for assignment, detail, or transfer, after that different permanent duty station, to a further different permanent duty station; or

"(C) direct return to the initial permanent duty station;

"(5) the term 'relocating spouse of a member of the Armed Forces' means an individual who—

"(A) is married to a member of the Armed Forces (without regard to whether the individual married the member before a permanent change of station of the member) who is ordered to active duty for a period of more than 180 consecutive days;

"(B) relocates to the member's permanent duty station; and

"(C) before relocating as described in subparagraph (B), resided outside the geographic area of the permanent duty station; and

"(6) the term 'spouse of a disabled or deceased member of the Armed Forces' means an individual—

"(A) who is married to a member of the Armed Forces who—

"(i) is retired, released, or discharged from the Armed Forces; and

"(ii) on the date on which the member retires, is released, or is discharged, has a disability rating of 100 percent under the standard schedule of rating disabilities in use by the Department of Veterans Affairs; or

"(B) who—

"(i) was married to a member of the Armed Forces on the date on which the member dies while on active duty in the Armed Forces; and

"(ii) has not remarried.

"(b) AUTHORITY.—The head of an agency may appoint noncompetitively a relocating spouse of a member of the Armed Forces or a spouse of a disabled or deceased member of the Armed Forces.

"(c) RELOCATING SPOUSES.—

"(1) IN GENERAL.—An appointment of a relocating spouse of a member of the Armed Forces under this section may only be to a position the duty station for which is within the geographic area of the permanent duty station of the member of the Armed Forces, unless there is no agency with a position with a duty station within the geographic area of the permanent duty station of the member of the Armed Forces.

"(2) SINGLE APPOINTMENT PER DUTY STATION.—A relocating spouse of a member of the Armed Forces may not receive more than 1 appointment under this section for each time the spouse relocates as described in subparagraphs (B) and (C) of subsection (a)(5).".

(b) REGULATIONS.—Not later than 180 after the date of enactment of this Act, the Director of the Office of Personnel Management shall amend section 315.612 of title 5, Code of Federal Regulations (relating to noncompetitive appointment of certain military spouses) in accordance with the amendment made by subsection (a) and promulgate or amend any other regulations necessary to carry out the amendment made by subsection (a).

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by inserting after the item relating to section 3330c the following:

"3330d. Appointment of certain military spouses.".

SEC. 575. MODIFICATION OF AUTHORITY TO ALLOW DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS TO ENROLL CERTAIN STUDENTS.

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsections:

"(k) TUITION-FREE ENROLLMENT IN DOMESTIC DEPENDENT SCHOOLS FOR CERTAIN OVERSEAS DEPENDENTS.—Tuition-free enrollment in the domestic dependent elementary and secondary schools is authorized for dependents who are currently enrolled in the defense dependents' education school system pursuant to the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) if—

"(1) such dependents departed their overseas location due to an authorized departure or evacuation order;

"(2) the designated safe haven of such dependents is located within commuting distance of a

school operated by the domestic dependent elementary and secondary schools; and

"(3) the school concerned already possesses the capacity and resources for such dependents to attend the school.

"(l) TUITION-PAYING ENROLLMENT IN VIRTUAL ELEMENTARY AND SECONDARY EDUCATION PROGRAM FOR CERTAIN DEPENDENTS TRANSITIONING FROM OVERSEAS.—Under regulations prescribed by the Secretary, tuition-paying enrollment in the virtual elementary and secondary education program of the Department for dependents of members of the armed forces on active duty is authorized when such dependents—

"(1) transition from an overseas defense dependents' education system school into a school operated by a local educational agency or another accredited educational program in the United States, and

"(2) are not otherwise eligible to enroll in a domestic dependent elementary or secondary school pursuant to subsection (a).".

SEC. 576. SENSE OF CONGRESS REGARDING SUPPORT FOR YELLOW RIBBON DAY.

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

(1) The hopes and prayers of the people of the United States for the safe return of members of the Armed Forces of the United States serving overseas are often demonstrated through the proud display of yellow ribbons.

(2) The designation of a ''Yellow Ribbon Day'' would serve as an additional reminder for all people of the United States of the continued sacrifice of members of the Armed Forces.

(3) Yellow Ribbon Day would also recognize the history and meaning of the yellow ribbon as the symbol of support for members of the Armed Forces and other individuals of the United States who are serving in combat or crisis situations overseas.

(b) SENSE OF CONGRESS.—Congress supports the goals and ideals of Yellow Ribbon Day in honor of members of the Armed Forces of the United States who are serving overseas apart from their families and loved ones.

SEC. 577. REPORT ON FUTURE OF FAMILY SUPPORT PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the anticipated future of the family support programs of the Department of Defense during

the five-year period beginning on the date of the submittal of the report as end strengths for the Armed Forces are reduced and the Armed Forces are drawn down from combat operations in Afghanistan.

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

(1) A description of the current family support programs of each of the Armed Forces and the Department of Defense, including the name, scope and intended purpose of each program.

(2) An assessment of the current costs of the family support programs covered by paragraph (1), and an estimate of the costs of anticipated family support programs of the Department over the period covered by the report.

(3) An assessment of the costs and other consequences associated with the elimination or reduction of any current family support programs of the Department over the period covered by the report.

(4) An assessment by the Secretary of the Army of the Family Readiness Support Assistant program, and a description of any planned or anticipated changes to that program over the period covered by the report.

Subtitle H—Other Matters

SEC. 581. FAMILY BRIEFINGS CONCERNING ACCOUNTINGS FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.

Section 1501(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(D) coordination of periodic briefing of families of missing persons about the efforts of the Department of Defense to account for those persons.''.

SEC. 582. ENHANCEMENT OF AUTHORITY TO ACCEPT GIFTS AND SERVICES.

(a) ACTIVITIES BENEFITTING EDUCATION AS SERVICES SUBJECT TO ACCEPTANCE.—Section 2601(i)(2) of title 10, United States Code, is amended by inserting ''education,'' before ''morale,''.

(b) ACCEPTANCE OF VOLUNTARY SERVICES IN CONNECTION WITH ACCOUNTING FOR MISSING PERSONS.—

Section 1588(a) of such title is amended by adding at the end the following new paragraph:

"(9) Voluntary services to facilitate accounting for missing persons.".

(c) AUTHORITY FOR COOPERATIVE AGREEMENTS FOR ACCEPTANCE BY MILITARY MUSEUMS AND EDUCATION PROGRAMS OF NONPROFIT SUPPORT.—

(1) IN GENERAL.—Chapter 155 of such title is amended by adding at the end the following new section:

"§ 2615. Military museums and military education programs: cooperative agreements for receipt of support from nonprofit entities

"The Secretary concerned may enter into a cooperative agreement (as described in section 6305 of title 31) with a nonprofit entity for purposes related to support of a military educational institution program or military museum program if a cooperative agreement is the appropriate mechanism to obtain such support under the provisions of section 6305 of title 31.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 155 of such title is amended by adding at the end the following new item:

"2615. Military museums and military education programs: cooperative agreements for receipt of support from nonprofit entities.".

SEC. 583. CLARIFICATION OF AUTHORIZED FISHER HOUSE RESIDENTS AT THE FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE, DELAWARE.

(a) TREATMENT OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION.—Subsection (a) of section 2493 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking ''by patients'' and all that follows through ''such patients;'' and inserting ''by authorized Fisher House residents;''; and

(B) by adding after subparagraph (C) the following new flush sentence:

''The term includes the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, so long as such facility is available for residential use on a temporary basis by authorized Fisher House residents.''; and

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

''(3) The term 'authorized Fisher House residents' means the following:

"(A) With respect to a facility described in the first sentence of paragraph (1) that is located in proximity to a health care facility of the Army, the Air Force, or the Navy, the following persons:

"(i) Patients of that health care facility.

"(ii) Members of the families of such patients.

"(iii) Others providing the equivalent of familial support for such patients.

"(B) With respect to the Fisher House for Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, the following persons:

"(i) The primary next of kin of a member of the armed forces who dies while located or serving overseas.

"(ii) Other family members of the deceased member who are eligible for transportation under section 411f(e) of title 37.

"(iii) An escort of a family member described in clause (i) or (ii).".

(b) CONFORMING AMENDMENTS.—Subsections (b), (e), (f), and (g) of such section are amended by striking ''health care'' each place it appears.

(c) REPEAL OF SUPERSEDED AUTHORITY.—Section 643 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1466) is repealed.

SEC. 584. REPORT ON ACCURACY OF DATA IN THE DEFENSE ENROLLMENT ELIGIBILITY REPORTING SYSTEM.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to improve the completeness and accuracy of the data contained in the Defense Enrollment Eligibility Reporting System (DEERS) in order to provide for the standardization of identification credentials required for eligibility, enrollment, transactions, and updates across all Department of Defense installations and to ensure that those issued military identification cards and receiving benefits based on such data are actually eligible for such cards and benefits.

SEC. 585. POSTHUMOUS HONORARY PROMOTION OF SERGEANT PASCHAL CONLEY TO SECOND LIEUTENANT IN THE ARMY.

Notwithstanding the time limitation specified in section 1521 of title 10, United States Code, or any other time limitation with respect to posthumous promotions for persons who served in the Armed Forces, the President is authorized to issue an appropriate posthumous honorary commission promoting to second lieutenant in the Army under section 1521 of such title Sergeant (retired) Paschal Conley, a distinguished Buffalo Soldier who was recommended for promotion to second lieutenant under then-existing procedures by General John J. Pershing.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. RATES OF BASIC ALLOWANCE FOR HOUSING FOR ARMY NATIONAL GUARD AND AIR NATIONAL GUARD MEMBERS ON FULL-TIME NATIONAL GUARD DUTY.

Section 403(g) of title 37, United States Code, is amended by adding at the end the following new paragraph:

''(6)(A) The rate of basic allowance for housing to be paid to a member of the Army National Guard of the United States or the Air National Guard of the United

States on full-time National Guard duty shall be based on the member's duty location.

"(B)(i) The rate of basic allowance for housing to be paid a member described in subparagraph (A) may not be modified upon the transition of the member from active duty to full-time National Guard duty, or from full-time National Guard duty to active duty, when the transition occurs without a break in active service, unless the transition results in a permanent change of station and shipment of household goods.

"(ii) For purposes of this subparagraph, a break in active service occurs when one or more calendar days between active service periods do not qualify as active service.".

SEC. 602. PAYMENT OF BENEFIT FOR NONPARTICIPATION OF ELIGIBLE MEMBERS IN POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE PROGRAM DUE TO GOVERNMENT ERROR.

(a) PAYMENT OF BENEFIT.—

(1) IN GENERAL.—Subject to subsection (e), the Secretary concerned shall, upon application therefor, make a payment to each individual described in paragraph (2) of $200 for each day of nonparticipation of such individual in the Post-De-

ployment/Mobilization Respite Absence program as described in that paragraph.

(2) COVERED INDIVIDUALS.—An individual described in this paragraph is an individual who—

(A) was eligible for participation as a member of the Armed Forces in the Post-Deployment/Mobilization Respite Absence program; but

(B) as determined by the Secretary concerned pursuant to an application for the correction of the military records of such individual pursuant to section 1552 of title 10, United States Code, did not participate in one or more days in the program for which the individual was so eligible due to Government error.

(b) DECEASED INDIVIDUALS.—

(1) APPLICATIONS.—If an individual otherwise covered by subsection (a) is deceased, the application required by that subsection shall be made by the individual's legal representative.

(2) PAYMENT.—If an individual to whom payment would be made under subsection (a) is deceased at time of payment, payment shall be made in the manner specified in section 1552(c)(2) of title 10, United States Code.

(c) PAYMENT IN LIEU OF ADMINISTRATIVE ABSENCE.—Payment under subsection (a) with respect to a day described in that subsection shall be in lieu of any entitlement of the individual concerned to a day of administrative absence for such day.

(d) CONSTRUCTION.—

(1) CONSTRUCTION WITH OTHER PAY.—Any payment with respect to an individual under subsection (a) is in addition to any other pay provided by law.

(2) CONSTRUCTION OF AUTHORITY.—It is the sense of Congress that—

(A) the sole purpose of the authority in this section is to remedy administrative errors; and

(B) the authority in this section is not intended to establish any entitlement in connection with the Post-Deployment/Mobilization Respite Absence program.

(e) OFFSET.—The Secretary of Defense shall transfer $2,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

(f) DEFINITIONS.—In this section, the terms ''Post-Deployment/Mobilization Respite Absence program'' and ''Secretary concerned'' have the meaning given such terms in section 604(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2350).

SEC. 603. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking "December 31, 2012" and inserting "December 31, 2013":

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 302c–1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN AMOUNT OF OFFICER AFFILIATION BONUS FOR OFFICERS IN THE SELECTED RESERVE.

Section 308j(d) of title 37, United States Code, is amended by striking ''$10,000'' and inserting ''$20,000''.

SEC. 617. INCREASE IN MAXIMUM AMOUNT OF INCENTIVE BONUS FOR RESERVE COMPONENT MEMBERS WHO CONVERT MILITARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL SHORTAGES.

Section 326(c)(1) of title 37, United States Code, is amended by striking ", in the case of" the first place it appears and all that follows through "reserve component of the armed forces".

Subtitle C—Travel and Transportation Allowances

SEC. 631. PERMANENT CHANGE OF STATION ALLOWANCES FOR MEMBERS OF SELECTED RESERVE UNITS FILLING A VACANCY IN ANOTHER UNIT AFTER BEING INVOLUNTARILY SEPARATED.

(a) TRAVEL AND TRANSPORTATION ALLOWANCES GENERALLY.—Section 474 of title 37, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking "and" at the end;

(B) in paragraph (5), by striking the period at the end and inserting "; and"; and

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

"(6) upon filling a vacancy in a Selected Reserve unit at a duty station that is more than 150 miles from the member's residence if—

"(A) during the preceding three years the member was involuntarily separated under other than adverse conditions (as characterized by the Secretary concerned) while assigned to a unit of the Selected Reserve certified by the Secretary concerned as having been adversely affected by force structure reductions during the period beginning on October 1, 2012, and ending on December 31, 2018;

"(B) the involuntary separation occurred during the period beginning on October 1, 2012, and ending on December 31, 2018; and

"(C) the member is—

"(i) qualified in a skill designated as critically short by the Secretary concerned; or

"(ii) filling a vacancy in a Selected Reserve unit with a critical manpower shortage, or in a pay grade with a critical manpower shortage in such unit.";

(2) in subsection (f), by adding at the end the following new paragraph:

"(4)(A) A member may be provided travel and transportation allowances under subsection (a)(6) only with respect to the filling of a vacancy in a Selected Reserve unit one time.

"(B) Regulations under this section shall provide that whenever travel and transportation allowances are paid under subsection (a)(6), the cost shall be borne by the unit filling the vacancy."; and

(3) in subsection (j), by striking "In this" and inserting "Other than in subsection (a)(6), in this".

(b) TRAVEL AND TRANSPORTATION ALLOWANCES FOR DEPENDENTS AND HOUSEHOLD EFFECTS.—Section 476 of such title is amended—

(1) by redesignating subsections (l), (m), and (n) as subsections (m), (n), and (o); and

(2) by inserting after subsection (k) the following new subsection (l)

"(l)(1) A member described in paragraph (2) is entitled to the travel and transportation allowances, including allowances with respect to dependents, authorized by this section upon filling a vacancy as described in that paragraph as if the member were undergoing a permanent change of station under orders in filling such vacancy.

"(2) A member described in this paragraph is a member who is filling a vacancy in a Selected Reserve unit at

a duty station that is more than 150 miles from the member's residence if—

"(A) during the three years preceding filling the vacancy, the member was involuntarily separated under other than adverse conditions (as characterized by the Secretary concerned) while assigned to a unit of the Selected Reserve certified by the Secretary concerned as having been adversely affected by force structure reductions during the period beginning on October 1, 2012, and ending on December 31, 2018;

"(B) the involuntary separation occurred during the period beginning on October 1, 2012, and ending on December 31, 2018; and

"(C) the member is—

"(i) qualified in a skill designated as critically short by the Secretary concerned; or

"(ii) filling a vacancy in a Selected Reserve unit with a critical manpower shortage, or in a pay grade with a critical manpower shortage in such unit.

"(3) Any allowances authorized by this section that are payable under this subsection may be payable in advance if payable in advance to a member undergoing a

permanent change of station under orders under the applicable provision of this section.''.

SEC. 632. AUTHORITY FOR COMPREHENSIVE PROGRAM FOR SPACE-AVAILABLE TRAVEL ON DEPARTMENT OF DEFENSE AIRCRAFT.

(a) IN GENERAL.—Chapter 157 of title 10, United States Code, is amended by inserting after section 2641b the following new section:

''§ 2641c. Space-available travel on Department of Defense aircraft

''(a) AUTHORITY TO ESTABLISH PROGRAM.—(1) The Secretary of Defense may establish a program to provide transportation on Department of Defense aircraft on a space-available basis.

''(2) The program shall be conducted pursuant to regulations prescribed by the Secretary for purposes of this section. Such regulations shall be prescribed by not later than January 1, 2014, and shall take effect on that date or such earlier date as the Secretary shall specify in such regulations.

''(3) The program shall be conducted in a budget neutral manner. No additional funds may be used, or flight hours performed, for the provision of transportation under the program.

"(b) BENEFIT.—If the Secretary establishes a program authorized by subsection (a), the Secretary shall, subject to section (c), provide the benefit under the program to the following categories of individuals:

"(1) Members of the armed forces on active duty.

"(2) Members of the Selected Reserve who hold a valid Uniformed Services Identification and Privilege Card.

"(3) Retired members of a regular or reserve component of the armed forces, including retired members of reserve components, who, but for being under the eligibility age applicable under section 12731 of this title, would be eligible for retired pay under chapter 1223 of this title.

"(4) The unremarried spouses of members of the armed forces who were killed on active duty or otherwise died in the line of duty, and the unremarried spouses of former members of the armed forces who died of a combat-related illness or injury, who hold a valid Uniformed Services Identification and Privilege Card.

"(5) Such categories of dependents of individuals described in paragraphs (1) through (3) as the Secretary shall specify in the regulations under sub-

section (a), under such conditions and circumstances as the Secretary shall specify in such regulations.

''(6) Such other categories of individuals as the Secretary, in the discretion of the Secretary, considers appropriate.

''(c) ADMINISTRATION.—In carrying out a program under this section, the Secretary shall—

''(1) in the sole discretion of the Secretary, establish an order of priority for transportation under the program for categories of individuals under subsection (b) that is based on considerations of military necessity, humanitarian concerns, and enhancement of morale;

''(2) give priority in consideration of transportation under the program to the demands of members of the armed forces in the regular components and in the reserve components on active duty and to the need to provide such members, and their dependents, a means of respite from such demands; and

''(3) implement policies aimed at ensuring cost control and the safety, security, and efficient processing of travelers, including limiting the benefit under the program to one or more categories of individuals set forth in subsection (b) if considered necessary by the Secretary.

"(d) CONSTRUCTION.—The authority to provide transportation under this section is in addition to any other authority under law to provide transportation on Department of Defense aircraft on a space-available basis.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 157 of such title is amended by inserting after the item relating to section 2641b the following new item:

"2641c. Space-available travel on Department of Defense aircraft.".

Subtitle D—Disability, Retired Pay, and Survivor Benefits

SEC. 641. REPEAL OF REQUIREMENT FOR PAYMENT OF SURVIVOR BENEFIT PLAN PREMIUMS WHEN PARTICIPANT WAIVES RETIRED PAY TO PROVIDE A SURVIVOR ANNUITY UNDER FEDERAL EMPLOYEES RETIREMENT SYSTEM AND TERMINATION OF PAYMENT OF SURVIVOR BENEFIT PLAN ANNUITY.

(a) DEPOSITS NOT REQUIRED.—Section 1452(e) of title 10, United States Code, is amended—

(1) in the subsection heading, by inserting "AND FERS" after "CSRS";

(2) by inserting "or for the purposes of chapter 84 of title 5," after "chapter 83 of title 5,";

(3) by inserting "or 8416(a)" after "8339(j)"; and

(4) by inserting ''or 8442(a)'' after ''8341(b)''.

(b) CONFORMING AMENDMENTS.—Section 1450(d) of such title is amended—

(1) by inserting ''or for the purposes of chapter 84 of title 5,'' after ''chapter 83 of title 5,'';

(2) by inserting ''or 8146(a)'' after ''8339(j)''; and

(3) by inserting ''or 8442(a)'' after ''8341(b).''

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to any participant electing a annuity for survivors under chapter 84 of title 5, United States Code, on or after the date of the enactment of this Act.

SEC. 642. REPEAL OF AUTOMATIC ENROLLMENT IN FAMILY SERVICEMEMBERS' GROUP LIFE INSURANCE FOR MEMBERS OF THE ARMED FORCES MARRIED TO OTHER MEMBERS.

Section 1967(a)(1) of title 38, United States Code, is amended—

(1) in subparagraph (A)(ii), by inserting after ''insurable dependent of the member'' the following: ''(other than a dependent who is also a member of a uniformed service and, because of such membership, automatically insured under this paragraph)''; and

(2) in subparagraph (C)(ii), by inserting after ''insurable dependent of the member'' the following: ''(other than a dependent who is also a member of a uniformed service and, because of such membership, automatically insured under this paragraph)''.

SEC. 643. CLARIFICATION OF COMPUTATION OF COMBAT-RELATED SPECIAL COMPENSATION FOR CHAPTER 61 DISABILITY RETIREES.

(a) IN GENERAL.—Section 1413a(b)(3) of title 10, United States Code, is amended by striking ''shall be reduced by the amount (if any) by which the amount of the member's retired pay under chapter 61 of this title exceeds'' both places it appears and inserting ''may not, when combined with the amount of retired pay payable to the retiree after any such reduction under sections 5304 and 5305 of title 38, cause the total of such combined payment to exceed''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply to payments for months beginning on or after that date.

Subtitle E—Military Lending Matters

SEC. 651. ENHANCEMENT OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) CONSUMER CREDIT.—Paragraph (6) of section 987(i) of title 10, United States Code, is amended to read as follows:

"(6) CONSUMER CREDIT.—

"(A) IN GENERAL.—The term 'consumer credit' shall be defined by the Secretary of Defense in regulations prescribed under this section, and shall include, in addition to any other meaning provided for in such regulations, the following:

"(i) A vehicle title loan for any duration, whether open end or closed end.

"(ii) A payday loan for any duration, whether open end or closed end.

"(iii) A tax refund anticipation loan.

"(B) EXCLUSIONS.—The term 'consumer credit' does not include the following:

"(i) A residential mortgage.

"(ii) A loan procured in the course of purchasing a car or other personal prop-

erty, when that loan is offered for the express purpose of financing the purchase and is secured by the car or personal property procured.''.

(b) POLICY ON PREDATORY EXTENSION OF CREDIT THROUGH INSTALLMENT LOANS TARGETING MEMBERS OF THE ARMED FORCES AND DEPENDENTS.—

(1) POLICY REQUIRED.—The Secretary of Defense shall, in consultation with the officials and entities specified in section 987(h)(3) of title 10, United States Code, prescribe a policy on the predatory extension of credit through installment loans targeting members of the Armed Forces and their dependents.

(2) OBJECTIVES.—The objectives of the policy required by paragraph (1) shall be as follows:

(A) To enhance protections afforded members of the Armed Forces and their dependents under section 987 of title 10, United States Code, by curbing continuing predatory lending practices targeting members of the Armed Forces and their dependents that are not currently regulated under that section.

(B) To improve the financial literacy of members of the Armed Forces and their de-

pendents with respect to installment loans and other forms of credit not currently regulated under section 987 of title 10, United States Code.

(C) To make members of the Armed Forces and their dependents aware of other, more beneficial sources of financial aid and credit services (such as those available through military relief societies) than installment loans.

(D) If considered appropriate by the Secretary of Defense, to provide, by regulation, for the coverage under section 987 of title 10, United States Code, of installment loans extended to members of the Armed Forces and dependents protected by that section.

(c) EFFECTIVE DATE.—

(1) MODIFICATION OF REGULATIONS.—The Secretary of Defense shall modify the regulations prescribed under section 987 of title 10, United States Code, to take into account the amendment made by subsection (a).

(2) EFFECTIVE DATE OF MODIFICATION AND POLICY.—The amendment made by subsection (a), and the policy required by subsection (b), shall take effect on—

(A) the date that is one year after the date of the enactment of this Act; or

(B) such earlier date as the Secretary shall specify.

(3) PUBLICATION OF EARLIER DATE.—If pursuant to paragraph (2)(B) the Secretary specifies an earlier effective date for the amendment made by subsection (a) and the policy required by subsection (b), the Secretary shall publish notice of such earlier effective date in the Federal Register not later than 90 days before such earlier effective date.

SEC. 652. ADDITIONAL ENHANCEMENTS OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) PROTECTIONS AGAINST DIFFERENTIAL TREATMENT ON CONSUMER CREDIT UNDER STATE LAW.—Subsection (d)(2) of section 987 of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting ''any consumer credit or'' before ''loans''; and

(2) in subparagraph (B), by inserting ''covering consumer credit'' after ''State consumer lending protections''.

(b) REGULAR CONSULTATIONS ON PROTECTIONS.—Subsection (h)(3) of such section is amended—

(1) in the matter preceding subparagraph (A)—

(A) by inserting ''and not less often than once every two years thereafter,'' after ''under this subsection,''; and

(B) by inserting ''appropriate Federal agencies, including'' before ''the following'';

(2) by striking subparagraph (E); and

(3) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively.

(c) EFFECTIVE DATE.—

(1) MODIFICATION OF REGULATIONS.—The Secretary of Defense shall modify the regulations prescribed under section 987 of title 10, United States Code, to take into account the amendments made by subsection (a).

(2) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on—

(A) the date that is one year after the date of the enactment of this Act; or

(B) such earlier date as the Secretary shall specify in the modification of regulations required by paragraph (1).

(3) PUBLICATION OF EARLIER DATE.—If the Secretary specifies an earlier effective date for the amendments made by subsection (a) pursuant to paragraph (2)(B), the Secretary shall publish notice of such earlier effective date in the Federal Register not later than 90 days before such earlier effective date.

SEC. 653. RELIEF IN CIVIL ACTIONS FOR VIOLATIONS OF PROTECTIONS ON CONSUMER CREDIT EXTENDED TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) IN GENERAL.—Section 987(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(5) CIVIL LIABILITY.—

"(A) IN GENERAL.—A person who violates this section with respect to any person is civilly liable to such person for—

"(i) any actual damage sustained as a result, but not less than $500 for each violation;

"(ii) appropriate punitive damages;

"(iii) appropriate equitable or declaratory relief;

"(iv) any other relief provided by law;

"(v) in any successful action to enforce the foregoing liability, the costs of the action, together with reasonable attorney fees as determined by the court; and

"(vi) in any successful action by a defendant under this section, if the court finds the action was brought in bad faith and for the purpose of harassment, attorney fees of the defendant as determined by the court to be reasonable in relation to the work expended and costs incurred.

"(B) DEFENSES.—A person may not be held liable for civil liability under this paragraph if the person shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error. Examples of a bona fide error include clerical, calculation, computer malfunction and programming, and printing errors, except that an error of legal judgment with respect to a person's obligations under this section is not a bona fide error.

"(C) JURISDICTION AND VENUE; LIMITATION.—An action for civil liability under this paragraph may be brought in any appropriate United States district court, without regard to the amount in controversy, or in any other court of competent jurisdiction, not later than the earlier or—

"(i) two years after the date of discovery by the plaintiff of the violation that is the basis for such liability; or

"(ii) five years after the date on which the violation that is the basis for such liability occurs.".

(b) EFFECTIVE DATE.—The amendment made by this section and shall take effect on the date of the enactment of this Act, and shall apply with respect to consumer credit extended on or after that date.

SEC. 654. MODIFICATION OF DEFINITION OF DEPENDENT FOR PURPOSES OF LIMITATIONS ON TERMS OF CONSUMER CREDIT EXTENDED TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Paragraph (2) of section 987(i) of title 10, United States Code, is amended to read as follows:

"(2) DEPENDENT.—The term 'dependent', with respect to a covered member, has the meaning given that term in section 401(a) of title 37.".

SEC. 655. ENFORCEMENT OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Section 987(f) of title 10, United States Code, as amended by section 653 of this Act, is further amended by adding at the end the following new paragraph:

"(6) ENFORCEMENT.—The provisions of this section (other than paragraph (1) of this subsection) shall be enforced by the agencies specified in section 108 of the Truth in Lending Act (15 U.S.C. 1607) in the manner set forth in that section or as set forth under any other applicable authorities available to such agencies by law.".

Subtitle F—Other Matters

SEC. 661. TRANSITIONAL COMPENSATION FOR DEPENDENT CHILDREN WHO ARE CARRIED DURING PREGNANCY AT TIME OF DEPENDENT-ABUSE OFFENSE.

(a) IN GENERAL.—Section 1059 of title 10, United States Code, is amended—

(1) in subsection (f), by adding at the end the following new paragraph:

"(4) Payment to a child under this section shall not be paid for any period before the birth of the child."; and

(2) in subsection (l), by striking "at the time of the dependent-abuse offense resulting in the separation of the former member" and inserting "or eligible spouse at the time of the dependent-abuse offense resulting in the separation of the former member or who was carried during pregnancy at the time of the dependent-abuse offense resulting in the separation of the former member and was subsequently born alive to the eligible spouse or former spouse".

(b) PROSPECTIVE APPLICABILITY.—No benefits shall accrue by reason of the amendments made by this section for any month that begins before the date of the enactment of this Act.

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.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the issuance by the Armed Forces Medical Examiner of death certificates for members of the Armed Forces who die on active duty abroad, including

mechanisms for reducing or ameliorating delays in the issuance of such death certificates.

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

(1) A description of the process used by the Armed Forces Medical Examiner to issue a death certificate for members of the Armed Forces who die on active duty abroad, including an explanation for any current delays in the issuance of such death certificates.

(2) A description of the average amount of time taken by the Armed Forces Medical Examiner to issue such death certificates.

(3) An assessment of the feasibility and advisability of issuing temporary death certificates for members of the Armed Forces who die on active duty abroad in order to provide necessary documentation for survivors.

(4) A description of the actions required to enable the Armed Forces Medical Examiner to issue a death certificate for a member of the Armed Forces who dies on active duty abroad not later than seven days after the return of the remains of the member to the United States.

(5) Such other recommendations for legislative or administrative action as the Secretary considers appropriate to provide for the issuance by the Armed Forces Medical Examiner of a death certificate for members of the Armed Forces who die on active duty abroad not later than seven days after the return of the remains of such members to the United States.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program

SEC. 701. EXTENSION OF TRICARE STANDARD COVERAGE AND TRICARE DENTAL PROGRAM FOR MEMBERS OF THE SELECTED RESERVE WHO ARE INVOLUNTARILY SEPARATED.

(a) EXTENSION OF TRICARE STANDARD COVERAGE.—Section 1076d(b) of title 10, United States Code, is amended—

(1) by striking ''Eligibility'' and inserting ''(1) Except as provided in paragraph (2), eligibility''; and

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

''(2) Eligibility for a member under this section who is involuntarily separated from the Selected Reserve under

other than adverse conditions, as characterized by the Secretary concerned, shall terminate 180 days after the date on which the member is separated.''.

(b) EXTENSION OF TRICARE DENTAL PROGRAM COVERAGE.—Section 1076a(a)(1) of such title is amended by adding at the end the following new sentence: ''Such plan shall provide that coverage for a member of the Selected Reserve who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall terminate not earlier than 180 days after the date on which the member is separated.''.

SEC. 702. INCLUSION OF CERTAIN OVER-THE-COUNTER DRUGS IN TRICARE UNIFORM FORMULARY.

(a) INCLUSION.—Subsection (a)(2) of section 1074g of title 10, United States Code, is amended—

(1) in subparagraph (D), by striking ''No pharmaceutical agent may be excluded'' and inserting ''Except as provided in subparagraph (F), no pharmaceutical agent may be excluded''; and

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

''(F)(i) The Secretary may implement procedures to place selected over-the-counter drugs on the uniform formulary and to make such drugs available to eligible cov-

1 ered beneficiaries. An over-the-counter drug may be in-
2 cluded on the uniform formulary only if the Pharmacy and
3 Therapeutics Committee established under subsection (b)
4 finds that the over-the-counter drug is cost-effective and
5 clinically effective. If the Pharmacy and Therapeutics
6 Committee recommends an over-the-counter drug for in-
7 clusion on the uniform formulary, the drug shall be consid-
8 ered to be in the same therapeutic class of pharmaceutical
9 agents, as determined by the Committee, as similar pre-
10 scription drugs.

11 ''(ii) Regulations prescribed by the Secretary to carry
12 out clause (i) shall include the following with respect to
13 over-the-counter drugs included on the uniform formulary:

14 ''(I) A determination of the means and condi-
15 tions under paragraphs (5) and (6) of this sub-
16 section through which over-the-counter drugs will be
17 available to eligible covered beneficiaries and the
18 amount of cost sharing that such beneficiaries will
19 be required to pay for over-the-counter drugs, except
20 that no such cost sharing may be required for a
21 member of a uniformed service on active duty.

22 ''(II) Any terms and conditions for the dis-
23 pensing of over-the-counter drugs to eligible covered
24 beneficiaries.''.

(b) DEFINITIONS.—Subsection (g) of such section is amended by adding at the end the following new paragraphs:

"(3) The term 'over-the-counter drug' means a drug that is not subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)).

"(4) The term 'prescription drug' means a drug that is subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)).".

(c) TECHNICAL AMENDMENTS.—

(1) CROSS-REFERENCE AMENDMENTS.—Subsections (a)(6)(A) and (b)(1) of such section are amended by striking "subsection (g)" and inserting "subsection (h)".

(2) REPEAL OF OBSOLETE PROVISIONS.—

(A) Subsection (a)(2)(D) of such section is amended by striking the last sentence.

(B) Subsection (b)(2) of such section is amended by striking "Not later than" and all the follows through "such 90-day period, the committee" and inserting "The committee".

(C) Subsection (d)(2) of such section is amended—

(i) by striking ''Effective not later than April 5, 2000, the Secretary'' and inserting ''The Secretary''; and

(ii) by striking ''the current managed care support contracts'' and inserting ''the managed care support contracts current as of October 5, 1999,''.

SEC. 703. EXPANSION OF EVALUATION OF THE EFFECTIVENESS OF THE TRICARE PROGRAM.

Section 717(a)(1) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 106–104; 110 Stat. 376; 10 U.S.C. 1073 note) is amended by striking ''military retirees'' and inserting ''members of the Armed Forces (whether in the regular or reserve components) and their dependents, military retirees and their dependents, dependent children under the age of 21, and dependents of members on active duty with severe disabilities and chronic health care needs''.

SEC. 704. REPORT ON THE FUTURE AVAILABILITY OF TRICARE PRIME THROUGHOUT THE UNITED STATES.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a re-

port setting forth the policy of the Department of Defense on the future availability of TRICARE Prime under the TRICARE program for eligible beneficiaries in all TRICARE regions throughout the United States.

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

(1) A description, by region, of the difference in availability of TRICARE Prime for eligible beneficiaries (other than eligible beneficiaries on active duty in the Armed Forces) under newly-awarded TRICARE managed care contracts, including, in particular, an identification of the regions or areas in which TRICARE Prime will no longer be available for such beneficiaries under such contracts.

(2) A description of the transition and outreach plans for eligible beneficiaries described in paragraph (1) who will no longer have access to TRICARE Prime under the contracts described in that paragraph.

(3) An estimate of the increased costs to be incurred for healthcare under the TRICARE program for eligible beneficiaries described in paragraph (2).

(4) An estimate of the saving to be achieved by the Department as a result of the contracts described in paragraph (1).

(5) A description of the plans of the Department to continue to assess the impact on access to healthcare for eligible beneficiaries described in paragraph (2).

SEC. 705. CERTAIN TREATMENT OF DEVELOPMENTAL DISABILITIES, INCLUDING AUTISM, UNDER THE TRICARE PROGRAM.

(a) CERTAIN TREATMENT OF AUTISM.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1077 the following new section:

"§ 1077a. Treatment of autism under the TRICARE program

"(a) IN GENERAL.—Except as provided in subsection (c), for purposes of providing health care services under this chapter, the treatment of developmental disabilities (42 U.S.C. 15002(8)), including autism spectrum disorders, shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician.

"(b) REQUIREMENTS IN PROVISION OF SERVICES.—In carrying out subsection (a), the Secretary of Defense shall ensure that—

"(1) except as provided by paragraph (2), a person who is authorized to provide behavioral

1 health treatment is licensed or certified by a State
2 or accredited national certification board; and
3 ''(2) if applied behavior analysis or other behav-
4 ioral health treatment is provided by an employee or
5 contractor of a person described in paragraph (1),
6 the employee or contractor shall meet minimum
7 qualifications, training, and supervision require-
8 ments as set forth by the Secretary who shall ensure
9 that covered beneficiaries have appropriate access to
10 care in accordance with best practice guidelines.
11 ''(c) EXCLUSIONS.—Subsection (a) shall not apply to
12 the following:
13 ''(1) Covered beneficiaries under this chapter
14 who are entitled to hospital insurance benefits under
15 part A of title XVIII of the Social Security Act.
16 ''(2) Covered beneficiaries under this chapter
17 who are former members, dependents of former
18 members, or survivors of any uniformed service not
19 under the jurisdiction of the Department of Defense.
20 ''(d) CONSTRUCTION WITH OTHER BENEFITS.—(1)
21 Nothing in this section shall be construed as limiting or
22 otherwise affecting the benefits otherwise provided under
23 this chapter to a covered beneficiary who is a beneficiary
24 by virtue of—

1 "(A) service in the Coast Guard, the Commis-
2 sioned Corp of the National Oceanic and Atmos-
3 pheric Administration, or the Commissioned Corp of
4 the Public Health Service; or
5 "(B) being a dependent of a member of a serv-
6 ice described in subparagraph (A).
7 "(2) Nothing in this section shall be construed as lim-
8 iting or otherwise affecting the benefits provided to a
9 medicare-eligible beneficiary under—
10 "(A) this chapter;
11 "(B) part A of title XVIII of the Social Secu-
12 rity Act (42 U.S.C. 1395c et seq.); or
13 "(C) any other law.".
14 (2) CLERICAL AMENDMENT.—The table of sec-
15 tions at the beginning of chapter 55 of such title is
16 amended by inserting after the item relating to sec-
17 tion 1077 the following new item:

"1077a. Treatment of autism under the TRICARE program.".

18 (b) FUNDING.—
19 (1) INCREASE.—The amount authorized to be
20 appropriated for fiscal year 2013 by section 1406
21 and available for the Defense Health Program for
22 Private Sector Care as specified in the funding table
23 in section 4501 is hereby increased by $45,000,000,
24 with the amount of the increase to be available for
25 the provision of care in accordance with section

1077a of title 10, United States Code (as added by subsection (a)).

(2) OFFSET.—The amount authorized to be appropriated for fiscal year 2013 by section 301 for Operation and Maintenance and available as specified in the funding table in section 4301 is hereby reduced by $45,000,000.

SEC. 706. SENSE OF CONGRESS ON HEALTH CARE FOR RETIRED MEMBERS OF THE UNIFORMED SERVICES.

It is the sense of Congress that—

(1) members of the uniformed services and their families endure unique and extraordinary demands and make extraordinary sacrifices over the course of 20 to 30 years of service in protecting freedom for all Americans, as do those who have been medically retired due to the hardships of military service; and

(2) access to quality health care services is an earned benefit during retirement in acknowledgment of their contributions of service and sacrifice.

Subtitle B—Other Health Care Benefits

SEC. 711. USE OF DEPARTMENT OF DEFENSE FUNDS FOR ABORTIONS IN CASES OF RAPE AND INCEST.

Section 1093(a) of title 10, United States Code, is amended by inserting before the period at the end the following: ''or in a case in which the pregnancy is the result of an act of rape or incest''.

SEC. 712. AVAILABILITY OF CERTAIN FERTILITY PRESERVATION TREATMENTS FOR MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.

(a) IN GENERAL.—Subsection (a) of section 1074d of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) Members of the armed forces entitled to medical care under section 1074(a) of this title who have been diagnosed with a condition for which the recommended course of treatment is recognized by a licensed physician and surgeon or other appropriate medical practitioner as a cause of iatrogenic infertility shall also be entitled to fertility preservation treatment as a part of such medical care.

''(B) If the fertility preservation treatment to which a member is entitled under this paragraph is not available through a facility of the uniformed services accessible to

the member, such treatment shall be provided to the member through another appropriate mechanism under this chapter, including through the TRICARE program.''.

(b) DEFINITIONS RELATING TO FERTILITY PRESERVATION TREATMENT.—Such section is further amended—

(1) in subsection (b), by striking the subsection heading and inserting ''DEFINITION RELATING TO PRIMARY AND PREVENTIVE HEALTH CARE SERVICES FOR WOMEN''; and

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

''(c) DEFINITIONS RELATING TO FERTILITY PRESERVATION TREATMENT.—In this section:

''(1) The term 'fertility preservation treatment' includes—

''(A) procedures consistent with established medical practices in the prevention or treatment of iatrogenic infertility by licensed physicians and surgeons or other appropriate medical practitioners, including diagnosis, diagnostic tests, medication, or surgery; and

''(B) any other procedure identified by the Secretary of Defense that is intended to promote the future fertility of an individual who has been diagnosed with a condition for which

the recommended course of treatment is recognized by a licensed physician and surgeon or other appropriate medical practitioner as a cause of iatrogenic infertility.

"(2) The term 'iatrogenic infertility' means the current or future diminished ability, or the inability of an individual to conceive or contribute to conception as a consequence of medical treatment.".

SEC. 713. MODIFICATION OF REQUIREMENTS ON MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN CONNECTION WITH A CONTINGENCY OPERATION.

(a) TIMING OF MENTAL HEALTH ASSESSMENTS.—Paragraph (1)(C)(i) of section 1074m(a) of title 10, United States Code, is amended by striking "one year" and inserting "18 months".

(b) EXCLUSION OF CERTAIN MEMBERS.—Paragraph (2) of such section is amended—

(1) by striking "subparagraph (B) and (C) of"; and

(2) by striking "determines that—" and all that follows and inserting "determines—

"(A) in the case of an assessment otherwise required under subparagraph (A) of that paragraph, that the member will not be subjected or exposed to

operational risk factors during deployment in the contingency operation concerned;

"(B) in the case of an assessment otherwise required under subparagraph (B) or (C) of that paragraph, that the member was not subjected or exposed to operational risk factors during deployment in the contingency operation concerned; or

"(C) in the case of any assessment otherwise required under that paragraph, that providing such assessment to the member during the otherwise applicable time period under such paragraph would remove the member from forward deployment or would put members or operational objectives at risk.".

Subtitle C—Health Care Administration

SEC. 721. CLARIFICATION OF APPLICABILITY OF CERTAIN AUTHORITY AND REQUIREMENTS TO SUBCONTRACTORS EMPLOYED TO PROVIDE HEALTH CARE SERVICES TO THE DEPARTMENT OF DEFENSE.

(a) APPLICABILITY OF FEDERAL TORT CLAIMS ACT TO SUBCONTRACTORS.—Section 1089(a) of title 10, United States Code, is amended in the last sentence—

(1) by striking "if the physician, dentist, nurse, pharmacist, or paramedical" and inserting "to such

a physician, dentist, nurse, pharmacist, or paramedical'';

(2) by striking ''involved is''; and

(3) by inserting before the period at the end the following: ''or a subcontract at any tier under such a contract that is authorized in accordance with the requirements of such section 1091''.

(b) APPLICABILITY OF PERSONAL SERVICES CONTRACTING AUTHORITY TO SUBCONTRACTORS.—Section 1091(c) of such title is amended by adding at the end the following new paragraph:

''(3) The procedures established under paragraph (1) may provide for a contracting officer to authorize a contractor to enter into a subcontract for personal services on behalf of the agency upon a determination that the subcontract is—

''(A) consistent with the requirements of this section and the procedures established under paragraph (1); and

''(B) in the best interests of the agency.''.

SEC. 722. RESEARCH PROGRAM TO ENHANCE DEPARTMENT OF DEFENSE EFFORTS ON MENTAL HEALTH IN THE NATIONAL GUARD AND RESERVES THROUGH COMMUNITY PARTNERSHIPS.

(a) RESEARCH PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a research program to assess the feasibility and advisability of enhancing the efforts of the Department of Defense in research, treatment, education, and outreach on mental health and substance use disorders and Traumatic Brain Injury (TBI) in members of the National Guard and Reserves, their family members, and their caregivers.

(b) AGREEMENTS WITH COMMUNITY PARTNERS.—In carrying out the research program authorized by subsection (a), the Secretary may enter into partnership agreements with community partners described in subsection (c) using a competitive and merit-based award process.

(c) COMMUNITY PARTNERS DESCRIBED.—A community partner described in this subsection is a private nonprofit organization or institution (or multiple organizations and institutions) that—

(1) engages in the research activities described in subsection (d); and

(2) meets such qualifications for treatment as a community partner as the Secretary shall establish for purposes of the research program.

(d) ACTIVITIES.—Partnerships entered into under the research program shall be used to engage in research on the causes, development, and innovative treatment of mental health and substance use disorders and Traumatic Brain Injury in members of the National Guard and Reserves, their family members, and their caregivers.

(e) REPORT.—Not later than five years after the commencement of the research program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the research program, including a description of the research program, the community partners participating in the research program, the activities carried out, the number of members of the National Guard and Reserves, family members, and caregivers supported by community partners, and a description and assessment of the effectiveness and achievements of the research program.

Subtitle D—Reports and Other Matters

SEC. 731. REPORTS ON PERFORMANCE DATA ON WARRIORS IN TRANSITION PROGRAMS.

(a) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, each Secretary of a military department shall submit to Congress a report on data on the performance of the military department in addressing the care, management and transition needs of members of the Armed Forces under the jurisdiction of such Secretary who participate in a Warriors in Transition program under the jurisdiction of such Secretary with respect to the following:

(1) Physical health.

(2) Mental and behavioral health.

(3) Educational and vocational aptitude and capabilities.

(4) Such other matters as such Secretary considers appropriate.

(b) COMMON METHODOLOGY.—The Secretaries shall report not fewer than five outcome measures for each of the areas set forth in subsection (a) using a common methodology developed by the Secretaries and approved by the Secretary of Defense for purposes of this section.

(c) LONGITUDINAL DATA.—The occasions for collecting data on a member participating in a Warriors in Transition program for purposes of reports under subsection (a) shall be as follows:

(1) When the member commences participation in the program.

(2) At least once each year the member participates in the program.

(3) When the member ceases participation in the program (whether for return to military duty or to civilian life).

(4) With the consent of the member, one year after the member ceases participation in the program as described in paragraph (3).

(d) ELEMENTS.—Each report under subsection (a) shall include an assessment by the Secretary of the military department concerned of the following with respect to the Warriors in Transition programs covered by such report:

(1) The progress of members participating in the Warriors in Transition programs in the areas specified in subsection (a).

(2) The efficacy of the Warriors in Transition programs in facilitating the transition of members to military duty or civilian life, as applicable.

(3) The differences in outcomes in the Warriors in Transition programs, by location, type, Armed Force, component, and types of wounds, injuries, or conditions of program participants.

(4) The percentage of members participating in the Warriors in Transition programs who receive care under such programs from assigned providers, including medical care case managers, non-medical service providers (including non-medical case managers, legal support personnel, and, as applicable, Physical Evaluation Board Liaison Officers), mental health care providers, and medical evaluation (MEB) physicians whose caseload exceeds the caseload ratio that has been designated as adequate by the Secretary of Defense.

(5) The percentage of members participating in the Warriors in Transition programs for whom the intervals between various phases in the transition process exceeds the average length of such intervals, including intervals relating to appointment times for specialists and for treatment for Post-Traumatic Stress Disorder (PTSD).

(6) Such other measurements of outcomes or progress of members through the Warriors in Tran-

sition programs as such Secretary considers appropriate.

(e) PERSONALLY IDENTIFIABLE INFORMATION.—Data collected under this section shall be treated in compliance with the provisions of section 552a of title 5, United States Code (commonly referred to as the ''Privacy Act'').

(f) SUNSET.—No report is required under this section after September 30, 2017.

(g) WARRIORS IN TRANSITION PROGRAM DEFINED.—In this section, the term ''Warriors in Transition program'' means any major support program of the Armed Forces for members of the Armed Forces with severe wounds, illnesses, or injuries that is intended to provide such members with non-medical case management service and care coordination services, and includes the programs as follows:

(1) Warrior Transition Units and the Wounded Warrior Program of the Army.

(2) The Safe Harbor program of the Navy.

(3) The Wounded Warrior Regiment of the Marine Corps.

(4) The Recovery Care Program and the Wounded Warrior programs of the Air Force.

(5) The Care Coalition of the United States Special Operations Command.

SEC. 732. REPORT ON DEPARTMENT OF DEFENSE SUPPORT OF MEMBERS OF THE ARMED FORCES WHO EXPERIENCE TRAUMATIC INJURY AS A RESULT OF VACCINATIONS REQUIRED BY THE DEPARTMENT.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a comprehensive review (conducted for purposes of the report) of the adequacy and effectiveness of the policies, procedures, and systems of the Department of Defense in providing support to members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

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

(1) The number and nature of traumatic injuries incurred by members of the Armed Forces as a result of a vaccination required by the Department of Defense each year since January 1, 2001, set

forth by aggregate in each year and by military department in each year.

(2) Such recommendations as the Secretary of Defense considers appropriate for improvements to the policies, procedures, and systems (including tracking systems) of the Department to identify members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

(3) Such recommendations as the Secretary of Defense considers appropriate for improvements to the policies, procedures, and systems of the Department to support members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

SEC. 733. PLAN TO ELIMINATE GAPS AND REDUNDANCIES IN PROGRAMS OF THE DEPARTMENT OF DEFENSE ON PSYCHOLOGICAL HEALTH AND TRAUMATIC BRAIN INJURY AMONG MEMBERS OF THE ARMED FORCES.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Rep-

resentatives a plan to streamline the programs of the Department of Defense that address psychological health and traumatic brain injury among members of the Armed Forces.

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

(A) A complete list of the programs described in paragraph (1), including a detailed description of the intended function of each such program.

(B) An identification of any gaps in services and treatments in the programs listed under subparagraph (A)

(C) An identification of any redundancies in the programs listed under subparagraph (A).

(D) A plan for mitigating the gaps identified under subparagraph (B) and for eliminating the redundancies identified under subparagraph (C).

(E) An identification of the individual in the Department who will be responsible for leading implementation of the plan required by paragraph (1).

(F) A schedule for the implementation of the plan.

(b) STATUS REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the implementation of the plan required by subsection (a).

SEC. 734. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE COMPTROLLER GENERAL OF THE UNITED STATES ON PREVENTION OF HEARING LOSS AMONG MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the recommendations of the Comptroller General of the United States in the January 2011 report of the Comptroller General entitled ''Hearing Loss Prevention: Improvements to DOD Hearing Conservation Programs Could Lead to Better Outcomes'' that address prevention of hearing loss, abatement of hearing loss, data collection regarding hearing loss, and the need for a new interagency data sharing system so that sufficient information is available to address and track hearing injuries and loss.

SEC. 735. SENSE OF SENATE ON MENTAL HEALTH COUNSELORS FOR MEMBERS OF THE ARMED FORCES, VETERANS, AND THEIR FAMILIES.

It is the sense of the Senate that—

(1) the Secretary of Defense and the Secretary of Veterans Affairs should develop a plan to ensure a sustainable flow of qualified counselors to meet the long-term needs of members of the Armed Forces, veterans, and their families for counselors; and

(2) the plan should include the participation of accredited schools and universities, health care providers, professional counselors, family service or support centers, chaplains, and other appropriate resources of the Department of Defense and the Department of Veterans Affairs.

SEC. 736. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) PROGRAM REQUIRED.—The Secretary of Defense and the Attorney General shall jointly carry out a program (commonly referred to as a ''prescription drug take-back program'') under which members of the Armed Forces and dependents of members of the Armed Forces may deliver controlled substances to such facilities as may be jointly determined by the Secretary of Defense and the Attorney General to be disposed of in accordance with section

302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

(b) PROGRAM ELEMENTS.—The program required by subsection (a) shall provide for the following:

(1) The delivery of controlled substances under the program to such members of the Armed Forces, medical professionals, and other employees of the Department of Defense, and to such other acceptance mechanisms, as the Secretary and the Attorney General jointly specify for purposes of the program.

(2) Appropriate guidelines and procedures to prevent the diversion, misuse, theft, or loss of controlled substances delivered under the program.

Subtitle E—Mental Health Care Matters

SEC. 751. ENHANCEMENT OF OVERSIGHT AND MANAGEMENT OF DEPARTMENT OF DEFENSE SUICIDE PREVENTION AND RESILIENCE PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Personnel and Readiness, establish within the Office of the Secretary of Defense a position with responsibility for oversight and management of all suicide prevention and resilience programs and all preventative behavioral health

1 programs of the Department of Defense (including those
2 of the military 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
10 those of the military departments and the Armed
11 Forces).

12 (2) In consultation with the National Center for
13 Post Traumatic Stress Disorder of the Department
14 of Veterans Affairs and other appropriate public and
15 private agencies and entities, to require the use of
16 clinical best practices in mental health care, suicide
17 prevention programs, and resilience programs of the
18 Department of Defense, including the diagnosis and
19 treatment of behavioral health disorders.

20 (3) To oversee and manage the comprehensive
21 program on the prevention of suicide among mem-
22 bers of the Armed Forces required by section 752.

SEC. 752. COMPREHENSIVE PROGRAM ON PREVENTION OF SUICIDE AMONG MEMBERS OF THE ARMED FORCES.

(a) COMPREHENSIVE PROGRAM REQUIRED.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Personnel and Readiness, develop and implement within the Department of Defense a comprehensive program on the prevention of suicide among members of the Armed Forces. In developing the program, the Secretary shall consider recommendations from the operational elements of the Armed Forces regarding the feasibility of the implementation and execution of particular elements of the program.

(b) ELEMENTS.—The comprehensive program required by subsection (a) shall include elements to achieve the following:

(1) To raise awareness among members of the Armed Forces about mental health conditions and the stigma associated with mental health conditions and mental health care.

(2) To provide members of the Armed Forces generally, members of the Armed Forces in supervisory positions (including officers in command billets and non-commissioned officers), and medical personnel of the Armed Forces and the Department of Defense with effective means of identifying mem-

bers of the Armed Forces who are at risk for suicide (including enhanced means for early identification and treatment of such members).

(3) To provide members of the Armed Forces who are at risk of suicide with continuous access to suicide prevention services, including suicide crisis services.

(4) To evaluate and assess the effectiveness of the suicide prevention and resilience programs and preventative behavioral health programs of the Department of Defense (including those of the military departments and the Armed Forces), including the development of metrics for that purpose.

(5) To evaluate and assess the current diagnostic tools and treatment methods in the programs referred to in paragraph (4) in order to ensure clinical best practices are used in such programs.

(6) To ensure that the programs referred to in paragraph (4) incorporate evidenced-based practices when available.

(7) To provide for the training of mental health care providers on evidence-based therapies in connection with suicide prevention.

(8) To establish training standards for behavioral health care providers in order to ensure that

1 such providers receive training on clinical best prac-
2 tices and evidence-based treatments as information
3 on such practices and treatments becomes available,
4 and to ensure such standards are met.

5 (9) To provide for the integration of mental
6 health screenings and suicide risk and prevention for
7 members of the Armed Forces into the delivery of
8 primary care for such members.

9 (10) To ensure appropriate responses to at-
10 tempted or completed suicides among members of
11 the Armed Forces, including guidance and training
12 to assist commanders in addressing incidents of at-
13 tempted or completed suicide within their units.

14 (11) To ensure the protection of the privacy of
15 members of the Armed Forces seeking or receiving
16 treatment relating to suicide.

17 (12) Such other matters as the Secretary of
18 Defense considers appropriate in connection with the
19 prevention of suicide among members of the Armed
20 Forces.

21 (c) CONSULTATION.—In developing and imple-
22 menting the comprehensive program required by sub-
23 section (a), the Under Secretary shall consult with appro-
24 priate officials and elements of the Department of De-
25 fense, appropriate centers of excellence within the Depart-

ment of Defense, and other public and private entities with expertise in mental health and suicide prevention.

(d) IMPLEMENTATION BY THE ARMED FORCES.—In implementing the comprehensive program required by subsection (a) with respect to an Armed Force, the Secretary of the military department concerned may, in consultation with the Under Secretary and with the approval of the Secretary of Defense, modify particular elements of the program in order to adapt the program appropriately to the unique culture and elements of that Armed Force.

(e) QUALITY ASSURANCE.—In developing and implementing the comprehensive program required by subsection (a), the Under Secretary shall develop and implement appropriate mechanisms to provide for the oversight and management of the program, including quality measures to assess the efficacy of the program in preventing suicide among members of the Armed Forces.

SEC. 753. QUALITY REVIEW OF MEDICAL EVALUATION BOARDS, PHYSICAL EVALUATION BOARDS, AND PHYSICAL EVALUATION BOARD LIAISON OFFICERS.

(a) IN GENERAL.—The Secretary of Defense shall standardize, assess, and monitor the quality assurance programs of the military departments to evaluate the fol-

lowing in the performance of their duties (including duties under chapter 61 of title 10, United States Code):

(1) Medical Evaluation Boards (MEBs).

(2) Physical Evaluation Boards (PEBs).

(3) Physical Evaluation Board Liaison Officers (PEBLOs).

(b) OBJECTIVES.—The objectives of the quality assurance program shall be as follows:

(1) To ensure accuracy and consistency in the determinations and decisions of Medical Evaluation Boards and Physical Evaluation Boards.

(2) To otherwise monitor and sustain proper performance of the duties of Medical Evaluation Boards and Physical Evaluation Boards, and of Physical Evaluation Board Liaison Officers.

(3) Such other objectives as the Secretary shall specify for purposes of the quality assurance program.

(c) REPORTS.—

(1) REPORT ON IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report setting forth the plan of the Secretary for the implementation of the requirements of this section.

(2) ANNUAL REPORTS.—Not later than one year after the date of the submittal of the report required by paragraph (1), and annually thereafter for the next four years, the Secretary shall submit to the appropriate committees of Congress a report setting forth an assessment of the implementation of the requirements of this section during the one-year period ending on the date of the report under this paragraph. Each report shall include, in particular, an assessment of the extent to which the quality assurance program under the requirements of this section meets the objectives specified in subsection (b).

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SEC. 754. ASSESSMENT OF ADEQUACY OF MENTAL HEALTH CARE BENEFITS UNDER THE TRICARE PROGRAM.

(a) INDEPENDENT ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Health and Human Services, enter into a contract with an appropriate independent entity to assess whether the mental health care benefits available for members of the Armed Forces and other covered beneficiaries under the TRICARE program are adequate to meet the needs of such members and beneficiaries for mental health care.

(b) REPORT.—The contract required by subsection (a) shall require the entity conducting the assessment required by the contract to submit to the Secretary of Defense, and to the congressional defense committees, a report setting forth the results of the assessment by not later than 180 days after the date of entry into the contract. If the entity determines pursuant to the assessment that the mental health care benefits available for members of the Armed Forces and other covered beneficiaries under the TRICARE program are not adequate to meet the needs of such members and beneficiaries for mental health care, the report shall include such recommendations for

legislative or administrative action as the entity considers appropriate to remediate any identified inadequacy.

(c) DEFINITIONS.—In this section:

(1) The term ''covered beneficiaries'' has the meaning given that term in section 1072(5) of title 10, United States Code.

(2) The term ''TRICARE program'' has the meaning given that term in section 1072(7) of title 10, United States Code.

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.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding providing for the sharing by the Department of Defense with the Department of Veterans Affairs of the results of examinations and other records on members of the Armed Forces that are retained and maintained with respect to the medical tracking system for members deployed overseas under section 1074f(c) of title 10, United States Code.

(b) CESSATION UPON IMPLEMENTATION OF ELECTRONIC HEALTH RECORD.—The sharing required pursuant to subsection (a) shall cease on the date on which the Secretary of Defense and the Secretary of Veterans Affairs jointly certify to Congress that the Secretaries have fully implemented an integrated electronic health record for members of the Armed Forces that is fully interoperable between the Department of Defense and the Department of Veterans Affairs.

SEC. 756. PARTICIPATION OF MEMBERS OF THE ARMED FORCES IN PEER SUPPORT COUNSELING PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PARTICIPATION.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding providing for members of the Armed Forces described in subsection (b) to volunteer or be considered for employment as peer counselors under the following:

(A) The peer support counseling program carried out by the Secretary of Veterans Affairs under subsection (j) of section 1720F of title 38, United States Code, as part of the comprehensive program for suicide prevention

among veterans under subsection (a) of such section.

(B) The peer support counseling program carried out by the Secretary of Veterans Affairs under section 304(a)(1) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1150; 38 U.S.C. 1712A note).

(2) TRAINING.—Any member participating in a peer support counseling program under paragraph (1) shall receive the training for peer counselors under section 1720F(j)(2) of title 38, United States Code, or section 304(c) of the Caregivers and Veterans Omnibus Health Services Act of 2010, as applicable, before performing peer support counseling duties under such program.

(b) COVERED MEMBERS.—Members of the Armed Forces described in this subsection are the following:

(1) Members of the reserve components of the Armed Forces who are demobilizing after deployment in a theater of combat operations, including, in particular, members who participated in combat against the enemy while so deployed.

(2) Members of the regular components of the Armed Forces separating from active duty who have

been deployed in a theater of combat operations in which such members participated in combat against the enemy.

SEC. 757. RESEARCH AND MEDICAL PRACTICE ON MENTAL HEALTH CONDITIONS.

(a) DEPARTMENT OF DEFENSE ORGANIZATION ON RESEARCH AND PRACTICE.—The Secretary of Defense shall establish within the Department of Defense an organization to carry out the responsibilities specified in subsection (b).

(b) RESPONSIBILITIES.—The organization established under subsection (a) shall—

(1) carry out programs and activities designed to provide for the translation of research on the diagnosis and treatment of mental health conditions into policy on medical practices;

(2) make recommendations to the Assistant Secretary of Defense for Health Affairs on the translation of such research into the policies of the Department of Defense on medical practices with respect to members of the Armed Forces; and

(3) discharge such other responsibilities relating to research and medical practices on mental health conditions, and the policies of the Department on such practices with respect to members of the

Armed Forces, as the Secretary or the Assistant Secretary shall specify for purposes of this section.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the organization required by subsection (a). The report shall include a description of the organization and a plan for implementing the requirements of this section.

(2) ANNUAL REPORTS.—The Secretary shall submit to Congress each year a report on the activities of the organization established under subsection (a) during the preceding year. Each report shall include the following:

(A) A summary description of the activities of the organization during the preceding year.

(B) A description of the recommendations made by the organization to the Assistant Secretary under subsection (b)(2) during the year, and a description of the actions undertaken (or to be undertaken) by the Assistant Secretary in response to such recommendations.

(C) Such other matters relating to the activities of the organization, including rec-

ommendations for additional legislative or administrative action, as the Secretary, in consultation with the Assistant Secretary, considers appropriate.

SEC. 758. DISPOSAL OF CONTROLLED SUBSTANCES.

(a) MEMBERS OF THE ARMED FORCES.—The Administrator of the Drug Enforcement Administration shall enter into a memorandum of understanding with the Secretary of Defense establishing procedures under which a member of the Armed Forces may deliver a controlled substance to a member of the Armed Forces or an employee of the Department of Defense to be disposed of in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

(b) VETERANS.—

(1) IN GENERAL.—The Administrator shall enter into a memorandum of understanding with the Secretary of Veterans Affairs establishing procedures under which a veteran may deliver a controlled substance to an employee of the Department of Veterans Affairs to be disposed of in accordance with section 302(g) of the Controlled Substances Act.

(2) VETERAN DEFINED.—In this subsection, the term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

SEC. 759. TRANSPARENCY OF MENTAL HEALTH CARE SERVICES.

(a) MEASUREMENT OF MENTAL HEALTH CARE SERVICES.—

(1) IN GENERAL.—Not later than December 31, 2013, the Secretary of Veterans Affairs shall develop and implement a comprehensive set of measures to assess mental health care services furnished by the Department of Veterans Affairs.

(2) ELEMENTS.—The measures developed and implemented under paragraph (1) shall provide an accurate and comprehensive assessment of the following:

(A) The timeliness of the furnishing of mental health care by the Department.

(B) The satisfaction of patients who receive mental health care services furnished by the Department.

(C) The capacity of the Department to furnish mental health care.

(D) The availability and furnishing of evidence-based therapies by the Department.

(b) GUIDELINES FOR STAFFING MENTAL HEALTH CARE SERVICES.—Not later than December 31, 2013, the Secretary shall develop and implement guidelines for the staffing of general and specialty mental health care serv-

1 ices, including at community-based outpatient clinics.
2 Such guidelines shall include productivity standards for
3 providers 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
14 of 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 con-
18 tract a provision for the study committee—

19 (A) to conduct a comprehensive assessment
20 of barriers to access to mental health care by
21 veterans who served in the Armed Forces in
22 Operation Enduring Freedom, Operation Iraqi
23 Freedom, 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 af-
2 forded choices with respect to modes of treat-
3 ment) through site visits to facilities of the Vet-
4 erans Health Administration (including at least
5 one site visit in each Veterans Integrated Serv-
6 ice Network), evaluating studies of patient out-
7 comes, and other appropriate means;
8 (C) to assess whether, and the extent to
9 which, veterans who served in the Armed
10 Forces in Operation Enduring Freedom, Oper-
11 ation Iraqi Freedom, or Operation New Dawn
12 are being offered a full range of necessary men-
13 tal health services at Department health care
14 facilities, including early intervention services
15 for hazardous drinking, relationship problems,
16 and other behaviors that create a risk for the
17 development of a chronic mental health condi-
18 tion;
19 (D) to conduct surveys or have access to
20 Department-administered surveys of—
21 (i) providers of Department mental
22 health services;
23 (ii) veterans who served in the Armed
24 Forces in Operation Enduring Freedom,
25 Operation Iraqi Freedom, or Operation

New Dawn who are receiving mental health care furnished by the Department; and

(iii) eligible veterans who served in the Armed Forces in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn who are not using Department health care services to assess those barriers described in subparagraph (A); and

(E) to provide to the Secretary, on the basis of its assessments as delineated in subparagraphs (A) through (C), specific, detailed recommendations—

(i) for overcoming barriers, and improving access, to timely, effective mental health care at Department health care facilities (or, where Department facilities cannot provide such care, through contract arrangements under existing law); and

(ii) to improve the effectiveness and efficiency of mental health services furnished by the Secretary.

(3) PARTICIPATION BY FORMER OFFICIALS AND EMPLOYEES OF VETERANS HEALTH ADMINISTRA-

TION.—The Secretary shall ensure that any contract entered into under paragraph (1) provides for inclusion on any subcommittee which participates in conducting the assessments and formulating the recommendations provided for in paragraph (2) at least one former official of the Veterans Health Administration and at least two former employees of the Veterans Health Administration who were providers of mental health care.

(4) PERIODIC REPORTS TO SECRETARY.—In entering into the contract described in paragraph (1), the Secretary shall, with respect to paragraph (1)(A), include in such contract a provision for the submittal to the Secretary of periodic reports and provision of other consultation to the Secretary by the study committee to assist the Secretary in carrying out subsections (a) and (b).

(5) REPORTS TO CONGRESS.—Not later than 30 days after receiving a report under paragraph (4), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the plans of the Secretary to implement such recommendations submitted to the Secretary by the study committee as the Secretary considers ap-

propriate. Such report shall include a description of each recommendation submitted to the Secretary that the Secretary does not plan to carry out and an explanation of why the Secretary does not plan to carry out such recommendation.

(d) PUBLICATION.—

(1) IN GENERAL.—The Secretary shall make available to the public on an Internet website of the Department the following:

(A) The measures and guidelines developed and implemented under this section.

(B) An assessment of the performance of the Department using such measures and guidelines.

(2) QUARTERLY UPDATES.—The Secretary shall update the measures, guidelines, and assessment made available to the public under paragraph (1) not less frequently than quarterly.

(e) SEMIANNUAL REPORTS.—

(1) IN GENERAL.—Not later than June 30, 2013, and not less frequently than twice each year thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the Secretary's progress

in developing and implementing the measures and guidelines required by this section.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A description of the development and implementation of the measures required by subsection (a) and the guidelines required by subsection (b).

(B) A description of the progress made by the Secretary in developing and implementing such measures and guidelines.

(C) An assessment of the mental health care services furnished by the Department of Veterans Affairs, using the measures developed and implemented under subsection (a).

(D) An assessment of the effectiveness of the guidelines developed and implemented under subsection (b).

(E) Such recommendations for legislative or administrative action as the Secretary may have to improve the effectiveness and efficiency of the mental health care services furnished under laws administered by the Secretary.

(f) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—Not later than 30 days before the date on which the Secretary begins implementing the measures and guidelines required by this section, the Secretary shall submit to the committees described in subsection (e)(1) a report on the Secretary's planned implementation of such measures and guidelines.

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

(A) A detailed description of the measures and guidelines that the Secretary plans to implement under this section.

(B) A description of the rationale for each measure and guideline the Secretary plans to implement under this section.

(C) A discussion of each measure and guideline that the Secretary considered under this section but chose not to implement.

(D) The number of current vacancies in mental health care provider positions in the Department.

(E) An assessment of how many additional positions are needed to meet current or expected demand for mental health services furnished by the Department.

SEC. 760. EXPANSION OF VET CENTER PROGRAM TO INCLUDE FURNISHING COUNSELING TO CERTAIN MEMBERS OF THE ARMED FORCES AND THEIR FAMILY MEMBERS.

Section 1712A of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''Upon the request'' and all that follows through the period at the end and inserting the following: ''Upon the request of any individual referred to in subparagraph (C), the Secretary shall furnish counseling, including by furnishing counseling through a Vet Center, to the individual—

''(i) in the case of an individual referred to in clauses (i) through (iv) of subparagraph (C), to assist the individual in readjusting to civilian life; and

''(ii) in the case of an individual referred to in clause (v) of such subparagraph who is a family member of a veteran or member described in such clause—

''(I) in the case of a member who is deployed in a theater of combat operations or an area at a time during which hostilities are oc-

curring in that area, during such deployment to assist such individual in coping with such deployment; and

"(II) in the case of a veteran or member who is readjusting to civilian life, to the degree that counseling furnished to such individual is found to aid in the readjustment of such veteran or member to civilian life."; and

(ii) by striking subparagraph (B) and inserting the following new subparagraphs:

"(B) Counseling furnished to an individual under subparagraph (A) may include a comprehensive individual assessment of the individual's psychological, social, and other characteristics to ascertain whether—

"(i) in the case of an individual referred to in clauses (i) through (iv) of subparagraph (C), such individual has difficulties associated with readjusting to civilian life; and

"(ii) in the case of an individual referred to in clause (v) of such subparagraph, such individual has difficulties associated with—

"(I) coping with the deployment of a member 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 re-
8 serve component of the Armed Forces, who served
9 on active duty in a theater of combat operations or
10 an area at a time during which hostilities occurred
11 in that area.
12 ''(ii) Any individual who is a veteran or member
13 of the Armed Forces, including a member of a re-
14 serve component of the Armed Forces, who provided
15 direct emergency medical or mental health care, or
16 mortuary services to the causalities of combat oper-
17 ations or hostilities, but who at the time was located
18 outside the theater of combat operations or area of
19 hostilities.
20 ''(iii) Any individual who is a veteran or mem-
21 ber of the Armed Forces, including a member of a
22 reserve component of the Armed Forces, who en-
23 gaged in combat with an enemy of the United States
24 or against an opposing military force in a theater of
25 combat operations or an area at a time during which

hostilities occurred in that area by remotely controlling an unmanned aerial vehicle, notwithstanding whether the physical location of such veteran or member during such combat was within such theater of combat operations or area.

''(iv) Any individual who received counseling under this section before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.

''(v) Any individual who is a family member of any—

''(I) member of the Armed Forces, including a member of a reserve component of the Armed Forces, who is serving on active duty in a theater of combat operations or in an area at a time during which hostilities are occurring in that area; or

''(II) veteran or member of the Armed Forces described in this subparagraph.'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as redesignated by subparagraph (C)—

(i) by striking ''a veteran described in paragraph (1)(B)(iii)'' and inserting ''an individual described in paragraph (1)(C)''; and

(ii) by striking ''the veteran a preliminary general mental health assessment'' and inserting ''the individual a comprehensive individual assessment as described in paragraph (1)(B)'';

(2) in subsection (b)(1), by striking ''physician or psychologist'' each place it appears and inserting ''licensed or certified mental health care provider'';

(3) in subsection (g)—

(A) by amending paragraph (1) to read as follows:

''(1) The term 'Vet Center' means a facility which is operated by the Department for the provision of services under this section and which is situated apart from Department general health care facilities.''; and

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

''(3) The term 'family member', with respect to a veteran or member of the Armed Forces, means an individual who—

"(A) is a member of the family of the veteran or member, including—

"(i) a parent;

"(ii) a spouse;

"(iii) a child;

"(iv) a step-family member; and

"(v) an extended family member; or

"(B) lives with the veteran or member but is not a member of the family of the veteran or member."; and

(4) by redesignating subsection (g), as amended by paragraph (3), as subsection (h) and inserting after subsection (f) the following new subsection (g):

"(g) In carrying out this section and in furtherance of the Secretary's responsibility to carry out outreach activities under chapter 63 of this title, the Secretary may provide for and facilitate the participation of personnel employed by the Secretary to provide services under this section in recreational programs that are—

"(1) designed to encourage the readjustment of veterans described in subsection (a)(1)(C); and

"(2) operated by any organization named in or approved under section 5902 of this title.".

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.

(a) IN GENERAL.—Subject to the availability of appropriations and subsection (b), the Secretary of Veterans Affairs, in addition to furnishing mental health care to family members of members of the Armed Forces through Vet Centers under section 1712A of title 38, United States Code, may furnish mental health care to immediate family members of members of the Armed Forces while such members are deployed in connection with a contingency operation (as defined in section 101 of title 10, United States Code) through Department of Veterans Affairs medical facilities, telemental health modalities, and such community, nonprofit, private, and other third parties as the Secretary considers appropriate.

(b) LIMITATION.—The Secretary may furnish mental health care under subsection (a) only to the extent that resources and facilities are available and only to the extent that the furnishing of such care does not interfere with the provision of care to veterans.

(c) NO ELIGIBILITY FOR TRAVEL REIMBURSEMENT.—A family member to whom the Secretary furnishes mental health care under subsection (a) shall not be eligible for payments or allowances under section 111 of title 38, United States Code, for such mental health care.

(d) SUNSET.—The authority to furnish medical health care under subsection (a) shall expire on the date that is three years after the date of the enactment of this Act.

(e) VET CENTER DEFINED.—In this section, the term ''Vet Center'' has the meaning given the term in section 1712A(g) of title 38, United States Code, as amended by section 760(3) of this Act.

SEC. 762. ORGANIZATION OF THE READJUSTMENT COUNSELING SERVICE IN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter I of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7309. Readjustment Counseling Service

''(a) IN GENERAL.—There is in the Veterans Health Administration a Readjustment Counseling Service. The Readjustment Counseling Service shall provide readjust-

1 ment counseling and associated services to individuals in
2 accordance with section 1712A of this title.

3 "(b) CHIEF OFFICER.—(1) The head of the Read-
4 justment Counseling Service shall be the Chief Officer of
5 the Readjustment Counseling Service (in this section the
6 'Chief Officer'), who shall report directly to the Under
7 Secretary for Health.

8 "(2) The Chief Officer shall be appointed by the
9 Under Secretary for Health from among individuals
10 who—

11 "(A)(i) are psychologists who hold a diploma as
12 a doctorate in clinical or counseling psychology from
13 an authority approved by the American Psycho-
14 logical Association and who have successfully under-
15 gone an internship approved by that association;

16 "(ii) are holders of a master in social work de-
17 gree; or

18 "(iii) hold such other advanced degrees related
19 to mental health as the Secretary considers appro-
20 priate;

21 "(B) have at least three years of experience
22 providing direct counseling services or outreach serv-
23 ices in the Readjustment Counseling Service;

1 "(C) have at least three years of experience ad-
2 ministrating direct counseling services or outreach
3 services in the Readjustment Counseling Service;
4 "(D) meet the quality standards and require-
5 ments of the Department; and
6 "(E) are veterans who served in combat as
7 members of the Armed Forces.
8 "(c) STRUCTURE.—(1) The Readjustment Coun-
9 seling Service is a distinct organizational element within
10 Veterans Health Administration.
11 "(2) The Readjustment Counseling Service shall pro-
12 vide counseling and services as described in subsection (a).
13 "(3) The Chief Officer shall have direct authority
14 over all Readjustment Counseling Service staff and assets,
15 including Vet Centers.
16 "(d) SOURCE OF FUNDS.—(1) Amounts for the ac-
17 tivities of the Readjustment Counseling Service, including
18 the operations of its Vet Centers, shall be derived from
19 amounts appropriated for the Veterans Health Adminis-
20 tration for medical care.
21 "(2) Amounts for activities of the Readjustment
22 Counseling Service, including the operations of its Vet
23 Centers, shall not be allocated through the Veterans Equi-
24 table Resource Allocation system.

"(3) In each budget request submitted for the Department of Veterans Affairs by the President to Congress under section 1105 of title 31, the budget request for the Readjustment Counseling Service shall be listed separately.

"(e) ANNUAL REPORT.—(1) Not later than March 15 of each year, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the activities of the Readjustment Counseling Service during the preceding calendar year.

"(2) Each report submitted under paragraph (1) shall include, with respect to the period covered by the report, the following:

"(A) A summary of the activities of the Readjustment Counseling Service, including Vet Centers.

"(B) A description of the workload and additional treatment capacity of the Vet Centers, including, for each Vet Center, the ratio of the number of full-time equivalent employees at such Vet Center and the number of individuals who received services or assistance at such Vet Center.

"(C) A detailed analysis of demand for and unmet need for readjustment counseling services and the Secretary's plan for meeting such unmet need.

"(f) VET CENTER DEFINED.—In this section, the term 'Vet Center' has the meaning given the term in section 1712A(g) of this title.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7308 the following new item:

"7309. Readjustment Counseling Service.".

(c) CONFORMING AMENDMENTS.—Section 7305 of such title is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6) the following new paragraph (7):

"(7) A Readjustment Counseling Service.".

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.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a national program of outreach to societies, community organizations, nonprofit organizations, or government entities in order to recruit mental health providers, who meet the quality standards and requirements of the Department of Veterans Affairs, to provide mental

health services for the Department on a part-time, without-compensation basis, under section 7405 of title 38, United States Code.

(b) PARTNERING WITH AND DEVELOPING COMMUNITY ENTITIES AND NONPROFIT ORGANIZATIONS.—In carrying out the program required by subsection (a), the Secretary may partner with a community entity or nonprofit organization or assist in the development of a community entity or nonprofit organization, including by entering into an agreement under section 8153 of title 38, United States Code, that provides strategic coordination of the societies, organizations, and government entities described in subsection (a) in order to maximize the availability and efficient delivery of mental health services to veterans by such societies, organizations, and government entities.

(c) MILITARY CULTURE TRAINING.—In carrying out the program required by subsection (a), the Secretary shall provide training to mental health providers to ensure that clinicians who provide mental health services as described in such subsection have sufficient understanding of military- and service-specific culture, combat experience, and other factors that are unique to the experience of veterans who served in Operation Enduring Freedom, Operating Iraqi Freedom, or Operation New Dawn.

SEC. 764. PEER SUPPORT.

(a) PEER SUPPORT COUNSELING PROGRAM.—

(1) PROGRAM REQUIRED.—Paragraph (1) of section 1720F(j) of title 38, United States Code, is amended in the matter before subparagraph (A) by striking ''may'' and inserting ''shall''.

(2) TRAINING.—Paragraph (2) of such section is amended by inserting after ''peer counselors'' the following: '', including training carried out under the national program of training required by section 304(c) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (38 U.S.C. 1712A note; Public Law 111–163)''.

(3) AVAILABILITY OF PROGRAM AT DEPARTMENT MEDICAL CENTERS.—Such section is amended by adding at the end the following new paragraph: ''(3) In addition to other locations the Secretary considers appropriate, the Secretary shall carry out the peer support program under this subsection at each Department medical center.''.

(4) DEADLINE FOR COMMENCEMENT OF PROGRAM.—The Secretary of Veterans Affairs shall ensure that the peer support counseling program required by section 1720F(j) of title 38, United States Code, as amended by this subsection, commences at each Department of Veterans Affairs medical center

not later than 270 days after the date of the enactment of this Act.

(b) PEER OUTREACH AND PEER SUPPORT SERVICES AT DEPARTMENT MEDICAL CENTERS UNDER PROGRAM ON READJUSTMENT AND MENTAL HEALTH CARE SERVICES FOR VETERANS WHO SERVED IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM.—

(1) IN GENERAL.—Section 304 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (38 U.S.C. 1712A note; Public Law 111–163) is amended—

(A) by redesignating subsection (e) as subsection (f); and

(B) by inserting after subsection (d) the following new subsection (e):

''(e) PROVISION OF PEER OUTREACH AND PEER SUPPORT SERVICES AT DEPARTMENT MEDICAL CENTERS.—The Secretary shall carry out the services required by subparagraphs (A) and (B) of subsection (a)(1) at each Department medical center.''.

(2) DEADLINE.—The Secretary of Veterans Affairs shall commence carrying out the services required by subparagraphs (A) and (B) of subsection (a)(1) of such section at each Department of Veterans Affairs medical center, as required by sub-

section (e) of such section (as added by paragraph (1)), not later than 270 days after the date of the enactment of this Act.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

SEC. 801. LIMITATION ON USE OF COST-TYPE CONTRACTS.

(a) PROHIBITION WITH RESPECT TO PRODUCTION OF MAJOR DEFENSE ACQUISITION PROGRAMS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall modify the acquisition regulations of the Department of Defense to prohibit the Department from entering into cost-type contracts for the production of major defense acquisition programs (MDAPs).

(b) EXCEPTION.—

(1) IN GENERAL.—The prohibition under subsection (a) shall not apply in the case of a particular cost-type contract if the Under Secretary of Defense for Acquisition, Technology, and Logistics, after

consultation with the Director of Cost Assessment and Program Evaluation—

(A) certifies, in writing, with reasons, that a cost-type contract is needed to provide a required capability in a timely and cost-effective manner; and

(B) provides the certification to the congressional defense committees not later than 30 business days before issuing a solicitation for the contract.

(2) SCOPE OF EXCEPTION.—In any case when the Under Secretary grants an exception under paragraph (1), the Under Secretary shall take affirmative steps to make sure that the use of cost-type pricing is limited to only those line items or portions of the contract where such pricing is needed to achieve the purposes of the exception. A written certification under paragraph (1) shall be accompanied by an explanation of the steps taken under this paragraph.

(c) DEFINITIONS.—In this section:

(1) MAJOR DEFENSE ACQUISITION PROGRAM.—The term ''major defense acquisition program'' has the meaning given the term in section 2430(a) of title 10, United States Code.

(2) PRODUCTION OF A MAJOR DEFENSE ACQUISITION PROGRAM.—The term ''production of a major defense acquisition program'' means the production, either on a low-rate initial production or full-rate production basis, and deployment of a major system that is intended to achieve an operational capability that satisfies mission needs, or any activity otherwise defined as Milestone C under Department of Defense Instruction 5000.02 or related authorities.

(3) CONTRACT FOR THE PRODUCTION OF A MAJOR DEFENSE ACQUISITION PROGRAM.—The term ''contract for the production of a major defense acquisition program''—

(A) means a prime contract for the production of a major defense acquisition program; and

(B) does not include individual line items for segregable efforts or contracts for the incremental improvement of systems that are already in production (other than contracts for major upgrades that are themselves major defense acquisition programs).

(d) APPLICABILITY.—The requirements of this section shall apply to contracts for the production of major

defense acquisition programs entered into on or after October 1, 2014.

SEC. 802. ACQUISITION STRATEGIES FOR MAJOR SUBSYSTEMS AND SUBASSEMBLIES ON MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that the acquisition strategy for each major defense acquisition program—

(1) provides, where appropriate, for breaking out a major subsystem or subassembly, conducting a separate competition or negotiating a separate price for the subsystem or subassembly, and providing the subsystem or subassembly to the prime contractor as government-furnished equipment; and

(2) in any case where it is not practical or appropriate to break out a major subsystem or subassembly and provide it to the prime contractor as government-furnished equipment, includes measures to prevent excessive pass-through charges by the prime contractor.

(b) DEFINITIONS.—In this section:

(1) The term ''excessive pass-through charges'' means pass-through charges that are not reasonable in relation to the cost of direct labor provided by employees of the contractor, any other costs directly

attributable to the management of the subcontract by employees of the contractor, and the level of risk and responsibility, if any, assumed by the prime contractor for the performance of the subcontract.

(2) The term ''major defense acquisition program'' has the meaning given the term in section 2430(a) of title 10, United States Code.

(3) The term ''pass-through charges'' means prime contractor charges for overhead (including general and administrative costs) or profit on a subsystem or subassembly that is produced by an entity or entities other than the prime contractor.

(c) CONFORMING AMENDMENTS.—Section 202(c) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1720; 10 U.S.C. 2430 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''fair and objective 'make-buy' decisions by prime contractors'' and inserting ''competition or the option of competition at the subcontract level'';

(2) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively; and

(3) by inserting before paragraph (2), as redesignated by paragraph (2) of this subsection, the following new paragraph (1):

"(1) where appropriate, breaking out a major subsystem, conducting a separate competition for the subsystem, and providing the subsystem to the prime contractor as government-furnished equipment;".

SEC. 803. MANAGEMENT STRUCTURE FOR DEVELOPMENTAL TEST AND EVALUATION.

(a) DUTIES OF DASD FOR DEVELOPMENTAL TEST AND EVALUATION.—Subsection (a)(5) of section 139b of title 10, United States Code is amended—

(1) in subparagraph (A)(i), by striking "in the Department of Defense" and inserting "of the military departments and other elements of the Department of Defense"; and

(2) in subparagraph (C), by striking "programs" and inserting "programs (including the activities of chief developmental testers and lead developmental test evaluation organizations designated in accordance with subsection (c))".

(b) DUTIES OF CHIEF DEVELOPMENTAL TESTER AND LEAD DEVELOPMENTAL TEST AND EVALUATION ORGANIZATION.—Subsection (c) of such section is amended—

(1) in paragraph (2), by striking "shall be responsible for" and inserting ", consistent with poli-

cies and guidance issued pursuant to subsection (a)(5)(A), shall be responsible for'';

(2) in paragraph (3), by striking ''shall be responsible for'' and inserting '', consistent with policies and guidance issued pursuant to subsection (a)(5)(A), shall be responsible for''; and

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

''(4) TRANSMITTAL OF RECORDS AND DATA.—The chief developmental tester and the lead developmental test and evaluation organization for a major defense acquisition program shall promptly transmit to the Deputy Assistant Secretary for Developmental Test and Evaluation any records or data relating to the program that are requested by the Deputy Assistant Secretary, as provided in subsection (a)(6).''.

SEC. 804. ASSESSMENTS OF POTENTIAL TERMINATION LIABILITY OF CONTRACTS FOR THE DEVELOPMENT OR PRODUCTION OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPORT ON ASSESSMENT REQUIRED.—Not later than 30 days before entering into a covered contract, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the potential termination liability

of the Department of Defense under the contract, including—

(1) an estimate of the maximum potential termination liability certification for the contract; and

(2) an assessment how such termination liability is likely to increase or decrease over the period of performance of the contract.

(b) COVERED CONTRACTS.—For purposes of this section, a covered contract is a contract for the development or production of a major defense acquisition program for which the Under Secretary of Defense for Acquisition, Technology, and Logistics is the Milestone Decision Authority if the contract has a potential termination liability of the Department of Defense that could reasonably be expected to exceed $100,000,000.

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term ''major defense acquisition program'' has the meaning given that term in section 2430 of title 10, United States Code.

SEC. 805. TECHNICAL CHANGE REGARDING PROGRAMS EXPERIENCING CRITICAL COST GROWTH DUE TO CHANGE IN QUANTITY PURCHASED.

Section 2433a(c)(3)(A) of title 10, United States Code, is amended by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraphs (B), (C), and (E)''.

SEC. 806. REPEAL OF REQUIREMENT TO REVIEW ONGOING PROGRAMS INITIATED BEFORE ENACTMENT OF MILESTONE B CERTIFICATION AND APPROVAL PROCESS.

Subsection (b) of section 205 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1725; 10 U.S.C. 2366b note) is repealed.

Subtitle B—Acquisition Policy and Management

SEC. 821. ONE-YEAR EXTENSION OF TEMPORARY LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489) is amended—

(1) by striking ''fiscal year 2012 or 2103'' each place it appears and inserting ''fiscal year 2012, 2013, or 2014''; and

(2) by striking ''fiscal years 2012 and 2013'' each place it appears and inserting ''fiscal years 2012, 2103, and 2014''.

SEC. 822. PROHIBITION OF EXCESSIVE PASS-THROUGH CONTRACTS AND CHARGES IN THE ACQUISITION OF SERVICES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to—

(1) prohibit the award of a covered contract or task order unless the contractor agrees that at least 50 percent of the direct labor cost of services to be performed under the contract or task order will be expended for employees of the contractor or of a subcontractor that is specifically identified and authorized to perform such work in the contract or task order;

(2) provide that the contracting officer for a covered contract or task order may authorize reliance upon a subcontractor or subcontractors to meet the requirement in paragraph (1) only upon a written determination that such reliance is in the best interest of the executive agency concerned, after taking into account the added cost for overhead (including general and administrative costs) and profit that may be incurred as a result of the pass-through;

(3) require the contracting officer for a covered contract or task order for which more than 70 percent of the direct labor cost of services to be per-

formed will be expended for persons other than employees of the contractor to ensure that amounts paid to the contractor for overhead (including general and administrative costs) and profit are reasonable in relation to the cost of direct labor provided by employees of the contractor and any other costs directly attributable to the management of the subcontract by employees of the contractor;

(4) include such exceptions to the requirements in paragraphs (2) and (3) as the Federal Acquisition Regulatory Council considers appropriate in the interests of the United States, which exceptions shall be permissible only in exceptional circumstances and for instances demonstrated by the Council to be cost-effective; and

(5) include such exceptions to the requirements in paragraphs (2) and (3) as the Secretary of Defense considers appropriate in the interests of the national defense.

(b) COVERED CONTRACT OR TASK ORDER DEFINED.—In this section, the term ''covered contract or task order'' means a contract or task order for the performance of services (other than construction) with a value in excess of the simplified acquisition threshold that is entered into for or on behalf of an executive agency, except

that such term does not include any contract or task order that provides a firm, fixed price for each task to be performed and is—

(1) awarded on the basis of adequate price competition; or

(2) for the acquisition of commercial services as defined in paragraphs (5) and (6) of section 103 of title 41, United States Code.

(c) EFFECTIVE DATE.—The requirements of this section shall apply to—

(1) covered contracts that are awarded on or after the date that is 90 days after the date of the enactment of this Act; and

(2) covered task orders that are awarded on or after the date that is 90 days after the date of the enactment of this Act under contracts that are awarded before, on, or after such date.

(d) OTHER DEFINITIONS.—In this section:

(1) The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

(2) The term ''Federal Acquisition Regulatory Council'' means the Federal Acquisition Regulatory Council under section 1302(a) of title 41, United States Code.

(e) CONFORMING REPEAL.—Section 852 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2340) is repealed.

SEC. 823. AVAILABILITY OF AMOUNTS IN DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND FOR TEMPORARY MEMBERS OF WORKFORCE.

(a) IN GENERAL.—Section 1705 of title 10, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (1), by adding at the end the following new sentence: ''In the case of temporary members of the acquisition workforce designated pursuant to subsection (h)(2), such funds shall be available only for the limited purpose of providing training in the performance of acquisition-related functions and duties.''; and

(B) in paragraph (5), by inserting before the period at the end the following: '', and who has continued in the employment of the Department since such time without a break in such employment of more than a year'';

(2) by striking subsection (g);

(3) by redesignating subsection (h) as subsection (g); and

(4) by adding at the end the following new subsection (h):

"(h) ACQUISITION WORKFORCE DEFINED.—In this section, the term 'acquisition workforce' means the following:

"(1) Personnel in positions designated under section 1721 of this title as acquisition positions for purposes of this chapter.

"(2) Other military personnel or civilian employees of the Department of Defense who—

"(A) contribute significantly to the acquisition process by virtue of their assigned duties; and

"(B) are designated as temporary members of the acquisition workforce by the Under Secretary of Defense for Acquisition, Technology, and Logistics, or by the senior acquisition executive of a military department, for the limited purpose of receiving training for the performance of acquisition-related functions and duties.".

(b) EXTENSION OF EXPEDITED HIRING AUTHORITY.—Subsection (g) of such section, as redesignated by subsection (a)(3) of this section, is further amended in

paragraph (2) by striking ''September 30, 2015'' and inserting ''September 30, 2017''.

(c) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall develop a plan for the implementation of the authority provided by the amendments made by subsection (a) with regard to temporary members of the defense acquisition workforce. The plan shall include policy, criteria, and processes for designating temporary members and appropriate safeguards to prevent the abuse of such authority.

SEC. 824. DEPARTMENT OF DEFENSE POLICY ON CONTRACTOR PROFITS.

(a) REVIEW OF GUIDELINES ON PROFITS.—The Secretary of Defense shall review the profit guidelines in the Department of Defense Supplement to the Federal Acquisition Regulation in order to identify any modifications to such guidelines that are necessary to ensure an appropriate link between contractor profit and contractor performance.

(b) MATTERS TO BE CONSIDERED.—In conducting the review required by subsection (a), the Secretary shall consider, at a minimum, the following:

(1) Appropriate levels of profit needed to sustain competition in the defense industry, taking into account contractor investment and cash flow.

(2) Appropriate adjustments to address contract and performance risk assumed by the contractor, taking into account the extent to which such risk is passed on to subcontractors.

(3) Appropriate incentives for superior performance in delivering quality products and services in a timely and cost-effective manner, taking into account such factors as prime contractor cost reduction, control of overhead costs, subcontractor cost reduction, subcontractor management, and effective competition (including the utilization of small business) at the subcontract level.

(c) MODIFICATION OF GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall modify the profit guidelines described in subsection (a) so as to achieve the link described that subsection.

(d) REPORT.—Upon the completion of the modification of the profit guidelines required by subsection (c), the Secretary shall submit to the congressional defense committees a report on the actions of the Secretary under this section. The report shall set forth the following:

(1) The results of the review conducted under subsection (a).

(2) A description of the modification carried out under subsection (c).

SEC. 825. MODIFICATION OF AUTHORITIES ON INTERNAL CONTROLS FOR PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE BY CERTAIN NON-DEFENSE AGENCIES.

(a) DISCRETIONARY AUTHORITY.—Subsection (a) of section 801 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2304 note) is amended—

(1) in paragraph (1), by striking ''shall, not later than the date specified in paragraph (2),'' and inserting ''may'';

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively;

(4) in paragraph (3), as redesignated by paragraph (3) of this section—

(A) by striking ''required under this subsection'' and inserting ''to be performed under this subsection''; and

(B) by striking ''shall'' and inserting ''may''; and

(5) in paragraph (4), as so redesignated, by striking ''shall'' and inserting ''may''.

(b) CONFORMING AMENDMENTS.—Subsection (b)(1)(B) of such section is amended—

(1) in clause (i), by striking ''required by subsection (a)(4)'' and inserting ''to be entered into under subsection (a)(3)''; and

(2) in clause (ii)—

(A) by striking ''required by subsection (a)'' and inserting ''provided for under subsection (a)''; and

(B) by striking ''subsection (a)(5)'' and inserting ''subsection (a)(4)''.

SEC. 826. EXTENSION OF PILOT PROGRAM ON MANAGEMENT OF SUPPLY-CHAIN RISK.

Section 806(g) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4262; 10 U.S.C. 2304 note) is amended by striking ''the date that is three years after the date of the enactment of this Act'' and inserting ''January 1, 2016''.

SEC. 827. SENSE OF SENATE ON THE CONTINUING PROGRESS OF THE DEPARTMENT OF DEFENSE IN IMPLEMENTING ITS ITEM UNIQUE IDENTIFICATION INITIATIVE.

(a) FINDINGS.—The Senate makes the following findings:

(1) In 2003, the Department of Defense initiated the Item Unique Identification (IUID) Initiative, which requires the marking and tracking of assets deployed throughout the Armed Forces or in the possession of Department contractors.

(2) The Initiative has the potential for realizing significant cost savings and improving the management of defense equipment and supplies throughout their lifecycle.

(3) The Initiative can help the Department combat the growing problem of counterfeits in the military supply chain.

(b) SENSE OF SENATE.—It is the sense of the Senate—

(1) to support efforts by the Department of Defense to implement the Item Unique Identification Initiative;

(2) to support measures to verify contractor compliance with section 252.211–7003 (entitled ''Item Identification and Valuation'') of the Defense

Supplement to the Federal Acquisition Regulation, on Unique Identification, which states that a unique identification equivalent recognized by the Department is required for certain acquisitions;

(3) to encourage the Armed Forces to adopt and implement Item Unique Identification actions and milestones; and

(4) to support investment of sufficient resources and continued training and leadership to enable the Department to capture meaningful data and optimize the benefits of the Item Unique Identification Initiative.

Subtitle C—Amendments Relating to General Contracting Authorities, Procedures, and Limitations

SEC. 841. APPLICABILITY OF TRUTH IN NEGOTIATIONS ACT TO MAJOR SYSTEMS AND RELATED SUBSYSTEMS, COMPONENTS, AND SUPPORT SERVICES.

(a) AUTHORITY TO REQUIRE SUBMISSION OF COST OR PRICING DATA.—Subsection (c) of section 2306a of title 10, United States Code, is amended—

(1) in the subsection caption, by striking ''BELOW-THRESHOLD'' and inserting ''CERTAIN''; and

(2) in paragraph (2), by inserting before the period at the end the following: '', except in the case of either of the following:

''(A) A major system or a subsystem or component thereof that is not a commercially available off-the-shelf item (as defined in section 104 of title 41) and was not developed exclusively at private expense as demonstrated in accordance with the requirements of section 2321(f)(2) of this title.

''(B) Services that are procured for support of a system, subsystem, or component described in subparagraph (A).''.

(b) AUTHORITY TO REQUIRE SUBMISSION OF OTHER INFORMATION.—Subsection (d)(1) of such section is amended by striking ''at a minimum'' and all that follows and inserting ''at a minimum—

''(A) appropriate information on the prices at which the same item or similar items have previously been sold that is adequate for evaluating the reasonableness of the price for the procurement; and

"(B) in the case of a system, subsystem, component, or services described in subparagraph (A) or (B) of subsection (c)(2) for which price information described in subparagraph (A) of this paragraph is not adequate to evaluate price reasonableness, uncertified cost data that is adequate for evaluating the reasonableness of the price for the procurement.".

(c) TECHNICAL AMENDMENT.—Subsection (c)(3) of such section is amended by striking "paragraph" and inserting "subsection".

SEC. 842. MAXIMUM AMOUNT OF ALLOWABLE COSTS OF COMPENSATION OF CONTRACTOR EMPLOYEES.

(a) MODIFICATION OF MAXIMUM AMOUNT.—Section 2324(e)(1)(P) of title 10, United States Code, is amended by striking "the benchmark" and all that follows through "section 1127 of title 41" and inserting "the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently $230,700)".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2013, and shall apply with respect to costs of compensation incurred

on or after that date under contracts entered into before, on, or after that date.

(c) REPORT ON ALLOWABLE COSTS OF EMPLOYEE COMPENSATION.—Not later than 120 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to Congress a report on the effect of the modification of allowable costs of contractor compensation of employees made by subsection (a). The report shall include the following:

(1) The total number of contractor employees whose allowable costs of compensation in fiscal year 2012 exceeded the amount of allowable costs under the modification made by subsection (a).

(2) The total number of contractor employees whose allowable costs of compensation in each of fiscal years 2010, 2011, and 2012 would have exceeded the amount of allowable costs under section 2324(e)(1)(P) of title 10, United States Code, as amended by section 803(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1485).

(3) The total number of contractor employees whose allowable costs of compensation in each of fiscal years 2010, 2011, and 2012 exceeded the

amount payable to the President under section 102 of title 3, United States Code.

(4) The total number of contractor employees in fiscal year 2012 that could have been characterized as falling within a narrowly targeted exception established by the Secretary of Defense under section 2324(e)(1)(P) of title 10, United States Code, as a result of the amendment made by section 803(a)(2) of the National Defense Authorization Act for Fiscal Year 2012.

(5) An assessment whether the compensation amounts provided in fiscal year 2012 to employees who were characterized by their employers as falling within a narrowly targeted exception described in paragraph (4) were provided compensation amounts in that fiscal year in manner consistent with private sector practice.

(6) The duties and services performed in fiscal year 2012 by employees who were characterized by their employers as falling within a narrowly targeted exception described in paragraph (4).

(7) An assessment whether there are Federal civilian employees who perform duties and services comparable to the duties and services described pursuant to paragraph (6).

SEC. 843. DEPARTMENT OF DEFENSE ACCESS TO AND USE OF CONTRACTOR INTERNAL AUDIT REPORTS.

(a) CLARIFICATION OF AUDIT ACCESS AUTHORITY.—Section 2313(a)(2) of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking ''or'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(E) the efficacy of contractor or subcontractor internal controls and the reliability of contractor or subcontractor business systems.''.

(b) GUIDANCE ON ACCESS.—

(1) GUIDANCE REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Contract Audit Agency shall issue revised guidance on Defense Contract Audit Agency auditor access to defense contractor internal audit reports and supporting materials.

(2) PURPOSE.—The purpose of the guidance issued pursuant to paragraph (1) shall be to ensure that the Defense Contract Audit Agency has sufficient access to contractor internal audit reports and supporting materials in order to—

(A) evaluate and test the efficacy of contractor internal controls and the reliability of associated contractor business systems; and

(B) assess the amount of risk and level of testing required in connection with specific audits to be conducted by the Agency.

(3) MATTERS TO BE ADDRESSED.—The guidance issued pursuant to paragraph (1) shall address, at a minimum, the following:

(A) The extent to which Defense Contract Audit Agency auditors should request access to defense contractor internal audit reports and supporting materials.

(B) The circumstances in which follow-up actions, including subpoenas, may be required to ensure Agency access to audit reports and supporting materials.

(C) The designation of Agency audit officials responsible for coordinating issues pertaining to Agency requests for audit reports and supporting materials.

(D) The purposes for which Agency auditors may use audit reports and supporting materials.

(E) Any protections that may be required to ensure that audit reports and supporting materials are not misused.

(F) Requirements for tracking Agency requests for audit reports and supporting materials.

(c) FAILURE TO PROVIDE ACCESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise the program required by section 893 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4311; 10 U.S.C. 2302 note) in order to—

(1) ensure that any assessment of the adequacy of contractor business systems takes into account the efficacy of contractor internal controls, including contractor internal audit reports and supporting materials, that are relevant to such assessment; and

(2) provide that the refusal of a contractor to permit access to contractor internal audit reports and supporting materials that are relevant to such an assessment is a basis for disapproving the contractor business system or systems to which such materials are relevant and taking the remedial actions authorized under section 893.

SEC. 844. ENHANCEMENT OF WHISTLEBLOWER PROTECTIONS FOR CONTRACTOR EMPLOYEES.

(a) IN GENERAL.—Subsection (a) of section 2409 of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''An employee'';

(2) in paragraph (1), as so designated—

(A) by inserting ''or subcontractor'' after ''employee of a contractor'';

(B) by striking ''a Member of Congress'' and all that follows through ''the Department of Justice'' and inserting ''a person or body described in paragraph (2)'';

(C) by inserting ''an abuse of authority relating to a Department of Defense contract or grant,'' after ''Department of Defense funds,''; and

(D) by inserting '', rule, or regulation'' after ''a violation of law''; and

(3) by adding at the end the following new paragraphs:

''(2) The persons and bodies described in this paragraph are the persons and bodies as follows:

''(A) A Member of Congress or a representative of a committee of Congress.

''(B) An Inspector General.

''(C) The Government Accountability Office.

"(D) A Department of Defense employee responsible for contract oversight or management.

"(E) An authorized official of the Department of Justice or other law enforcement agency.

"(F) A court or grand jury.

"(G) A management official or other employee of the contractor or subcontractor who has the responsibility to investigate, discover, or address misconduct.

"(3) For the purposes of paragraph (1)—

"(A) an employee who initiates or provides evidence of contractor or subcontractor misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Department of Defense contract shall be deemed to have made a disclosure covered by such paragraph; and

"(B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of a Department of Defense official, unless the request takes the form of a non-discretionary directive and is within the authority of the Department of Defense official making the request.".

(b) INVESTIGATION OF COMPLAINTS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting ''fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant,'' after ''is frivolous,'';

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting '', fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant'' after ''is frivolous''; and

(B) in subparagraph (B), by inserting '', up to 180 days,'' after ''such additional period of time''; and

(3) by adding at the end the following new paragraphs:

''(3) The Inspector General may not respond to any inquiry or disclose any information from or about any person alleging the reprisal, except to the extent that such response or disclosure is—

''(A) made with the consent of the person alleging the reprisal;

"(B) made in accordance with the provisions of section 552a of title 5 or as required by any other applicable Federal law; or

"(C) necessary to conduct an investigation of the alleged reprisal.

"(4) A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.".

(c) REMEDY AND ENFORCEMENT AUTHORITY.—Subsection (c) of such section is amended—

(1) in paragraph (1)(B), by striking "the compensation (including back pay)" and inserting "compensatory damages (including back pay)";

(2) in paragraph (2), by adding at the end following new sentence: "An action under this paragraph may not be brought more than two years after the date on which remedies are deemed to have been exhausted.";

(3) in paragraph (4), by striking "and compensatory and exemplary damages." and inserting ", compensatory and exemplary damages, and attorney fees and costs. The person upon whose behalf an order was issued may also file such an action or join in an action filed by the head of the agency.";

(4) in paragraph (5), by adding at the end the following new sentence: ''Filing such an appeal shall not act to stay the enforcement of the order of the head of an agency, unless a stay is specifically entered by the court.''; and

(5) by adding at the end the following new paragraphs:

''(6) The legal burdens of proof specified in section 1221(e) of title 5 shall be controlling for the purposes of any investigation conducted by an Inspector General, decision by the head of an agency, or judicial or administrative proceeding to determine whether discrimination prohibited under this section has occurred.

''(7) The rights and remedies provided for in this section may not be waived by any agreement, policy, form, or condition of employment, including by any predispute arbitration agreement, other than an arbitration provision in a collective bargaining agreement.''.

(d) NOTIFICATION OF EMPLOYEES.—Such section is further amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

"(d) NOTIFICATION OF EMPLOYEES.—The Secretary of Defense shall ensure that contractors and subcontractors of the Department of Defense inform their employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.".

(e) ABUSE OF AUTHORITY DEFINED.—Subsection (f) of such section, as redesignated by subsection (d)(1) of this section, is further amended by adding at the end the following new paragraph:

"(6) The term 'abuse of authority' means an arbitrary and capricious exercise of authority that is inconsistent with the mission of the Department of Defense or the successful performance of a Department of Defense contract or grant.".

(f) ALLOWABILITY OF LEGAL FEES.—Section 2324(k) of such title is amended—

(1) in paragraph (1), by striking "commenced by the United States or a State" and inserting "commenced by the United States, by a State, or by a contractor employee submitting a complaint under section 2409 of this title"; and

(2) in paragraph (2)(C), by striking "the imposition of a monetary penalty" and inserting "the im-

position of a monetary penalty or an order to take corrective action under section 2409 of this title''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply to—

(A) all contracts awarded on or after such date;

(B) all task orders entered on or after such date pursuant to contracts awarded before, on, or after such date; and

(C) all contracts awarded before such date that are modified to include a contract clause providing for the applicability of such amendments.

(2) REVISION OF DOD SUPPLEMENT TO THE FAR.—Not later than 180 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to implement the requirements arising under the amendments made by this section.

(3) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS AWARDED BEFORE EFFECTIVE DATE.—At the time of any major modification to a contract

that was awarded before the date that is 180 days after the date of the enactment of this Act, the head of the contracting agency shall make best efforts to include in the contract a contract clause providing for the applicability of the amendments made by this section to the contract.

SEC. 844A. WHISTLEBLOWER PROTECTIONS FOR NON-DEFENSE CONTRACTORS.

(a) WHISTLEBLOWER PROTECTIONS.—

(1) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

"SEC. 4712. CONTRACTOR AND GRANTEE EMPLOYEES: PROTECTION FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.

''(a) PROHIBITION OF REPRISALS.—

''(1) IN GENERAL.—An employee of a contractor, subcontractor, or grantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in paragraph (2) information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial

and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

"(2) PERSONS AND BODIES COVERED.—The persons and bodies described in this paragraph are the persons and bodies as follows:

"(A) A Member of Congress or a representative of a committee of Congress.

"(B) An Inspector General.

"(C) The Government Accountability Office.

"(D) A Federal employee responsible for contract or grant oversight or management at the relevant agency.

"(E) An authorized official of the Department of Justice or other law enforcement agency.

"(F) A court or grand jury.

"(G) A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

"(3) RULES OF CONSTRUCTION.—For the purposes of paragraph (1)—

"(A) an employee who initiates or provides evidence of contractor, subcontractor, or grantee misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Federal contract or grant shall be deemed to have made a disclosure covered by such paragraph; and

"(B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of an executive branch official, unless the request takes the form of a non-discretionary directive and is within the authority of the executive branch official making the request.

"(b) INVESTIGATION OF COMPLAINTS.—

"(1) SUBMISSION OF COMPLAINT.—A person who believes that the person has been subjected to a reprisal prohibited by subsection (a) may submit a complaint to the Inspector General of the executive agency involved. Unless the Inspector General determines that the complaint is frivolous, fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant, the Inspector General shall investigate the complaint and, upon completion of such

investigation, submit a report of the findings of the investigation to the person, the contractor or grantee concerned, and the head of the agency.

"(2) INSPECTOR GENERAL ACTION.—

"(A) DETERMINATION OR SUBMISSION OF REPORT ON FINDINGS.—Except as provided under subparagraph (B), the Inspector General shall make a determination that a complaint is frivolous, fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant or submit a report under paragraph (1) within 180 days after receiving the complaint.

"(B) EXTENSION OF TIME.—If the Inspector General is unable to complete an investigation in time to submit a report within the 180-day period specified in subparagraph (A) and the person submitting the complaint agrees to an extension of time, the Inspector General shall submit a report under paragraph (1) within such additional period of time, up to 180 days, as shall be agreed upon between the In-

spector General and the person submitting the complaint.

"(3) PROHIBITION ON DISCLOSURE.—The Inspector General may not respond to any inquiry or disclose any information from or about any person alleging the reprisal, except to the extent that such response or disclosure is—

"(A) made with the consent of the person alleging the reprisal;

"(B) made in accordance with the provisions of section 552a of title 5 or as required by any other applicable Federal law; or

"(C) necessary to conduct an investigation of the alleged reprisal.

"(4) TIME LIMITATION.—A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.

"(c) REMEDY AND ENFORCEMENT AUTHORITY.—

"(1) IN GENERAL.—Not later than 30 days after receiving an Inspector General report pursuant to subsection (b), the head of the executive agency concerned shall determine whether there is sufficient basis to conclude that the contractor or grantee concerned has subjected the complainant to a reprisal

prohibited by subsection (a) and shall either issue an order denying relief or shall take one or more of the following actions:

"(A) Order the contractor or grantee to take affirmative action to abate the reprisal.

"(B) Order the contractor or grantee to reinstate the person to the position that the person held before the reprisal, together with compensatory damages (including back pay), employment benefits, and other terms and conditions of employment that would apply to the person in that position if the reprisal had not been taken.

"(C) Order the contractor or grantee to pay the complainant an amount equal to the aggregate amount of all costs and expenses (including attorneys' fees and expert witnesses' fees) that were reasonably incurred by the complainant for, or in connection with, bringing the complaint regarding the reprisal, as determined by the head of the executive agency.

"(2) EXHAUSTION OF REMEDIES.—If the head of an executive agency issues an order denying relief under paragraph (1) or has not issued an order within 210 days after the submission of a complaint

under subsection (b), or in the case of an extension of time under paragraph (b)(2)(B), not later than 30 days after the expiration of the extension of time, and there is no showing that such delay is due to the bad faith of the complainant, the complainant shall be deemed to have exhausted all administrative remedies with respect to the complaint, and the complainant may bring a de novo action at law or equity against the contractor or grantee to seek compensatory damages and other relief available under this section in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy. Such an action shall, at the request of either party to the action, be tried by the court with a jury. An action under this paragraph may not be brought more than two years after the date on which remedies are deemed to have been exhausted.

"(3) ADMISSIBILITY OF EVIDENCE.—An Inspector General determination and an agency head order denying relief under paragraph (2) shall be admissible in evidence in any de novo action at law or equity brought pursuant to this subsection.

"(4) ENFORCEMENT OF ORDERS.—Whenever a person fails to comply with an order issued under

paragraph (1), the head of the executive agency concerned shall file an action for enforcement of such order in the United States district court for a district in which the reprisal was found to have occurred. In any action brought under this paragraph, the court may grant appropriate relief, including injunctive relief, compensatory and exemplary damages, and attorney fees and costs. The person upon whose behalf an order was issued may also file such an action or join in an action filed by the head of the executive agency.

"(5) JUDICIAL REVIEW.—Any person adversely affected or aggrieved by an order issued under paragraph (1) may obtain review of the order's conformance with this subsection, and any regulations issued to carry out this section, in the United States court of appeals for a circuit in which the reprisal is alleged in the order to have occurred. No petition seeking such review may be filed more than 60 days after issuance of the order by the head of the executive agency. Review shall conform to chapter 7 of title 5. Filing such an appeal shall not act to stay the enforcement of the order of the head of an executive agency, unless a stay is specifically entered by the court.

"(6) BURDENS OF PROOF.—The legal burdens of proof specified in section 1221(e) of title 5 shall be controlling for the purposes of any investigation conducted by an Inspector General, decision by the head of an executive agency, or judicial or administrative proceeding to determine whether discrimination prohibited under this section has occurred.

"(7) RIGHTS AND REMEDIES NOT WAIVABLE.—The rights and remedies provided for in this section may not be waived by any agreement, policy, form, or condition of employment, including by any predispute arbitration agreement, other than an arbitration provision in a collective bargaining agreement.

"(d) NOTIFICATION OF EMPLOYEES.—The head of each executive agency shall ensure that contractors, subcontractors, and grantees of the agency inform their employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

"(e) CONSTRUCTION.—Nothing in this section may be construed to authorize the discharge of, demotion of, or discrimination against an employee for a disclosure other than a disclosure protected by subsection (a) or to

modify or derogate from a right or remedy otherwise available to the employee.

"(f) DEFINITIONS.—In this section:

"(1) The term 'abuse of authority' means an arbitrary and capricious exercise of authority that is inconsistent with the mission of the executive agency concerned or the successful performance of a contract or grant of such agency.

"(2) The term 'Inspector General' means an Inspector General appointed under the Inspector General Act of 1978 and any Inspector General that receives funding from, or has oversight over contracts or grants awarded for or on behalf of, the executive agency concerned.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"4712. Contractor and grantee employees: protection from reprisal for disclosure of certain information.".

(b) ALLOWABILITY OF LEGAL FEES.—Section 4310 of title 41, United States Code, is amended—

(1) in subsection (b), by striking "commenced by the Federal Government or a State" and inserting "commenced by the Federal Government, by a State, or by a contractor or grantee employee sub-

mitting a complaint under section 4712 of this title''; and

(2) in subsection (c)(3), by striking ''the imposition of a monetary penalty'' and inserting ''the imposition of a monetary penalty or an order to take corrective action under section 4712 of this title''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply to—

(A) all contracts and grants awarded on or after such date;

(B) all task orders entered on or after such date pursuant to contracts awarded before, on, or after such date; and

(C) all contracts awarded before such date that are modified to include a contract clause providing for the applicability of such amendments.

(2) REVISION OF FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to implement the require-

ments arising under the amendments made by this section.

(3) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS AWARDED BEFORE EFFECTIVE DATE.—At the time of any major modification to a contract that was awarded before the date that is 180 days after the date of the enactment of this Act, the head of the contracting agency shall make best efforts to include in the contract a contract clause providing for the applicability of the amendments made by this section to the contract.

SEC. 845. EXTENSION OF CONTRACTOR CONFLICT OF INTEREST LIMITATIONS.

(a) ASSESSMENT OF EXTENSION OF LIMITATIONS TO CERTAIN ADDITIONAL FUNCTIONS AND CONTRACTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall review the guidance on personal conflicts of interest for contractor employees issued pursuant to section 841(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4537) in order to determine whether it would be in the best interest of the Department of Defense and the taxpayers to extend such guidance to personal conflicts of interest by contractor personnel performing any of the following:

(1) Functions other than acquisition functions that are closely associated with inherently governmental functions (as that term is defined in section 2383(b)(3) of title 10, United States Code).

(2) Personal services contracts (as that term is defined in section 2330a(g)(5) of title 10, United States Code).

(3) Contracts for staff augmentation services (as that term is defined in section 808(d)(3) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1490)).

(b) EXTENSION OF LIMITATIONS.—If the Secretary determines pursuant to the review under subsection (a) that the guidance on personal conflicts of interest should be extended, the Secretary shall revise the Defense Supplement to the Federal Acquisition Regulation to the extent necessary to achieve such extension.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth the following:

(1) A summary of the review conducted under subsection (a).

(2) A summary description of any revisions of regulations carried out under subsection (b).

SEC. 846. REPEAL OF SUNSET FOR CERTAIN PROTESTS OF TASK AND DELIVERY ORDER CONTRACTS.

Section 2304c(e) of title 10, United States Code, is amended by striking paragraph (3).

SEC. 847. REPORTS ON USE OF INDEMNIFICATION AGREEMENTS.

(a) IN GENERAL.—Not later than 90 days after the end of each of fiscal years 2013 through 2016, the Secretary of Defense shall submit to the appropriate committees of Congress a report on any actions described in subsection (b) which occurred during the preceding fiscal years.

(b) ACTIONS DESCRIBED.—

(1) IN GENERAL.—An action described in this subsection is the Secretary of Defense—

(A) entering into a contract that includes an indemnification provision relating to bodily injury caused by negligence or relating to wrongful death; or

(B) modifying an existing contract to include a provision described in subparagraph (A) in a contract.

(2) EXCLUDED CONTRACTS.—Paragraph (1) shall not apply to any contract awarded in accordance with—

(A) section 2354 of title 10, United States Code; or

(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(c) MATTERS INCLUDED.—For each action covered in a report under subsection (a), the report shall include—

(1) the name of the contractor;

(2) a description of the indemnification provision included in the contract; and

(3) a justification for the contract including the indemnification provision.

(d) FORM.—Each report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on the Budget, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on the Budget, and the Committee on Appropriations of the House of Representatives.

SEC. 848. CONTRACTING WITH SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.

(a) PROCUREMENT PROGRAM FOR WOMEN-OWNED SMALL BUSINESS CONCERNS.—Section 8(m)(2) of the Small Business Act (15 U.S.C. 637(m)(2)) is amended—

(1) in subparagraph (A), by striking ''who are economically disadvantaged'';

(2) in subparagraph (C), by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(3) by striking subparagraph (D); and

(4) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively.

(b) STUDY AND REPORT ON REPRESENTATION OF WOMEN.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by adding at the end the following:

''(o) STUDY AND REPORT ON REPRESENTATION OF WOMEN.—

''(1) STUDY.—The Administrator shall periodically conduct a study to identify industries, as defined under the North American Industry Classifica-

tion System, underrepresented by small business concerns owned and controlled by women.

"(2) REPORT.—Not later than 5 years after the date of enactment of this subsection, and every 5 years thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the results of each study under paragraph (1) conducted during the 5-year period ending on the date of the report.".

Subtitle D—Provisions Relating to Wartime Contracting

SEC. 860. SHORT TITLE.

This subtitle may be cited as the "Wartime Contracting Reform Act of 2012".

SEC. 861. RESPONSIBILITY WITHIN DEPARTMENT OF DEFENSE FOR CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) RESPONSIBILITY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall prescribe in regulations the chain of authority and responsibility within the Department of Defense for policy, planning, and execu-

tion of contract support for overseas contingency operations.

(2) ELEMENTS.—The regulations under paragraph (1) shall, at a minimum—

(A) specify the officials, offices, and components of the Department within the chain of authority and responsibility described in paragraph (1);

(B) identify for each official, office, and component specified under subparagraph (A)—

(i) requirements for policy, planning, and execution of contract support for overseas contingency operations, including, at a minimum, requirements in connection with—

(I) coordination of functions, authorities, and responsibilities related to operational contract support for overseas contingency operations;

(II) assessments of total force data in support of Department force planning scenarios, including the appropriateness of and necessity for the use of contractors for identified functions;

(III) determinations of capability requirements for non-acquisition community operational contract support, and identification of resources required for planning, training, and execution to meet such requirements;

(IV) determinations of policy regarding the use of contractors by function, and identification of the training exercises that will be required for contract support (including an assessment whether or not such exercises will include contractors); and

(V) establishment of an inventory, and identification of areas of high risk and trade offs, for use of contract support in overseas contingency operations and for areas in which members of the Armed Forces will be used in such operations instead of contract support; and

(ii) roles, authorities, responsibilities, and lines of supervision for the achievement of the requirements identified under clause (i), including the position within the

chain of authority and responsibility described in paragraph (1) with responsibility for reporting directly to the Secretary regarding policy, planning, and execution of contract support for overseas contingency operations; and

(C) ensure that the chain of authority and responsibility described in paragraph (1) is appropriately aligned with, and appropriately integrated into, the structure of the Department for the conduct of overseas contingency operations, including the military departments, the Joint Staff, and the commanders of the unified combatant commands.

(b) SECRETARY OF DEFENSE REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the regulations prescribed under subsection (a). The report shall set forth the following:

(1) The regulations.

(2) A comprehensive description of the requirements identified under clause (i) of subsection (a)(2)(B), and a comprehensive description of the manner in which the roles, authorities, responsibilities, and lines of supervision under clause (ii) of

that subsection will further the achievement of such requirements.

(3) A comprehensive description of the manner in which the regulations will meet the requirements in subsection (a)(2)(C).

(c) COMPTROLLER GENERAL REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the progress of the Department of Defense in implementing the regulations prescribed under subsection (a). The report may include such additional comments and information on the regulations and the implementation of the regulations as the Comptroller General considers appropriate.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Re-

form, and the Committee on Appropriations of the House of Representatives.

SEC. 862. ANNUAL REPORTS ON CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS INVOLVING COMBAT OPERATIONS.

(a) REPORTS REQUIRED.—

(1) DEPARTMENT OF DEFENSE.—Not later than one year after the commencement or designation of a contingency operation outside the United States that includes combat operations, and annually thereafter until the termination of the operation, the Secretary of Defense shall, except as provided in subsection (b), submit to the appropriate committees of Congress a report on contract support for the Department of Defense for the operation.

(2) DEPARTMENT OF STATE AND USAID.—Not later than one year after the commencement or designation of a contingency operation outside the United States that includes combat operations, and annually thereafter until the termination of the operation, the Secretary of State and the Administrator of the United States Agency for International Development shall, except as provided in subsection (b), each submit to the appropriate committees of Congress a report on contract support for the operation

for the Department of State or the United States Agency for International Development, as the case may be.

(b) EXCEPTION.—If the total annual amount of obligations for contracts for support of a contingency operation otherwise described by subsection (a) do not exceed $250,000,000 in an annual reporting period otherwise covered by that subsection, no report shall be required on the operation under that subsection for that annual reporting period.

(c) ELEMENTS.—

(1) IN GENERAL.—Each report of an agency under subsection (a) regarding an operation shall set forth the following:

(A) A description and assessment of the policy, planning, management, and oversight of the agency with respect to contract support for the operation.

(B) With respect to contracts entered into in connection with the operation:

(i) The total number of contracts entered into as of the date of such report.

(ii) The total number of such contracts that are active as of such date.

(iii) The total value of contracts entered into as of such date.

(iv) The total value of such contracts that are active as of such date.

(v) An identification of the extent to which the contracts entered into as of such date were entered into using competitive procedures.

(vi) The total number of contractor personnel working under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date.

(vii) The total number of contractor personnel performing security functions under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date.

(viii) The total number of contractor personnel killed or wounded under any contracts entered into.

(C) The sources of information and data used to prepare the portion of such report required by subparagraph (B).

(D) A description of any known limitations of the information or data reported under subparagraph (B), including known limitations in methodology or data sources.

(E) Any plans for strengthening collection, coordination, and sharing of information on contracts entered into in connection with the operation.

(2) ESTIMATES.—In determining the total number of contractor personnel working under contracts for purposes of paragraph (1)(B)(vi), the Secretary or the Administrator may use estimates for any category of contractor personnel for which such Secretary or the Administrator, as the case may be, determines it is not feasible to provide an actual count. Each report under subsection (a) shall fully disclose the extent to which such an estimate is used in lieu of an actual count.

(d) PROHIBITION ON PREPARATION BY CONTRACTOR PERSONNEL.—A report under subsection (a) may not be prepared by contractor personnel.

(e) USE OF EXISTING REPORTS FOR CERTAIN CONTINGENCY OPERATIONS.—The requirement to submit reports under subsection (a) on a contingency operation in Iraq or Afghanistan may be met by the submittal of the

reports required by section 863 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note).

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 863. INCLUSION OF CONTRACT SUPPORT IN CERTAIN REQUIREMENTS FOR DEPARTMENT OF DEFENSE PLANNING, JOINT PROFESSIONAL MILITARY EDUCATION, AND MANAGEMENT STRUCTURE.

(a) READINESS REPORTING SYSTEM.—Section 117(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(8) Measure, on an annual basis, the capability of operational contract support to support cur-

rent and anticipated wartime missions of the armed forces.''.

(b) CONTINGENCY PLANNING AND PREPAREDNESS FUNCTIONS OF CJCS.—Section 153(a)(3) of such title is amended by adding at the end the following new subparagraph:

''(E) In coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Secretaries of the military departments, the heads of the Defense Agencies, and the commanders of the combatant commands, determining the operational contract support requirements of the armed forces and recommending the resources required to improve and enhance operational contract support for the armed forces and planning for such operational contract support.''.

(c) JOINT PROFESSIONAL MILITARY EDUCATION.—

(1) CONTINGENCY OPERATIONS AS MATTER WITHIN COURSE OF JPME.—Section 2151(a) of such title is amended by adding at the end the following new paragraph:

''(6) Contingency operations.''.

(2) CURRICULUM FOR THREE-PHASE APPROACH.—Section 2154 of such title is amended by adding at the end the following new subsection:

"(c) CURRICULUM RELATING TO CONTINGENCY OPERATIONS.—(1) The curriculum for each phase of joint professional military education implemented under this section shall include content appropriate for such phase on the following:

"(A) Requirements definition.

"(B) Contingency program management.

"(C) Contingency contracting.

"(D) The strategic impact of contracting on military missions.

"(2) In this subsection, the terms 'requirements definition', 'contingency program management', and 'contingency contracting' have the meaning given those terms in section 2333(f) of this title.".

(d) MANAGEMENT STRUCTURE.—Section 2330(c)(2) of such title is amended by striking "other than services" and all that follows and inserting "including services in support of contingency operations. The term does not include services relating to research and development or military construction.".

SEC. 864. RISK ASSESSMENT AND MITIGATION FOR CONTRACTOR PERFORMANCE OF CRITICAL FUNCTIONS IN SUPPORT OF OVERSEAS CONTINGENCY OPERATIONS.

(a) COMPREHENSIVE RISK ASSESSMENT AND MITIGATION PLAN REQUIRED.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), not later than six months after the commencement or designation of an overseas contingency operation that includes or is expected to include combat operations, the head of each covered agency shall perform a comprehensive risk assessment and develop a risk mitigation plan for operational and political risks associated with contractor performance of critical functions in support of the operation for such covered agency.

(2) EXCEPTIONS.—Except as provided in paragraph (3), a risk assessment and risk mitigation plan shall not be required under paragraph (1) for an overseas contingency operation if both—

(A) the operation is not expected to continue for more than one year; and

(B) the total annual amount of obligations by the United States Government for contracts for support of or in connection with the oper-

ation is not expected to exceed, $250,000,000 in any fiscal year.

(3) TERMINATION OF EXCEPTIONS.—Notwithstanding paragraph (2), the head of a covered agency shall perform a risk assessment and develop a risk mitigation plan under paragraph (1) for an overseas contingency operation with regard to which a risk assessment and risk mitigation plan has not previously been performed under paragraph (1) not later than 60 days after the first date on which either of the following occurs:

(A) The operation has continued for more than one year.

(B) The total amount of obligations by the United States Government for contracts for support of or in connection with the operation has exceeded $250,000,000 in a fiscal year.

(b) COMPREHENSIVE RISK ASSESSMENTS.—A comprehensive risk assessment for an overseas contingency operation under subsection (a) shall consider, at a minimum, risks relating to the following:

(1) The goals and objectives of the operation (such as risks from behavior that injures innocent members of the local population or outrages their sensibilities).

(2) The continuity of the operation (such as risks from contractors walking off the job or being unable to perform when there is no timely back-up available).

(3) The safety of military and civilian personnel of the United States if the presence or performance of contractor personnel creates unsafe conditions or invites attack.

(4) The managerial control of the Government over the operation (such as risks from over-reliance on contractors to monitor other contractors with inadequate means for Government personnel to monitor their work).

(5) The critical organic or core capabilities of the Government, including critical knowledge or institutional memory of key operations areas and subject-matter expertise.

(6) The ability of the Government to control costs, avoid organizational or personal conflicts of interest, and minimize waste, fraud, and abuse.

(c) RISK MITIGATION PLANS.—A risk mitigation plan for an overseas contingency operation under subsection (a) shall include, at a minimum, the following:

(1) For each high risk area identified in the comprehensive risk assessment for the operation performed under subsection (a)—

(A) specific actions to mitigate or reduce such risk, including, but not limited to, the development of alternative capabilities to reduce reliance on contractor performance of critical functions;

(B) measurable milestones for the implementation of planned risk mitigation or risk reduction measures; and

(C) a process for monitoring, measuring, and documenting progress in mitigating or reducing risk.

(2) A continuing process for identifying and addressing new and changed risks arising in the course of the operation, including the periodic reassessment of risks and the development of appropriate risk mitigation or reduction plans for any new or changed high risk area identified.

(d) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than 30 days after the completion of a comprehensive risk assessment and risk mitigation plan under subsection (a), the head of the covered agency concerned shall submit

to the appropriate committees of Congress a report setting forth a summary description of the assessment and plan, including a description of the risks identified through the assessment and the actions to be taken to address such risks.

(2) FORM.—Each report shall be submitted in unclassified form, but may include a classified annex.

(e) CRITICAL FUNCTIONS.—For purposes of this section, critical functions include, at a minimum, the following:

(1) Private security functions, as that term is defined in section 864(a)(5) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note).

(2) Training and advising government personnel, including military and security personnel, of a host nation.

(3) Conducting intelligence or information operations.

(4) Any other functions that are closely associated with inherently governmental functions, including the functions set forth in section 7.503(d) of the Federal Acquisition Regulation.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''covered agency'' means the following:

(A) The Department of Defense.

(B) The Department of State.

(C) The United States Agency for International Development.

(3) The term ''overseas contingency operation'' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

SEC. 865. EXTENSION AND MODIFICATION OF REPORTS ON CONTRACTING IN IRAQ AND AFGHANISTAN.

(a) TWO-YEAR EXTENSION OF REQUIREMENT FOR JOINT REPORT.—Subsection (a)(5) of section 863 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) is amended by striking ''February 1, 2013'' and inserting ''February 1, 2015''.

(b) REPEAL OF COMPTROLLER GENERAL REVIEW.—Such section is further amended by striking subsection (b).

(c) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Such section is further amended—

(A) by striking ''JOINT REPORT REQUIRED.—'' and all that follows through ''paragraph (6)'' and inserting ''IN GENERAL.—Except as provided in subsection (f)'';

(B) by striking ''this subsection'' each place it appears and inserting ''this section'';

(C) by redesignating paragraphs (2) through (7) as subsections (b) through (g), respectively, and indenting the left margins of such subsections, as so redesignated, two ems from the left margin;

(D) in subsection (b), as redesignated by subparagraph (C) of this paragraph, by redesig-

nating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and indenting the left margin of such paragraphs, as so redesignated, four ems from the left margin;

(E) in subsection (c), as redesignated by subparagraph (C) of this paragraph—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and indenting the left margin of such paragraphs, as so redesignated, four ems from the left margin; and

(ii) by striking ''paragraph (2)'' each place it appears and inserting ''subsection (b)'';

(F) in subsection (f), as redesignated by subparagraph (C) of this paragraph, by striking ''this paragraph'' and inserting ''this subsection''; and

(G) in subsection (g), as so redesignated, by striking ''paragraph (2)(F)'' and inserting ''subsection (b)(6)''.

(2) HEADING AMENDMENT.—The heading of such section is amended by striking ''**AND COMPTROLLER GENERAL REVIEW**''.

SEC. 866. EXTENSION OF TEMPORARY AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

(a) EXTENSION.—Subsection (f) of section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399) is amended by striking ''on or after the date occurring three years after the date of the enactment of this Act'' and inserting ''after December 31, 2014''.

(b) REPEAL OF EXPIRED REPORTING REQUIREMENT.—Subsection (g) of such section is repealed.

(c) CLERICAL AMENDMENT.—The heading of such section is amended by striking ''**; REPORT**''.

SEC. 867. COMPLIANCE WITH BERRY AMENDMENT REQUIRED FOR UNIFORM COMPONENTS SUPPLIED TO AFGHANISTAN MILITARY OR AFGHANISTAN NATIONAL POLICE.

(a) REQUIREMENT.—In the case of any textile components supplied by the Department of Defense to the Afghanistan National Army or the Afghanistan National Police for purposes of production of uniforms, section 2533a of title 10, United States Code, shall apply, and no exceptions or exemptions under that section shall apply.

(b) EFFECTIVE DATE.—This section shall apply to solicitations issued and contracts awarded for the procure-

ment of textile components described in subsection (a) after the date of the enactment of this Act.

SEC. 868. SENSE OF SENATE ON THE CONTRIBUTIONS OF LATVIA AND OTHER NORTH ATLANTIC TREATY ORGANIZATION MEMBER NATIONS TO THE SUCCESS OF THE NORTHERN DISTRIBUTION NETWORK.

(a) FINDINGS.—The Senate makes the following findings:

(1) The remote and austere environments in which United States troops are required to operate as part of the International Security Assistance Force (ISAF) mission in Afghanistan have increased the need for reliable lines of supply in southwest Asia.

(2) The country of Afghanistan presents unique logistics challenges, which have precipitated the development of several redundant lines of supply.

(3) United States Transportation Command and the Defense Logistics Agency (DLA), in consultation with United States Embassy officials and other parties, have successfully established memoranda of understanding and other agreements with nations in and around southwest Asia to ensure the reliability of lines of supply to Afghanistan.

(4) The lines of supply through Pakistan have been repeatedly threatened by instability in that country. Airlifting goods to Afghanistan, while safer, is expensive.

(5) The Northern Distribution Network (NDN) was established in late 2008 to ensure that a safe and cost-effective line of supply is available for United States troops in Afghanistan.

(6) The two prongs of supply provided by the Northern Distribution Network ship nonlethal goods from the Baltic ports in the north and the Caucauses in the west to southwest Asia and Afghanistan.

(7) The Northern Distribution Network has been successful and now handles more than 50 percent of cargo shipped to Afghanistan.

(8) North Atlantic Treaty Organization (NATO) member nations along the Northern Distribution Network routes have contributed significantly to the success of the Northern Distribution Network.

(9) The United States has strong economic ties to Northern Distribution Network nations that are members of the North Atlantic Treaty Organization, and these nations may be able to provide quality

goods and services for near and long-term use by the Department of Defense.

(10) Since 2009 the port of Riga, on the Baltic Sea, has been a critical overland entry point for goods being shipped using the Northern Distribution Network. Latvia is a member of the North Atlantic Treaty Organization and has been an ally of the United States in the region for many years.

(11) In September 2010, the Defense Logistics Agency, the General Services Administration, and other parties hosted a local procurement conference in Riga, Latvia.

(12) One hundred nine Latvian vendors attended the September 2010 conference in Riga, and contracts with Latvian vendors have been entered into as a result.

(13) In May 2012, Latvia hosted an international workshop in Riga to examine ways of transforming the Northern Distribution Network from a route for the delivery of United States and other Allies' non-lethal goods to Afghanistan into a commercial route that would support the economic growth of Afghanistan and the southwest Asia region.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes are key economic and security partners of the United States and are to be commended for their contribution to ensuring United States and International Security Assistance Force troops have reliable lines of supply to achieve the mission in Afghanistan;

(2) when quality products at competitive prices are available, significant effort should be made to procure goods locally from Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes; and

(3) Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes remain allies of the United States in the region, and a mutually beneficial relationship should continue to be cultivated between the United States and Latvia and such other nations in the future.

SEC. 869. RESPONSIBILITIES OF INSPECTORS GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating section 8L as section 8M; and

(2) by inserting after section 8K the following new section 8L:

"SEC. 8L. SPECIAL PROVISIONS CONCERNING OVERSEAS CONTINGENCY OPERATIONS.

''(a) IN GENERAL.—Upon the commencement or designation of a military operation as an overseas contingency operation that exceeds 90 days, the Inspectors General specified in subsection (b) shall have the responsibilities specified in this section.

''(b) INSPECTORS GENERAL.—The Inspectors General specified in this subsection are the Inspectors General as follows:

''(1) The Inspector General of the Department of Defense.

''(2) The Inspector General of the Department of State.

''(3) The Inspector General of the United States Agency for International Development.

''(c) STANDING COMMITTEE ON OVERSEAS CONTINGENCY OPERATIONS.—(1) The Council of Inspectors General on Integrity and Efficiency (CIGIE) shall establish a standing committee on overseas contingency operations. The standing committee shall consist of the following:

"(A) A chair, who shall be the Lead Inspector General for an overseas contingency operation under subsection (d) if such an operation is underway, and shall be an Inspector General specified in subsection (b) selected by the Inspectors General specified in that subsection from among themselves if such an operation is not underway.

"(B) The other Inspectors General specified in subsection (b).

"(C) For the duration of any contingency operation that exceeds 90 days, any other inspectors general determined by the chair, in coordination with the other Inspectors General specified in subsection (b), to have actual or potential areas of responsibility with respect to the contingency operation.

"(2) The standing committee shall have such ongoing responsibilities, including planning, coordination, and development of practices, to improve oversight of overseas contingency operations as the chair considers appropriate.

"(3)(A) For the duration of any contingency operation that exceeds 90 days, the standing committee shall develop and update on an annual basis a joint-strategic plan for ongoing and planned oversight of the contingency

operation by the Inspectors General specified in subsection (b) and designated pursuant to paragraph (1)(C), including the following:

"(i) Audit and available inspection plans.

"(ii) An overall assessment of such oversight, including projects or areas (whether departmental or government-wide) of concern or in need of further review.

"(iii) Such other matters as the Lead Inspector General for the contingency operation considers appropriate.

"(B) Each plan under this paragraph, and any update of such plan, shall be made available on an Internet website available to the public. Each plan, and any update of such plan, made so available shall be made available in unclassified form.

"(d) LEAD INSPECTOR GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS.—(1) There shall be a lead inspector general for each overseas contingency operation that exceeds 90 days (in this section referred to as the 'Lead Inspector General' for the contingency operation concerned).

"(2) The Lead Inspector General for a contingency operation shall be the Inspector General of the Department of Defense, who shall assume such role not later

than 90 days after the commencement or designation of the military operation concerned as a contingency operation.

"(e) RESPONSIBILITIES OF LEAD INSPECTOR GENERAL.—(1) The Lead Inspector General for an overseas contingency operation shall have the following responsibilities:

"(A) To conduct oversight, in full coordination with the other Inspectors General specified in subsection (b), over all aspects of the contingency operation and to ensure, either through joint or individual audits, inspections, and investigations, independent and effective oversight of all programs and operations of all departments and agencies in the contingency operation.

"(B) To appoint, from among the offices of the other Inspectors General specified in subsection (b), an Inspector General to act as Associate Inspector General for the overseas contingency operation who shall act in a coordinating role to assist the Lead Inspector General in the discharge of responsibilities under this subsection.

"(C)(i) If none of the Inspectors General specified in subsection (b) has principal jurisdiction over a matter with respect to the contingency operation,

to exercise responsibility for discharging oversight responsibilities in accordance with this Act with respect to such matter.

"(ii) If more than one of the Inspectors General specified in subsection (b) has jurisdiction over a matter with respect to the contingency operation, to determine principal jurisdiction for discharging oversight responsibilities in accordance with this Act with respect to such matter.

"(D) To carry out such other responsibilities relating to the coordination and efficient and effective discharge by the Inspectors General specified in subsection (b) of duties relating to the contingency operation as the Lead Inspector General shall specify.

"(2) The Lead Inspector General for an overseas contingency operation shall discharge the responsibilities for the contingency operation under this subsection in a manner consistent with the authorities and requirements of this Act generally and the authorities and requirements applicable to the Inspectors General specified in subsection (b) under this Act.

"(f) REPORTS.—(1) The Lead Inspector General for an overseas contingency operation shall, in coordination with the other Inspectors General specified in subsection

(b), submit to the appropriate committees of Congress on a semi-annual basis, and make available on an Internet website available to the public, a report summarizing, for the semi-annual period, the activities of the Lead Inspector General and the other Inspectors General specified in subsection (b) with respect to the contingency operation, including—

"(A) the status and results of audits, inspections, and closed investigations, and of the number of referrals to the Department of Justice;

"(B) updates and changes to overall plans for the review of the contingency operation by inspectors general, including plans for inspections and audits; and

"(C) the activities under programs and operations funded with amounts appropriated or otherwise made available for the overseas contingency operation, including the information specified in paragraph (2).

"(2) The information specified in this paragraph with respect to an overseas contingency operation is as follows:

"(A) Obligations and expenditures of appropriated funds.

"(B) A project-by-project and program-by-program accounting of the costs incurred to date for

the contingency operation, together with the estimate of the Department of Defense, the Department of State, and the United States Agency for International Development, as applicable, of the costs to complete each project and program above the simplified acquisition threshold.

''(C) Revenues attributable to or consisting of funds provided by foreign nations or international organizations to programs and projects for the contingency operation that are funded by any department or agency of the United States Government, and any obligations or expenditures of such revenues.

''(D) Revenues attributable to or consisting of foreign assets seized or frozen that contribute to programs and projects for the contingency operation that are funded by any department or agency of the United States Government, and any obligations or expenditures of such revenues.

''(E) Operating expenses of agencies or entities receiving amounts appropriated or otherwise made available for the contingency operation.

''(F) In the case of any contract, grant, agreement, or other funding mechanism described in

paragraph (3) with respect to the contingency operation—

"(i) the amount of the contract, grant, agreement, or other funding mechanism;

"(ii) a brief discussion of the scope of the contract, grant, agreement, or other funding mechanism;

"(iii) a discussion of how the department or agency of the United States Government involved in the contract, grant, agreement, or other funding mechanism identified, and solicited offers from, potential individuals or entities to perform the contract, grant, agreement, or other funding mechanism, together with a list of the potential individuals or entities that were issued solicitations for the offers; and

"(iv) the justification and approval documents on which was based the determination to use procedures other than procedures that provide for full and open competition.

"(3) A contract, grant, agreement, or other funding mechanism described in this paragraph is any major contract, grant, agreement, or other funding mechanism that is entered into by any department or agency of the United States Government that involves the use of amounts ap-

propriated or otherwise made available for reconstruction and other related activities in the contingency operation concerned with any public or private sector entity, including any of the following purposes:

"(A) To build or rebuild physical infrastructure.

"(B) To establish or reestablish a political or societal function or institution.

"(C) To provide products or services.

"(4) Each report under this subsection shall be submitted in unclassified form, but may include a classified annex.

"(g) TEMPORARY EMPLOYMENT AUTHORITY.—(1) Each Inspector General specified in subsection (b) may employ, on a temporary basis using the authorities in section 3161 of title 5, United States Code (but without regard to subsections (a) and (b)(2) of such section), such auditors, inspectors, investigators, and other personnel as such Inspector General considers appropriate for purposes of assisting such Inspector General in discharging responsibilities under subsection (e) with respect to an overseas contingency operation.

"(2) The employment under this subsection of an annuitant described in section 9902(g) of title 5, United States Code, shall be governed by the provisions of such

section as if the position to which employed was a position in the Department of Defense.

"(3) The employment under this subsection of an annuitant receiving an annuity under the Foreign Service Retirement and Disability System under chapter 8 of the Foreign Service Act of 1980 (22 U.S.C. 4041 et seq.) shall be treated as employment in an elective position in the Government on a temporary basis under section 824(b) of the Foreign Service Act of 1980 (22 U.S.C. 4064(b)) for which continued receipt of annuities may be elected as provided in such section.

"(4) The authority to employ personnel under this subsection for a contingency operation shall cease as provided for in subsection (h).

"(h) SUNSET FOR PARTICULAR CONTINGENCY OPERATIONS.—The requirements and authorities of this section with respect to an overseas contingency operation shall cease at the earlier of—

"(1) the end of the first fiscal year after the commencement or designation of the contingency operation in which the total amount appropriated for the contingency operation is less than $250,000,000 (in constant fiscal year 2012 dollars); or

"(2) the date that is 18 months after the date of the issuance by the Secretary of Defense of an order terminating the contingency operation.

"(i) CONSTRUCTION OF AUTHORITY.—Nothing in this Act shall be construed to limit the ability of the Inspectors General specified in subsection (b) to enter into agreements to conduct joint audits, inspections, or investigations in the exercise of their oversight responsibilities in accordance with this Act with respect to overseas contingency operations.

"(j) DEFINITIONS.—In this section:

"(1) The term 'overseas contingency operation' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

"(2) The term 'simplified acquisition threshold' has the meaning provided that term in section 2302(7) of title 10, United States Code.".

(b) CONFORMING AMENDMENT RELATING TO TEMPORARY EMPLOYMENT AUTHORITY.—Section 3161 of title 5, United States Code, is amended by adding at the end the following new subsection:

"(j) LEAD INSPECTORS GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS AS TEMPORARY ORGANIZA-

TION.—In addition to the meaning given that term in subsection (a), the term 'temporary organization' for purposes of this subchapter shall, without regard to subsections (a) and (b)(2) of this section, also include the Lead Inspector General for an overseas contingency operation under section 8L of the Inspector General Act of 1978 and the Inspectors General and inspector general office personnel assisting the Lead Inspector General in the discharge of responsibilities and authorities under subsection (e) of such section 8L with respect to the contingency operation.''.

SEC. 870. AGENCY REPORTS AND INSPECTOR GENERAL AUDITS OF CERTAIN INFORMATION ON OVERSEAS CONTINGENCY OPERATIONS.

(a) AGENCY REPORTS.—Not later than 180 days after the commencement or designation of a military operation as an overseas contingency operation and semi-annually thereafter during the duration of the contingency operation, the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall each make available to the Inspector General of the department or agency concerned the information required by subsection (f)(2) of section 8L of the Inspector General Act of 1978 (as amended by section 869 of this Act) on the contingency operation.

(b) INSPECTOR GENERAL AUDITS.—Not later than 90 days after receipt of a report under subsection (a), each Inspector General referred to in that subsection shall—

(1) perform an audit on the quality of the information submitted in such report, including an assessment of the completeness and accuracy of the information and the extent to which the information fully satisfies the requirements of such Inspector General in preparing the semi-annual report described in subsection (f)(1)(C) of section 8L of the Inspector General Act of 1978 (as so amended); and

(2) submit to the appropriate committees of Congress a report on the reliability, accuracy, and completeness of the information, including any significant problems in such information.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee

on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''overseas contingency operation'' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

SEC. 871. OVERSIGHT OF CONTRACTS AND CONTRACTING ACTIVITIES FOR OVERSEAS CONTINGENCY OPERATIONS IN RESPONSIBILITIES OF CHIEF ACQUISITION OFFICERS OF FEDERAL AGENCIES.

(a) IN GENERAL.—Subsection (b)(3) of section 1702 of title 41, United States Code, is amended—

(1) by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively; and

(2) by inserting after subparagraph (E) the following new subparagraph (F):

''(F) advising the executive agency on the applicability of relevant policy on the contracts of the agency for overseas contingency operations and ensuring the compliance of the contracts and contracting activities of the agency with such policy;''.

(b) DEFINITION.—Such section is further amended by adding at the following new subsection:

"(d) OVERSEAS CONTINGENCY OPERATIONS DEFINED.—In this section, the term 'overseas contingency operations' means military operations outside the United States and its territories and possessions that are a contingency operation (as that term is defined in section 101(a)(13) of title 10).".

SEC. 872. REPORTS ON RESPONSIBILITY WITHIN DEPARTMENT OF STATE AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) DOS AND USAID REPORTS REQUIRED.—Not later than six months after the date of the enactment of this Act, the Secretary of State and the Administrator of the United States Agency for International Development shall, in consultation with the Chief Acquisition Officer of the Department of State and the Chief Acquisition Officer of the United States Agency for International Development, respectively, each submit to the appropriate committees of Congress an assessment of Department of State and United States Agency for International Development policies governing contract support in overseas contingency operations.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) A description and assessment of the roles and responsibilities of the officials, offices, and components of the Department of State or the United States Agency for International Development, as applicable, within the chain of authority and responsibility for policy, planning, and execution of contract support for overseas contingency operations.

(2) Procedures and processes of the Department or Agency, as applicable, on the following in connection with contract support for overseas contingency operations:

(A) Collection, inventory, and reporting of data.

(B) Acquisition planning.

(C) Solicitation and award of contracts.

(D) Requirements development and management.

(E) Contract tracking and oversight.

(F) Performance evaluations.

(G) Risk management.

(H) Interagency coordination and transition planning.

(3) Strategies and improvements necessary for the Department or the Agency, as applicable, to address reliance on contractors, workforce planning, and the recruitment and training of acquisition workforce personnel, including the anticipated number of personnel needed to perform acquisition management and oversight functions and plans for achieving personnel staffing goals, in connection with overseas contingency operations.

(c) COMPTROLLER GENERAL REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the progress of the efforts of the Department of State and the United States Agency for International Development in implementing improvements and changes identified under paragraphs (1) through (3) of subsection (b) in the reports required by subsection (a), together with such additional information as the Comptroller General considers appropriate to further inform such committees on issues relating to the reports required by subsection (a).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 873. PROFESSIONAL EDUCATION FOR DEPARTMENT OF STATE PERSONNEL ON ACQUISITION FOR DEPARTMENT OF STATE SUPPORT AND PARTICIPATION IN OVERSEAS CONTINGENCY OPERATIONS.

(a) PROFESSIONAL EDUCATION REQUIRED.—The Secretary of State shall develop and administer for Department of State personnel specified in subsection (b) a course of professional education on acquisition by the Department of State for Department of State support for, and participation in, overseas contingency operations.

(b) COVERED DEPARTMENT OF STATE PERSONNEL.—The Department of State personnel specified in this subsection are as follows:

(1) The Chief Acquisition Officer of the Department of State.

(2) Personnel of the Department designated by the Chief Acquisition Officer, including contracting officers and other contracting personnel.

(3) Such other personnel of the Department as the Secretary of State shall designate for purposes of this section.

(c) ELEMENTS.—

(1) CURRICULUM CONTENT.—The course of professional education under this section shall include appropriate content on the following:

(A) Contingency contracting.

(B) Contingency program management.

(C) The strategic impact of contracting costs on the mission and activities of the Department of State.

(D) Such other matters relating to acquisition by the Department for Department support for, or participation in, overseas contingency operations as the Secretary of State considers appropriate.

(2) PHASED APPROACH.—The course of professional education may be broken into two or more phases of professional education with curriculum or modules of education suitable for the Department of State personnel specified in subsection (b) at dif-

ferent phases of professional advancement within the Department.

(d) DEFINITIONS.—In this section:

(1) The term ''contingency contracting'' means all stages of the process of acquiring property or services by the Department of State for Department of State support for, and participation in, overseas contingency operations.

(2) The term ''contingency program management'' means the process of planning, organizing, staffing, controlling, and leading specific acquisition programs and activities of the Department of State for Department of State support for, and participation in, overseas contingency operations.

(3) The term ''overseas contingency operation'' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

SEC. 874. DATABASE ON PRICE TRENDS OF ITEMS AND SERVICES UNDER FEDERAL CONTRACTS.

(a) DATABASE REQUIRED.—

(1) IN GENERAL.—Chapter 33 of title 41, United States Code, is amended by adding at the end the following new section:

"§ 3312. Database on price trends of items and services under Federal contracts

"(a) DATABASE REQUIRED.—The Administrator shall establish and maintain a database of information on price trends for items and services under contracts with the Federal Government. The information in the database shall be designed to assist Federal acquisition officials in the following:

"(1) Monitoring developments in price trends for items and services under contracts with the Federal Government.

"(2) Conducting pricing or cost analyses for items and services under offers for contracts with the Federal Government, or otherwise conducting determinations of the reasonableness of prices for items and services under such offers, and addressing unjustified escalation in prices being paid by the Federal Government for items and services under contracts with the Federal Government.

"(b) USE.—(1) The database under subsection (a) shall be available to executive agencies in the evaluation of offers for contracts with the Federal Government for items and services.

"(2) The Secretary of Defense may satisfy the requirements of this section by complying with the requirements of section 892 of the Ike Skelton National Defense

Authorization Act for Fiscal Year 2011 (10 U.S.C. 2306a note).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of such title is amended by adding at the end the following new item:

''3312. Database on price trends of items and services under Federal contracts.''.

(b) USE OF ELEMENTS OF DEPARTMENT OF DEFENSE PILOT PROJECT.—In establishing the database required by section 3312 of title 41, United States Code (as added by subsection (a)), the Administrator of Federal Procurement Policy shall use and incorporate appropriate elements of the pilot project on pricing of the Department of Defense being carried out by the Director of Defense Pricing.

SEC. 875. INFORMATION ON CORPORATE CONTRACTOR PERFORMANCE AND INTEGRITY THROUGH THE FEDERAL AWARDEE PERFORMANCE AND INTEGRITY INFORMATION SYSTEM.

(a) INCLUSION OF CORPORATIONS AMONG COVERED PERSONS.—Subsection (b) of section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4555) is amended by inserting ''(including a corporation)'' after ''Any person'' both places it appears.

(b) INFORMATION ON CORPORATIONS.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

"(3) INFORMATION ON CORPORATIONS.—The information on a corporation in the database shall, to the extent practicable, include information on any parent, subsidiary, or successor entities to the corporation in manner designed to give the acquisition officials using the database a comprehensive understanding of the performance and integrity of the corporation in carrying out Federal contracts and grants.".

SEC. 876. INCLUSION OF DATA ON CONTRACTOR PERFORMANCE IN PAST PERFORMANCE DATABASES FOR EXECUTIVE AGENCY SOURCE SELECTION DECISIONS.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall develop a strategy for ensuring that timely, accurate, and complete information on contractor performance is included in past performance databases used by executive agencies for making source selection decisions.

(2) CONSULTATION WITH USDATL.—In developing the strategy required by this subsection, the Federal Acquisition Regulatory Council shall consult with the Under Secretary of Defense for Acquisition, Technology, and Logistics to ensure that the strategy is, to the extent practicable, consistent with the strategy developed by the Under Secretary pursuant to section 806 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1487; 10 U.S.C. 2302 note).

(b) ELEMENTS.—The strategy required by subsection (a) shall, at a minimum—

(1) establish standards for the timeliness and completeness of past performance submissions for purposes of databases described in subsection (a);

(2) assign responsibility and management accountability for the completeness of past performance submissions for such purposes; and

(3) ensure that past performance submissions for such purposes are consistent with award fee evaluations in cases where such evaluations have been conducted.

(c) CONTRACTOR COMMENTS.—Not later than 180 days after the date of the enactment of this Act, the Fed-

eral Acquisition Regulation shall be revised to require the following:

(1) That affected contractors are provided, in a timely manner, information on contractor performance to be included in past performance databases in accordance with subsection (a).

(2) That such contractors are afforded up to 14 calendar days, from the date of delivery of the information provided in accordance with paragraph (1), to submit comments, rebuttals, or additional information pertaining to past performance for inclusion in such databases.

(3) That agency evaluations of contractor past performance, including any information submitted under paragraph (2), are included in the relevant past performance database not later than the date that is 14 days after the date of delivery of the information provided in accordance with paragraph (1).

(d) CONSTRUCTION.—Nothing in this section shall be construed to prohibit a contractor from submitting comments, rebuttals, or additional information pertaining to past performance after the period described in subsection (c)(2) has elapsed or to prohibit a contractor from chal-

lenging a past performance evaluation in accordance with applicable laws, regulations, or procedures.

(e) COMPTROLLER GENERAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the actions taken by the Federal Acquisition Regulatory Council pursuant to this section, including an assessment of the following:

(1) The extent to which the strategy required by subsection (a) is consistent with the strategy developed by the Under Secretary of Defense for Acquisition, Technology, and Logistics as described in subsection (a)(2).

(2) The extent to which the actions of the Federal Acquisition Regulatory Council pursuant to this section have otherwise achieved the objectives of this section.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Govern-

mental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code, except that the term excludes the Department of Defense and the military departments.

(3) The term ''Federal Acquisition Regulatory Council'' means the Federal Acquisition Regulatory Council under section 1302(a) of title 41, United States Code.

SEC. 877. PUBLIC AVAILABILITY OF DATABASE OF SENIOR DEPARTMENT OF DEFENSE OFFICIALS SEEKING EMPLOYMENT WITH DEFENSE CONTRACTORS.

Section 847(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1701 note) is amended by adding at the end the following new paragraph:

''(3) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary of Defense shall make available online

to the public any information contained in the database or repository required under paragraph (1) that is not confidential, personal, or proprietary in nature.''.

Subtitle E—Other Matters

SEC. 881. REQUIREMENTS AND LIMITATIONS FOR SUSPENSION AND DEBARMENT OFFICIALS OF THE DEPARTMENT OF DEFENSE, THE DEPARTMENT OF STATE, AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the head of the covered agency concerned shall ensure the following:

(1) There shall be not less than one suspension and debarment official—

(A) in the case of the Department of Defense, for each of the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Defense Logistics Agency;

(B) for the Department of State; and

(C) for the United States Agency for International Development.

(2) A suspension and debarment official under paragraph (1) may not report to or be subject to the supervision of the acquisition office or the Inspector General of—

(A) in the case of the Department of Defense, either the Department of Defense or the military department or Defense Agency concerned; and

(B) in the case of any other covered agency, the acquisition office or the Inspector General of such agency.

(3)(A) Except as provided in subparagraph (B), the duties of a suspension and debarment official under paragraph (1) may include only the following:

(i) The direction, management, and oversight of suspension and debarment activities.

(ii) The direction, management, and oversight of fraud remedies activities.

(iii) Membership and participation in the Interagency Committee on Debarment and Suspension in accordance with Executive Order No. 12549 and section 873 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (as amended by this section).

(B) The limitation in subparagraph (A) shall not be construed to prohibit a suspension and debarment official under paragraph (1) from providing authorized legal advice to the extent that the provision of such advice does not present a conflict of interest with the exercise of the duties of the suspension and debarment official under subparagraph (A).

(4) Each suspension and debarment official under paragraph (1) shall have a staff and resources adequate for the discharge of the suspension and debarment responsibilities of such official.

(5) Each suspension and debarment official under paragraph (1) shall document the basis for any decision taken pursuant to a referral in accordance with the policies established under paragraph (7), including, but not limited to, the following:

(A) Any decision to suspend or debar any person or entity.

(B) Any decision not to suspend or debar any person or entity.

(C) Any decision declining to pursue suspension or debarment of any person or entity.

(D) Any administrative agreement entered with any person or persons in lieu of suspension or debarment of such person or entity.

(6) Any decision under subparagraphs (B) through (D) of paragraph (5) shall not preclude a subsequent decision by a suspension and debarment official under paragraph (1) to suspend, debar, or enter into any administrative agreement with any person or entity based on additional information or changed circumstances. All cases, whether based on referral or internally developed, shall be documented prior to closure by the suspension and debarment official.

(7) Each suspension and debarment official under paragraph (1) shall, in consultation with the General Counsel of the covered agency concerned, establish in writing policies for the consideration of the following:

(A) Referrals of suspension and debarment matters.

(B) Suspension and debarment matters that are not referred.

(b) COVERED AGENCY DEFINED.—In subsection (a), the term ''covered agency'' means the following:

(1) The Department of Defense.

(2) The Department of State.

(3) The United States Agency for International Development.

(c) DUTIES OF INTERAGENCY COMMITTEE ON DEBARMENT AND SUSPENSION.—Section 873 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (31 U.S.C. 6101 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ", including with respect to contracts in connection with contingency operations" before the semicolon; and

(B) in paragraph (7)—

(i) in subparagraph (B), by striking "and" at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs

"(D) a summary of suspensions, debarments, and administrative agreements during the previous year; and

"(E) a summary of referrals of suspension and debarment matters received during the previous year, including an identification of the agencies making such referrals and an assessment of the timeliness of such referrals."; and

(2) by striking subsection (b) and inserting the following new subsections:

"(b) DATE OF SUBMITTAL OF ANNUAL REPORTS.—The annual report required by subsection (a)(7) shall be submitted not later than 120 days after the end of the first fiscal year ending after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, and annually thereafter.

"(c) DEFINITIONS.—In this section:

"(1) The term 'contingency operation' has the meaning given that term in section 101(a)(13) of title 10, United States Code.

"(2) The term 'Interagency Committee on Debarment and Suspension' means the committee constituted under sections 4 and 5 of Executive Order No. 12549.".

SEC. 881A. ADDITIONAL BASES FOR SUSPENSION OR DEBARMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to provide for the automatic referral of a person described in subsection (b) to the appropriate suspension and debarment official for a determination whether or not the person should be suspended or debarred.

(b) COVERED PERSONS.—A person described in this subsection is any person as follows:

(1) A person who has been charged with a Federal criminal offense relating to the award or performance of a contract of an executive agency.

(2) A person who has been alleged, in a civil or criminal proceeding brought by the United States, to have engaged in fraudulent actions in connection with the award or performance of a contract of an executive agency.

(3) A person that does not maintain an office within the United States and has been determined by the head of a contracting agency of an executive agency to have failed to pay or refund amounts due or owed to the Federal Government in connection with the performance of a contract of the executive agency.

(c) DEFINITIONS.—In this section:

(1) The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

(2) The term ''person'' has the meaning given that term in section 1 of title 1, United States Code.

SEC. 882. UNIFORM CONTRACT WRITING SYSTEM REQUIREMENTS.

(a) UNIFORM STANDARDS AND CONTROLS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the officials specified in subsection (b) shall—

(1) establish uniform data standards, internal control requirements, independent verification and validation requirements, and business process rules for processing procurement requests, contracts, receipts, and invoices by the Department of Defense or other executive agencies, as applicable;

(2) establish and maintain one or more approved electronic contract writing systems that conform with the standards, requirements, and rules established pursuant to paragraph (1); and

(3) require the use of electronic contract writing systems approved in accordance with paragraph (2) for all contracts entered into by the Department of Defense or other executive agencies, as applicable.

(b) COVERED OFFICIALS.—The officials specified in this subsection are the following:

(1) The Secretary of Defense, with respect to the Department of Defense and the military departments.

(2) The Administrator of the Office of Federal Procurement Policy, with respect to the executive agencies other than the Department of Defense and the military departments.

(c) ELECTRONIC WRITING SYSTEMS FOR DEPARTMENT OF STATE AND USAID.—Notwithstanding subsection (b)(2), the Secretary of State and the Administrator of the United States Agency for International Development may meet the requirements of subsection (a)(2) with respect to approved electronic contract writing systems for the Department of State and the United States Agency for International Development, respectively, if the Secretary and the Administrator, as the case may be, demonstrate to the Administrator of the Office of Federal Procurement Policy that prior investment of resources in existing contract writing systems will result in the most cost effective and efficient means to satisfy such requirements.

(d) PHASE-IN OF IMPLEMENTATION OF REQUIREMENT FOR APPROVED SYSTEMS.—The officials specified in subsection (b) may phase in the implementation of the requirement to use approved electronic contract writing systems in accordance with subsection (a)(3) over a period of up to five years beginning with the date of the enactment of this Act.

(e) REPORTS.—Not later than 180 days after the date of the enactment of this Act, the officials specified in subsection (b) shall each submit to the appropriate committees of Congress a report on the implementation of the requirements of this section. Each report shall, at a minimum—

(1) describe the standards, requirements, and rules established pursuant to subsection (a)(1);

(2) identify the electronic contract writing systems approved pursuant to subsection (a)(2) and, if multiple systems are approved, explain why the use of such multiple systems is the most efficient and effective approach to meet the contract writing needs of the Federal Government; and

(3) provide the schedule for phasing in the use of approved electronic contract writing systems in accordance with subsections (a)(3) and (d).

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

SEC. 883. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF USE BY THE DEPARTMENT OF DEFENSE, THE DEPARTMENT OF STATE, AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OF URGENT AND COMPELLING EXCEPTION TO COMPETITION.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall review each of the following:

(1) The use by the Department of Defense of the unusual and compelling urgency exception to full and open competition provided in section 2304(c)(2) of title 10, United States Code.

(2) The use by each of the Department of State and the United States Agency for International Development of the unusual and compelling urgency ex-

ception to full and open competition provided in section 3304(a)(2) of title 41, United States Code.

(b) MATTERS TO BE REVIEWED.—The review of the use of an unusual and compelling urgency exception required by subsection (a) shall include a review of the following:

(1) The pattern of use of the exception by acquisition organizations within the Department of Defense, the Department of State, and the United States Agency for International Development in order to determine which organizations are commonly using the exception and the frequency of such use.

(2) The range of items or services being acquired through the use of the exception.

(3) The process for reviewing and approving justifications involving the exception.

(4) Whether the justifications for use of the exception typically meet the relevant requirements of the Federal Acquisition Regulation applicable to the use of the exception.

(5) The extent to which the exception is used to solicit bids or proposals from only one source and the extent to which such sole-source procurements are appropriately documented and justified.

(6) The compliance of the Department of Defense, the Department of State, and the United States Agency for International Development with the requirements of section 2304(d)(3) of title 10, United States Code, or section 3304(c)(1)(B) of title 41, United States Code, as applicable, that limit the duration of contracts awarded pursuant to the exception and require approval for any such contract in excess of one year.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the review required by subsection (a), including a discussion of each of the matters specified in subsection (b). The report shall include any recommendations relating to the matters reviewed that the Comptroller General considers appropriate.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 884. AUTHORITY TO PROVIDE FEE-FOR-SERVICE INSPECTION AND TESTING BY DEFENSE CONTRACT MANAGEMENT AGENCY FOR CERTAIN CRITICAL EQUIPMENT IN THE ABSENCE OF A PROCUREMENT CONTRACT.

(a) AUTHORITY.—Section 2539b of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

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

''(5) make available to any person or entity, in advance of the award of a procurement contract, through contracts or other appropriate arrangements and subject to subsection (c), the services of the Defense Contract Management Agency for testing and inspection of items when such testing and inspection

is determined by such Secretary to be critical to a specific program of the Department of Defense.'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) DCMA SERVICES.—Services of the Defense Contract Management Agency may be made available under subsection (a)(5) only if the contract or other arrangement for those services—

''(1) holds the United States harmless if the items covered by the contract or other arrangement (whether or not tested and inspected under the contract or other arrangement) are not subsequently ordered by or delivered to the United States under a procurement contract entered into after the contract or other arrangement is entered into; and

''(2) holds the United States harmless against any claim arising out of the inspection and testing, or the use in any commercial application, of the equipment tested and inspected by the Defense Contract Management Agency under the contract or other arrangement.''.

(b) FEES.—Subsection (d) of such section, as redesignated by subsection (a)(2) of this section, is amended—

(1) in the first sentence, by striking ''and (a)(4)'' and inserting '', (a)(4), and (a)(5)''; and

(2) in the second sentence—

(A) by inserting '', travel, and other incidental overhead expenses'' after ''salaries''; and

(B) by inserting ''or inspection'' before the period at the end.

(c) USE OF FEES.—Subsection (e) of such section, as so redesignated, is amended by striking ''and (a)(4)'' and inserting '', (a)(4), and (a)(5)''.

SEC. 885. DISESTABLISHMENT OF DEFENSE MATERIEL READINESS BOARD.

(a) DISESTABLISHMENT OF BOARD.—The Defense Materiel Readiness Board established pursuant to section 871 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 117 note) is hereby disestablished.

(b) TERMINATION OF STRATEGIC READINESS FUND.—The Department of Defense Strategic Readiness Fund established by section 872(d) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 117 note) is hereby closed.

(c) REPEAL.—Subtitle G of title VIII of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 117 note) is repealed.

SEC. 886. MODIFICATION OF PERIOD OF WAIT FOLLOWING NOTICE TO CONGRESS OF INTENT TO CONTRACT FOR LEASES OF CERTAIN VESSELS AND VEHICLES.

Section 2401(h)(2) of title 10, United States Code, is amended by striking ''of continuous session of Congress''.

SEC. 887. EXTENSION OF OTHER TRANSACTION AUTHORITY.

Section 845(i) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amended by striking ''September 30, 2013'' and inserting ''September 30, 2018''.

SEC. 888. SUBCONTRACTOR NOTIFICATIONS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

''(13) NOTIFICATION REQUIREMENT.—An offeror with respect to a contract let by a Federal agency that is to be awarded pursuant to the negotiated method of procurement that intends to identify a small business concern as a potential subcontractor in the offer relating to the contract shall notify the small business concern that the offeror intends to identify the small business concern as a potential subcontractor in the offer.

''(14) REPORTING BY SUBCONTRACTORS.—The Administrator shall establish a reporting mechanism that al-

lows a subcontractor to report fraudulent activity by a contractor with respect to a subcontracting plan submitted to a procurement authority under paragraph (4)(B).''.

SEC. 889. REPORT BY THE SUSPENSION AND DEBARMENT OFFICIALS OF THE MILITARY DEPARTMENTS AND THE DEFENSE LOGISTICS AGENCY.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the suspension and debarment official of each agency specified in subsection (b) shall submit to the congressional defense committees a report on the suspension and debarment activities of such official containing the information specified in subsection (c).

(b) COVERED AGENCIES.—The agencies specified in this subsection are the following:

(1) The Department of the Army.

(2) The Department of the Navy.

(3) The Department of the Air Force.

(4) The Defense Logistics Agency.

(c) COVERED INFORMATION.—The information specified in this subsection to be included in the report of a suspension and debarment official under subsection (a) is the following:

(1) The number of open suspension and debarment cases of such official as of the date of such report.

(2) The current average processing time for suspension and debarment cases.

(3) The target goal of such official for average processing time for suspension and debarment proposals.

(4) If the average time required for such official to process suspension and debarment proposals is more than twice the target goal specified under paragraph (3)—

(A) an explanation why the average time exceeds the target goal by more than twice the target goal; and

(B) a description of the actions to be taken by such official to ensure that the average processing time for suspension and debarment proposals meets the target goal.

SEC. 889A. STUDY ON ARMY SMALL ARMS AND AMMUNITION ACQUISITION.

(a) STUDY.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a Feder-

ally Funded Research and Development Center to conduct a study on the Army's acquisition of small arms and ammunition to determine each of the following:

(A) A comparative evaluation of the current military small arms in use by United States general purpose and special operations forces, allied foreign militaries, and those potential candidate small arms not necessarily in use militarily but available commercially.

(B) An assessment of the Department of Defense's current plans to modernize its small arms capabilities.

(C) A comparative evaluation of the Army's standard small arms ammunition with other small arms ammunition alternatives.

(2) FACTORS TO CONSIDER.—The study required under subsection (a) shall take into consideration the following factors:

(A) Current and future operating environments as specified or referred to in Department of Defense strategic guidance and planning documents.

(B) Modifications and improvements recently applied to United States general purpose

and special operations forces small arms as well as their potential for continued modification and improvement.

(C) Industrial base impacts.

(3) ACCESS TO INFORMATION.—The Secretary of Defense and the Secretary of the Army shall ensure that the Federally Funded Research and Development Center conducting the study required under subsection (a) has access to all necessary data, records, analysis, personnel, and other resources necessary to complete the study.

(b) REPORT.—

(1) IN GENERAL.—Not later than September 30, 2013, the Secretary of Defense shall submit to the congressional defense committees a report containing the results of the study conducted under subsection (a), together with the comments of the Secretary of Defense on the findings contained in the study.

(2) CLASSIFIED ANNEX.—The report shall be in unclassified form, but may contain a classified annex.

(c) DEFINITIONS.—In this section:

(1) The term ''small arms'' means—

(A) firearms up to but not including .50 caliber; and

(B) shotguns.

(2) The term ''small arms ammunition'' means ammunition or ordnance for—

(A) firearms up to but not including .50 caliber; and

(B) shotguns.

SEC. 889B. ANNUAL REPORT ON DEFENSE CONTRACTING FRAUD.

(a) ANNUAL STUDY AND REPORT.—The Secretary of Defense shall conduct an annual study on defense contracting fraud and submit a report containing the findings of such study to the congressional defense committees.

(b) REPORT CONTENTS.—The report required under subsection (a) shall include with respect to the most recent reporting period the following elements:

(1) An assessment of the total value of Department of Defense contracts entered into to with contractors that have been indicted for, settled charges of, been fined by any Federal department or agency for, or been convicted of fraud in connection with any contract or other transaction entered into with the Federal Government.

(2) Recommendations by the Inspector General of the Department of Defense or other appropriate Department of Defense official regarding how to penalize contractors repeatedly involved in fraud in connection with contracts or other transactions entered into with the Federal Government, including an update on implementation by the Department of any previous such recommendations.

SEC. 889C. PLAN TO INCREASE NUMBER OF CONTRACTORS ELIGIBLE FOR CONTRACTS UNDER AIR FORCE NETCENTS-2 CONTRACT.

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan to increase the number of contractors eligible to be awarded contracts under the Air Force's Network-Centric Solutions-2 (NETCENTS-2) indefinite-delivery, indefinite-quantity (IDIQ) contract.

(b) CONTENT.—The plan required under subsection (a) shall include the following elements:

(1) A recommendation and rationale for a maximum number of contractors to be eligible for contract awards under NETCENTS-2 to foster competition and reduce overall costs associated with

hardware and operation and maintenance of Air Networks.

(2) The methodology used to periodically review existing eligible NETCENTS-2 contractors and contracts.

(3) A timeline to increase the current number of eligible contractors under NETCENTS-2 and dates of future ''on-ramps'' under NETCENTS-2 to assess current eligible contractors and add additional eligible contractors.

SEC. 889D. INCLUSION OF INFORMATION ON COMMON GROUNDS FOR SUSTAINING BID PROTESTS IN ANNUAL GOVERNMENT ACCOUNTABILITY OFFICE REPORTS TO CONGRESS.

The Comptroller General of the United States shall include in the annual report to Congress on the Government Accountability Office each year a list of the most common grounds for sustaining protests relating to bids for contracts during such year.

SEC. 889E. SMALL BUSINESS HUBZONES.

(a) DEFINITION.—In this section, the term ''covered base closure area'' means a base closure area that, on or before the date of enactment of this Act, was treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) pursuant to section 152(a)(2) of the

Small Business Reauthorization and Manufacturing Assistance Act of 2004 (15 U.S.C. 632 note).

(b) TREATMENT AS HUBZONE.—

(1) IN GENERAL.—Subject to paragraph (2), a covered base closure area shall be treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) during the 5-year period beginning on the date of enactment of this Act.

(2) LIMITATION.—The total period of time that a covered base closure area is treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) pursuant to this section and section 152(a)(2) of the Small Business Reauthorization and Manufacturing Assistance Act of 2004 (15 U.S.C. 632 note) may not exceed 5 years.

Subtitle F—Ending Trafficking in Government Contracting

SEC. 891. SHORT TITLE.

This subtitle may be cited as the ''End Trafficking in Government Contracting Act of 2012''.

SEC. 892. DEFINITIONS.

In this subtitle:

(1) COMMERCIAL SEX ACT.—The term ''commercial sex act'' has the meaning given the term in

section 22.1702 of the Federal Acquisition Regulation (or any similar successor regulation).

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(3) SUBCONTRACTOR.—The term ''subcontractor'' means a recipient of a contract at any tier under a grant, contract, or cooperative agreement.

(4) SUBGRANTEE.—The term ''subgrantee'' means a recipient of a grant at any tier under a grant or cooperative agreement.

(5) UNITED STATES.—The term ''United States'' has the meaning provided in section 103(12) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(12)).

SEC. 893. CONTRACTING REQUIREMENTS.

(a) IN GENERAL.—Section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)) is amended by striking ''if the grantee or any subgrantee,'' and all that follows through the period at the end and inserting the following: ''or take any of the other remedial actions authorized under section 895(c) of the End Trafficking in Government Contracting Act of 2012, if the grantee or any subgrantee, or the contractor or any sub-

contractor, engages in, or uses labor recruiters, brokers, or other agents who engage in—

"(i) severe forms of trafficking in persons;

"(ii) the procurement of a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect;

"(iii) the use of forced labor in the performance of the grant, contract, or cooperative agreement, or

"(iv) acts that directly support or advance trafficking in persons, including the following acts:

"(I) Destroying, concealing, removing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents.

"(II) Failing to pay return transportation costs to an employee upon the end of employment, unless—

"(aa) exempted from the duty to repatriate by the Federal department or agency providing

or entering into the grant, contract, or cooperative agreement; or

"(bb) the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action.

"(III) Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment.

"(IV) Charging recruited employees unreasonable placement or recruitment fees, such as fees equal to or greater than the employee's monthly salary, or recruitment fees that violate the laws of the country from which an employee is recruited.

"(V) Providing or arranging housing that fails to meet the host

country housing and safety standards.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

SEC. 894. COMPLIANCE PLAN AND CERTIFICATION REQUIREMENT.

(a) REQUIREMENT.—The head of an executive agency may not provide or enter into a grant, contract, or cooperative agreement if the estimated value of the services required to be performed under the grant, contract, or cooperative agreement outside the United States exceeds $500,000, unless a duly designated representative of the recipient of such grant, contract, or cooperative agreement certifies to the contracting or grant officer prior to receiving an award and on an annual basis thereafter, after having conducted due diligence, that—

(1) the recipient has implemented a plan to prevent the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 3, and is in compliance with that plan;

(2) the recipient has implemented procedures to prevent any activities described in such section 106(g) and to monitor, detect, and terminate any

subcontractor, subgrantee, or employee of the recipient engaging in any activities described in such section; and

(3) to the best of the representative's knowledge, neither the recipient, nor any subcontractor or subgrantee of the recipient or any agent of the recipient or of such a subcontractor or subgrantee, is engaged in any of the activities described in such section.

(b) LIMITATION.—Any plan or procedures implemented pursuant to subsection (a) shall be appropriate to the size and complexity of the grant, contract, or cooperative agreement and to the nature and scope of its activities, including the number of non-United States citizens expected to be employed.

(c) DISCLOSURE.—The recipient shall provide a copy of the plan to the contracting or grant officer upon request, and as appropriate, shall post the useful and relevant contents of the plan or related materials on its website and at the workplace.

(d) GUIDANCE.—The President, in consultation with the Secretary of State, the Attorney General, the Secretary of Defense, the Secretary of Labor, the Secretary of Homeland Security, the Administrator for the United States Agency for International Development, and the

heads of such other executive agencies as the President deems appropriate, shall establish minimum requirements for contractor plans and procedures to be implemented pursuant to this section.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to carry out the purposes of this section.

(f) EFFECTIVE DATE.—The requirements under subsection (a) and (c) shall apply to grants, contracts, and cooperative agreements entered into on or after the date that is 90 days after the Federal Acquisition Regulation is amended pursuant to subsection (e).

SEC. 895. MONITORING AND INVESTIGATION OF TRAFFICKING IN PERSONS.

(a) REFERRAL AND INVESTIGATION.—

(1) REFERRAL.—If the contracting or grant officer of an executive agency for a grant, contract, or cooperative agreement receives credible information that a recipient of the grant, contract, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of such a subgrantee or subcontractor, has engaged in an activity described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)),

as amended by section 893, including a report from a contracting officer representative, an auditor, an alleged victim or victim's representative, or any other credible source, the contracting or grant officer shall promptly refer the matter to the agency's Office of Inspector General for investigation. The contracting officer may also direct the contractor to take specific steps to abate an alleged violation or enforce the requirements of a compliance plan implemented pursuant to section 894.

(2) INVESTIGATION.—Where appropriate, an Inspector General who receives credible information that a recipient of the grant, contract, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of such a subgrantee or subcontractor, has engaged in an activity described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893, pursuant to a referral under paragraph (1) or otherwise, shall promptly initiate an investigation of the matter. In the event that an Inspector General does not initiate an investigation, the Inspector General shall provide an explanation for the decision not to investigate.

(3) CRIMINAL INVESTIGATION.—If the matter is referred to the Department of Justice for criminal prosecution, the Inspector General may suspend any investigation under this subsection pending the outcome of the criminal prosecution. If the criminal investigation results in an indictment of the recipient of a contract, grant, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of a subgrantee or subcontractor, the Inspector General shall notify the head of the executive agency that awarded the contract, grant, or cooperative agreement of the indictment. If the criminal investigation results in a decision not to prosecute, the Inspector General shall resume any investigation that was suspended pursuant to this paragraph.

(b) REPORT AND DETERMINATION.—

(1) REPORT.—Upon completion of an investigation under subsection (a), the Inspector General shall submit a report on the investigation, including conclusions about whether the recipient of a grant, contract, or cooperative agreement; any subcontractor or subgrantee of the recipient; or any agent of the recipient or of such a subcontractor or subgrantee, engaged in any of the activities described in

section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893, to the head of the executive agency that awarded the contract, grant, or cooperative agreement.

(2) DETERMINATION.—Upon receipt of an Inspector General's report pursuant to paragraph (1), the head of the executive agency shall make a written determination whether the recipient of a contract, grant, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of a subgrantee or subcontractor, engaged in any of the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893.

(c) REMEDIAL ACTIONS.—

(1) IN GENERAL.—If the head of an executive agency determines pursuant to subsection (b)(2) that the recipient of a contract, grant, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of a subgrantee or subcontractor, engaged in any of the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)),

as amended by section 893, or is notified of an indictment for an offense under subsection (a)(3), the head of agency shall consider taking one or more of the following remedial actions:

(A) Requiring the recipient to remove an employee from the performance of work under the grant, contract, or cooperative agreement.

(B) Requiring the recipient to terminate a subcontract or subgrant.

(C) Suspending payments under the grant, contract, or cooperative agreement until such time as the recipient of the grant, contract, or cooperative agreement has taken appropriate remedial action.

(D) Withholding award fees, consistent with the award fee plan, for the performance period in which the agency determined the contractor or subcontractor engaged in any of the activities described in such section 106(g).

(E) Declining to exercise available options under the contract.

(F) Terminating the contract for default or cause, in accordance with the termination clause for the contract.

(G) Referring the matter to the agency suspension and debarment official.

(2) SAVINGS CLAUSE.—Nothing in this subsection shall be construed as limiting the scope of applicable remedies available to the Federal Government.

(3) MITIGATING FACTOR.—Where applicable, the head of an executive agency may consider whether the contractor or grantee had a plan in place under section 894, and was in compliance with that plan at the time of the violation, as a mitigating factor in determining which remedies, if any, should apply.

(4) AGGRAVATING FACTOR.—Where applicable, the head of an executive agency may consider the failure of a contractor or grantee to abate an alleged violation or enforce the requirements of a compliance plan when directed by a contracting officer pursuant to subsection (a)(1) as an aggravating factor in determining which remedies, if any, should apply.

(d) INCLUSION OF REPORT CONCLUSIONS IN FAPIIS.—

(1) IN GENERAL.—The head of an executive agency shall ensure that any written determination under subsection (b) is included in the Federal

Awardee Performance and Integrity Information System (FAPIIS).

(2) AMENDMENT TO TITLE 41, UNITED STATES CODE.—Section 2313(c)(1)(E) of title 41, United States Code, is amended to read as follows:

"(E) In an administrative proceeding—

"(i) a final determination of contractor fault by the Secretary of Defense pursuant to section 823(d) of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2302 note; Public Law 111–84); or

"(ii) a final determination, pursuant to section 895(b)(2) of the End Trafficking in Government Contracting Act of 2012, that the contractor, a subcontractor, or an agent of the contractor or subcontractor engaged in any of the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)).".

SEC. 896. NOTIFICATION TO INSPECTORS GENERAL AND COOPERATION WITH GOVERNMENT.

(a) IN GENERAL.—The head of an executive agency making or awarding a grant, contract, or cooperative

agreement shall require that the recipient of the grant, contract, or cooperative agreement—

(1) immediately inform the Inspector General of the executive agency of any information it receives from any source that alleges credible information that the recipient; any subcontractor or subgrantee of the recipient; or any agent of the recipient or of such a subcontractor or subgrantee, has engaged in conduct described in section 106(g) of the Trafficking in Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 3 of this Act; and

(2) fully cooperate with any Federal agencies responsible for audits, investigations, or corrective actions relating to trafficking in persons.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

SEC. 897. EXPANSION OF FRAUD IN FOREIGN LABOR CONTRACTING TO INCLUDE ATTEMPTED FRAUD AND WORK OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Section 1351 of title 18, United States Code, is amended—

(1) by striking ''Whoever knowingly and with the intent to defraud recruits, solicits or hires a person outside the United States'' and inserting ''(a)

WORK INSIDE THE UNITED STATES.—Whoever knowingly and with the intent to defraud recruits, solicits, or hires a person outside the United States, or attempts to do so,''; and

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

''(b) WORK OUTSIDE THE UNITED STATES.—Whoever knowingly and with intent to defraud recruits, solicits, or hires a person outside the United States, or attempts to do so, for purposes of employment performed on a United States Government contract performed outside the United States, or on a United States military installation or mission outside the United States or other property or premises outside the United States owned or controlled by the United States Government, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment, shall be fined under this title or imprisoned for not more than 5 years, or both.''.

(b) SPECIAL RULE FOR ALIEN VICTIMS.—No alien may be admitted to the United States pursuant to subparagraph (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) as a result of the alien being a victim of a crime described in sub-

section (b) of section 1351 of title 18, United States Code, as added by subsection (a).

SEC. 898. IMPROVING DEPARTMENT OF DEFENSE ACCOUNTABILITY FOR REPORTING TRAFFICKING IN PERSONS CLAIMS AND VIOLATIONS.

Section 105(d)(7)(H) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(H)) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) by redesignating clause (iii) as clause (iv);

(3) by inserting after clause (ii) the following new clause:

''(iii) all known trafficking in persons cases reported to the Under Secretary of Defense for Personnel and Readiness;'';

(4) in clause (iv), as redesignated by paragraph (2), by inserting ''and'' at the end after the semicolon; and

(5) by adding at the end the following new clause:

''(v) all trafficking in persons activities of contractors reported to the Under Secretary of Defense for Acquisition, Technology, and Logistics;''.

SEC. 899. RULES OF CONSTRUCTION.

(a) LIABILITY.—Excluding section 897, nothing in this subtitle shall be construed to supersede, enlarge, or diminish the common law or statutory liabilities of any grantee, subgrantee, contractor, subcontractor, or other party covered by section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893.

(b) AUTHORITY OF DEPARTMENT OF JUSTICE.—Nothing in this subtitle shall be construed as diminishing or otherwise modifying the authority of the Attorney General to investigate activities covered by this subtitle.

(c) PROSPECTIVE EFFECT.—Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to apply to a contract or grant entered into or renewed before the date of the enactment of this subtitle.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

SEC. 901. DEFINITION AND REPORT ON TERMS "PREPARATION OF THE ENVIRONMENT" AND "OPERATIONAL PREPARATION OF THE ENVIRONMENT" FOR JOINT DOCTRINE PURPOSES.

(a) DEFINITIONS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall define for purposes of joint doctrine the following terms:

(1) The term ''preparation of the environment''.

(2) The term ''operational preparation of the environment''.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the terms defined under subsection (a). The report shall include the following:

(1) The definition of the term ''preparation of the environment'' pursuant to subsection (a).

(2) Examples of activities meeting the definition of the term ''preparation of the environment'' by special operations forces and general purpose forces.

(3) The definition of the term ''operational preparation of the environment'' pursuant to subsection (a).

(4) Examples of activities meeting the definition of the term ''operational preparation of the environment'' by special operations forces and general purpose forces.

(5) An assessment of the appropriate roles of special operations forces and general purpose forces in conducting activities meeting the definition of the term ''preparation of the environment'' and the definition of the term ''operational preparation of the environment''.

SEC. 902. EXPANSION OF DUTIES AND RESPONSIBILITIES OF THE NUCLEAR WEAPONS COUNCIL.

(a) GUIDANCE ON NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS.—Subsection (d) of section 179 of title 10, United States Code, is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph (10):

"(10) Providing programmatic guidance on nuclear command, control and communications systems.".

(b) BUDGET AND FUNDING MATTERS.—Such section is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

"(f) BUDGET AND FUNDING MATTERS.—(1) The Council shall submit to Congress each year, at the same time the budget of the President for the fiscal year beginning in such year is submitted to Congress pursuant to section 1105(a) of title 31, a certification whether or not the amounts requested for the National Nuclear Security Administration in such budget, and anticipated over the four fiscal years following such budget, meets nuclear stockpile and stockpile stewardship program requirements for such fiscal year and over such four fiscal years. If a member of the Council does not concur in a certification, the certification shall include the reasons for the member's non-concurrence.

"(2) If a House of Congress adopts a bill authorizing or appropriating funds for the National Nuclear Security Administration for nuclear stockpile and stockpile stew-

ardship program activities or other activities that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.''.

SEC. 903. FAILURE OF THE DEPARTMENT OF DEFENSE TO OBTAIN AUDITS WITH AN UNQUALIFIED OPINION ON ITS FINANCIAL STATEMENTS BY FISCAL YEAR 2017.

If the Department of Defense fails to obtain an audit with an unqualified opinion on its financial statements for fiscal year 2017, the following shall take effect, effective as of the date of the issuance of the opinion on such audit:

(1) REORGANIZATION OF RESPONSIBILITIES OF CHIEF MANAGEMENT OFFICER.—

(A) POSITION OF CHIEF MANAGEMENT OFFICER.—Section 132a of title 10, United States Code, is amended to read as follows:

''§ 132a. Chief Management Officer

''(a) IN GENERAL.—(1) There is a Chief Management Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

"(2) Any individual nominated for appointment as Chief Management Officer shall be an individual who has—

"(A) extensive executive level leadership and management experience in the public or private sector;

"(B) strong leadership skills;

"(C) a demonstrated ability to manage large and complex organizations; and

"(D) a proven record in achieving positive operational results.

"(b) POWERS AND DUTIES.—The Chief Management Officer shall perform such duties and exercise such powers as the Secretary of Defense may prescribe.

"(c) SERVICE AS CHIEF MANAGEMENT OFFICER.—(1) The Chief Management Officer is the Chief Management Officer of the Department of Defense.

"(2) In serving as the Chief Management Officer of the Department of Defense, the Chief Management Officer shall be responsible for the management and administration of the Department of Defense with respect to the following:

"(A) The expenditure of funds, accounting, and finance.

"(B) Procurement, including procurement of any enterprise resource planning (ERP) system and any information technology (IT) system that is a financial feeder system, human resources system, or logistics system.

"(C) Facilities, property, nonmilitary equipment, and other resources.

"(D) Strategic planning, and annual performance planning, and identification and tracking of performance measures.

"(E) Internal audits and management analyses of the programs and activities of the Department, including the Defense Contract Audit Agency.

"(F) Such other areas or matters as the Secretary of Defense may designate.

"(3) The head of the Defense Contract Audit Agency shall be under the supervision of, and shall report directly to, the Chief Management Officer.

"(d) PRECEDENCE.—The Chief Management Officer takes precedence in the Department of Defense after the Secretary of Defense and the Deputy Secretary of Defense.".

(B) CONFORMING AMENDMENTS.—

(i) Section 131(b) of title 10, United States Code, is amended—

(I) by striking paragraph (3);

(II) by redesignating paragraph (2) as paragraph (3); and

(III) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Chief Management Officer of the Department of Defense.''.

(ii) Section 132 of such title is amended—

(I) by striking subsection (c); and

(II) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(iii) Section 133(e)(1) of such title is amended by striking ''and the Deputy Secretary of Defense'' and inserting '', the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense''.

(iv) Such title is further amended by inserting ''the Chief Management Officer of the Department of Defense,'' after ''the Deputy Secretary of Defense,'' each place it appears in the provisions as follows:

(I) Section 133(e)(2).

(II) Section 134(c).

(v) Section 137a(d) of such title is amended by striking ''the Secretaries of the military departments,'' and all that follows and inserting ''the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, and the Under Secretaries of Defense.''.

(vi) Section 138(d) of such title is amended by striking ''the Secretaries of the military departments,'' and all that follows through the period and inserting ''the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, the Under Secretaries of Defense, and the Director of Defense Research and Engineering.''.

(C) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 132a and inserting the following new item:

''132a. Chief Management Officer.''.

(D) EXECUTIVE SCHEDULE.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Chief Management Officer of the Department of Defense.''.

(E) REFERENCE IN LAW.—Any reference in any provision of law to the Chief Management Officer of the Department of Defense shall be deemed to refer to the Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code (as amended by this paragraph).

(2) JURISDICTION OF DFAS.—

(A) TRANSFER TO DEPARTMENT OF THE TREASURY.—Jurisdiction of the Defense Finance and Accounting Service (DFAS) is transferred from the Department of Defense to the Department of the Treasury.

(B) ADMINISTRATION.—The Secretary of the Treasury shall administer the Defense Finance and Accounting Service following transfer under this paragraph through the Financial Management Service of the Department of the Treasury.

(C) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of the Treasury shall jointly enter into a memorandum of understanding regarding the transfer of jurisdiction of the Defense Finance and Accounting Service under this paragraph. The memorandum of understanding shall provide for the transfer of the personnel and other resources of the Service to the Department of the Treasury and for the assumption of responsibility for such personnel and resources by the Department of the Treasury.

(D) CONSTRUCTION.—Nothing in this paragraph shall be construed as terminating, altering, or revising any responsibilities or authorities of the Defense Finance and Accounting Service (other than responsibilities and authorities in connection with the exercise of jurisdiction of the Service following transfer under this paragraph).

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.

Section 2222(g) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) The investment management process required by paragraph (1) shall include requirements for the military departments and the Defense Agencies to submit to the Deputy Chief Management Officer such information on covered defense business system programs as the Deputy Chief Management Officer shall require for the review of defense business system programs under the process. Such information shall be submitted to the Deputy Chief Management Officer in a standardized format established by the Deputy Chief Management Officer for purposes of this paragraph.''

Subtitle B—Space Activities

SEC. 911. OPERATIONALLY RESPONSIVE SPACE PROGRAM OFFICE.

(a) IN GENERAL.—Subsection (a) of section 2273a of title 10, United States Code, is amended to read as follows:

"(a) IN GENERAL.—There is within the Air Force Space and Missile Systems Center of the Department of Defense an office known as the Operationally Responsive Space Program Office (in this section referred to as the 'Office'). The facilities of the Office may not be co-located with the headquarters facilities of the Air Force Space and Missile Systems Center.".

(b) HEAD OF OFFICE.—Subsection (b) of such section is amended by striking "shall be—" and all that follows and inserting "the designee of the Department of Defense Executive Agent for Space. The head of the Office shall report to the Commander of the Air Force Space and Missile Systems Center.".

(c) MISSION.—Subsection (c)(1) of such section is amended by striking "spacelift" and inserting "launch".

(d) SENIOR ACQUISITION EXECUTIVE.—Paragraph (1) of subsection (e) of such section is amended to read as follows:

"(1) The Program Executive Officer (PEO) for Space shall be the Acquisition Executive of the Office and shall provide streamlined acquisition authorities for projects of the Office.".

(e) EXECUTIVE COMMITTEE.—Such section is further amended by adding at the end the following new subsection:

"(g) EXECUTIVE COMMITTEE.—(1) The Secretary of Defense shall establish for the Office an Executive Committee (to be known as the 'Operationally Responsive Space Executive Committee') to provide coordination, oversight, and approval of projects of the Office.

"(2) The Executive Committee shall consist of the officials (and their duties) as follows:

"(A) The Department of Defense Executive Agent for Space, who shall serve as Chair of the Executive Committee and provide oversight, prioritization, coordination, and resources for the Office.

"(B) The Under Secretary of Defense for Acquisition, Technology, and Logistics, who shall provide coordination and oversight of the Office and recommend funding sources for programs of the Office that exceed the approved program baseline.

"(C) The Commander of the United States Strategic Command, who shall validate requirements for systems to be acquired by the Office and participate in approval of any acquisition program initiated by the Office.

"(D) The Commander of the Air Force Space Command, who shall organize, train, and equip

forces to support the acquisition programs of the Office.

''(E) Such other officials (and their duties) as the Secretary of Defense considers appropriate.''.

(f) TRANSFER OF FISCAL YEAR 2012 FUNDS.—

(1) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from the funds described in paragraph (2), $60,000,000 to other, higher priority programs of the Air Force.

(2) COVERED FUNDS.—The funds described in this paragraph are amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Air Force, for the Weather Satellite Follow On Program as specified in the funding table in section 4201 of that Act.

(3) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this subsection shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(4) CONSTRUCTION OF AUTHORITY.—The transfer authority in this subsection is in addition to any other transfer authority provided in this Act.

(5) PROGRAM PLAN.—Not later than December 31, 2012, the Secretary shall submit to the congressional defense committees a report setting forth a program plan for higher priority programs described in paragraph (1).

SEC. 912. COMMERCIAL SPACE LAUNCH COOPERATION.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2275. Commercial space launch cooperation

"(a) AUTHORITY.—The Secretary of Defense may, to assist the Secretary of Transportation in carrying out responsibilities set forth in title 51 with respect to private sector involvement in commercial space activities and public-private partnerships pertaining to space transportation infrastructure, take the following actions:

"(1) Maximize the use by the private sector in the United States of the capacity of the space transportation infrastructure of the Department of Defense.

"(2) Maximize the effectiveness and efficiency of the space transportation infrastructure of the Department.

"(3) Reduce the cost of services provided by the Department related to space transportation infrastructure at launch support facilities and space recovery support facilities.

"(4) Encourage commercial space activities by enabling investment by covered entities in the space transportation infrastructure of the Department.

"(5) Foster cooperation between the Department and covered entities.

"(b) AUTHORITY FOR CONTRACTS AND OTHER AGREEMENTS RELATING TO SPACE TRANSPORTATION INFRASTRUCTURE.—The Secretary of Defense—

"(1) may enter into a contract or other agreement with a covered entity to provide to the covered entity support and services related to the space transportation infrastructure of the Department of Defense; and

"(2) upon the request of that covered entity, may include such support and services in the space launch and reentry range support requirements of the Department if—

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
15 non-Federal funding before the execution of the
16 contract 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
23 the Secretary under this subsection—
24 "(A) may be used only for the objectives speci-
25 fied in this section in accordance with terms of use

set forth in the contract or other agreement entered into under this subsection; and

"(B) shall be managed by the Secretary in accordance with regulations of the Department of Defense.

"(3) A contract or other agreement entered into under this subsection with a covered entity—

"(A) shall address the terms of use, ownership, and disposition of the funds, services, or equipment contributed pursuant to the contract or other agreement; and

"(B) shall include a provision that the covered entity will not recover the costs of its contribution through any other contract or agreement with the United States.

"(d) DEFENSE COOPERATION SPACE LAUNCH ACCOUNT.—(1) There is established on the books of the Treasury a special account to be known as the 'Defense Cooperation Space Launch Account'.

"(2) Funds received by the Secretary of Defense under subsection (c) shall be credited to the Defense Cooperation Space Launch Account.

"(3) Amounts in the Department Defense Cooperation Space Launch Account shall be available, to the extent provided in appropriation Acts, for costs incurred by

the Department of Defense under subsection (c). Funds in the Account shall remain available until expended.

"(e) ANNUAL REPORT.—Not later than January 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on the funds, services, and equipment accepted and used by the Secretary under this section during the previous fiscal year.

"(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.

"(g) DEFINITIONS.—In this section:

"(1) COVERED ENTITY.—The term 'covered entity' means a non-Federal entity that—

"(A) is organized under the laws of the United States or of any jurisdiction within the United States; and

"(B) is engaged in commercial space activities.

"(2) LAUNCH SUPPORT FACILITIES.—The term 'launch support facilities' has the meaning given that term in section 50501(7) of title 51.

"(3) SPACE RECOVERY SUPPORT FACILITIES.—The term 'space recovery support facilities' has the meaning given that term in section 50501(11) of title 51.

"(4) SPACE TRANSPORTATION INFRASTRUCTURE.—The term 'space transportation infrastructure' has the meaning given that term in section 50501(12) of title 51.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of such title is amended by adding at the end the following new item:

"2275. Commercial space launch cooperation.".

SEC. 913. REPORTS ON INTEGRATION OF ACQUISITION AND CAPABILITY DELIVERY SCHEDULES FOR COMPONENTS FOR MAJOR SATELLITE ACQUISITION PROGRAMS AND FUNDING FOR SUCH PROGRAMS.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 912 of this Act, is further amended by adding at the end the following new section:

"§ 2276. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs

"(a) REPORTS REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on each major satellite acquisition program in accordance with subsection (d) that assesses—

"(1) the integration of the schedules for the acquisition and the delivery of the capabilities of the components for the program; and

"(2) funding for the program.

"(b) ELEMENTS.—Each report required by subsection (a) with respect to a major satellite acquisition program shall include the following:

"(1) The amount of funding approved for the program and for each related program that is necessary for the operational capability of the program.

"(2) The dates by which the program is anticipated to reach initial and full operational capability.

"(3) An assessment of the extent to which the schedules for the acquisition and the delivery of the capabilities of the components for the program or any related program referred to in paragraph (1) are integrated.

"(4) If the Under Secretary determines pursuant to the assessment under paragraph (3) that the schedules for the acquisition and the delivery of the capabilities of the components for the program, or a related program referred to in paragraph (1), provide for the acquisition or the delivery of the capabilities of at least two of the three components for

the program or related program more than one year apart, an identification of—

"(A) the measures the Under Secretary is taking or is planning to take to improve the integration of those schedules; and

"(B) the risks and challenges that impede the ability of the Department of Defense to fully integrate those schedules.

"(c) CONSIDERATION BY MILESTONE DECISION AUTHORITY.—The Milestone Decision Authority shall include the report required by subsection (a) with respect to a major satellite acquisition program as part of the documentation used to approve the acquisition of the program.

"(d) SUBMITTAL OF REPORTS.—(1) In the case of a major satellite acquisition program initiated before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Under Secretary shall submit the report required by subsection (a) with respect to the program not later than one year after such date of enactment.

"(2) In the case of a major satellite acquisition program initiated on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Under Secretary shall submit the report re-

quired by subsection (a) with respect to the program at the time of the Milestone B approval of the program.

"(e) NOTIFICATION TO CONGRESS OF NON-INTEGRATED ACQUISITION AND CAPABILITY DELIVERY SCHEDULES.—If, after submitting the report required by subsection (a) with respect to a major satellite acquisition program, the Under Secretary determines that the schedules for the acquisition and the delivery of the capabilities of the components for the program, or a related program referred to in subsection (b)(1), provide for the acquisition or the delivery of the capabilities of at least two of the three components for the program or related program more than one year apart, the Under Secretary shall, not later than 30 days after making that determination, submit to the congressional defense committees a report—

"(1) notifying the committees of that determination; and

"(2) identifying the measures the Under Secretary is taking or is planning to take to improve the integration of those schedules.

"(f) DEFINITIONS.—In this section:

"(1) COMPONENTS.—The term 'components', with respect to a major satellite acquisition program, refers to any satellites acquired under the program

and the ground equipment and user terminals necessary for the operation of those satellites.

"(2) MAJOR SATELLITE ACQUISITION PROGRAM.—The term 'major satellite acquisition program' means a major defense acquisition program (as defined in section 2430 of this title) for the acquisition of a satellite.

"(3) MILESTONE B APPROVAL.—The term 'Milestone B approval' has the meaning given that term in section 2366(e)(7) of this title.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of such title, as so amended, is further amended by adding at the end the following new item:

"2276. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs.".

SEC. 914. DEPARTMENT OF DEFENSE REPRESENTATION IN DISPUTE RESOLUTION REGARDING SURRENDER OF DEPARTMENT OF DEFENSE BANDS OF ELECTROMAGNETIC FREQUENCIES.

Section 1062(b)(1) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 768; 47 U.S.C. 921 note) is amended—

(1) in subparagraph (A), by striking "and" at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(C) in the event of any dispute resolution process involving the surrender of use of such band, the Department of Defense has adequate representation to convey its views.''.

Subtitle C—Intelligence-Related and Cyber Matters

SEC. 921. AUTHORITY TO PROVIDE GEOSPATIAL INTELLIGENCE SUPPORT TO SECURITY ALLIANCES AND INTERNATIONAL AND REGIONAL ORGANIZATIONS.

(a) EXTENSION OF AUTHORITY TO SECURITY ALLIANCES AND INTERNATIONAL AND REGIONAL ORGANIZATIONS.—Section 443(a) of title 10, United States Code, is amended by inserting '', regional organizations with defense or security components, and international organizations and security alliances of which the United States is a member'' after ''foreign countries''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 443 of such title is amended to read as follows:

"§ 443. Imagery intelligence and geospatial information: support for foreign countries, security alliances, and international and regional organizations".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 22 of such title is amended by striking the item relating to section 443 and inserting the following new item:

"443. Imagery intelligence and geospatial information: support for foreign countries, security alliances, and international and regional organizations.".

SEC. 922. ARMY DISTRIBUTED COMMON GROUND SYSTEM.

(a) ASSIGNMENT OF RESPONSIBILITY FOR OVERSIGHT.—The Secretary of the Army shall assign responsibility for oversight of the development, acquisition, testing, and fielding of the Distributed Common Ground System (DCGS) cloud computing program of the Army to the Chief Information Officer of the Army ((CIO)/G–6).

(b) REVIEW OF PROGRAM.—

(1) IN GENERAL.—Not later than December 1, 2012, the Chief Information Officer shall submit to the Secretary a report on a review of the Distributed Common Ground System cloud computing program of the Army conducted by the Chief Information Officer for purposes of this section.

(2) ELEMENTS.—The report shall include the following:

(A) An assessment of the program in comparison with commercial products, if applicable, with respect to each of the following:

(i) The effectiveness of analyst tools, user interfaces, and data visualization in supporting analyst missions and requirements.

(ii) Training requirements for analysts.

(iii) Ease of use for analysts.

(iv) Rates of progress in developing analyst tools and linking tools for standard workflows.

(B) An assessment of the soundness of the past decisions of the Army, and the future plans of the Army, for acquiring and integrating analyst tools, user interfaces, and data visualization capabilities through government-sponsored custom development, leasing of commercial solutions, and government open source development.

(C) Such recommendations regarding the program as the Chief Information Officer considers appropriate in light of the review under this subsection.

SEC. 923. RATIONALIZATION OF CYBER NETWORKS AND CYBER PERSONNEL OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall take appropriate actions to substantially reduce the number of sub-networks and network enclaves across the Department of Defense, and the associated security and access management controls, in order to achieve the following objectives for the Department:

(1) Visibility for the United States Cyber Command in the operational and security status of all networks, network equipment, and computers.

(2) Elimination of redundant network security infrastructure and personnel.

(3) Rationalization and consolidation of cyber attack detection, diagnosis, and response resources, and elimination of gaps in security coverage.

(4) Reduction of barriers to information sharing and enhancement of the capacity to rapidly create collaborative communities of interest.

(5) Enhancement of access to information through authentication-based and identity-based access controls.

(6) Enhancement of the capacity to deploy, and achieve access to, enterprise-level services.

(7) Separation of server and end-user device computing to facilitate server and data center consolidation and a more secure tiered and zoned network architecture.

(b) PERSONNEL PLAN.—

(1) IN GENERAL.—As part of the actions taken under subsection (a), the Secretary shall establish and carry out a plan to reassign personnel billets currently allocated to network operations and security that will become available pursuant to the reduction in network enclaves required by that subsection to tasks related to potential offensive cyber operations in order to achieve an appropriate balance between the offensive and defensive missions of the United States Cyber Command and its components. The plan shall include targets for the number of personnel to be reassigned to tasks related to offensive operations, and the rate at which such personnel shall be added to the workforce for such tasks.

(2) DISPOSITION OF PERSONNEL.—In developing the plan required by paragraph (1), the Secretary shall—

(A) determine whether the number of personnel required to be reassigned to tasks re-

lated to offensive operations in order to achieve the balance described in paragraph (1) will be met, in pace and numbers, through the reassignment of personnel billets pursuant to the plan; and

(B) if the Secretary determines that the number of personnel so required will not be so met (whether because of insufficient numbers of personnel in billets to be reassigned or because personnel available for reassignment cannot be trained or directed to tasks related to offensive operations), take appropriate actions to ensure the availability to the United States Cyber Command of appropriate numbers of personnel qualified to undertake tasks related to offensive operations.

(3) ADDITIONAL ELEMENTS.—In developing the plan required by paragraph (1), the Secretary shall also—

(A) identify targets for the number of personnel to be reassigned to tasks related to offensive cyber operations, and the rate at which such personnel shall be added to the workforce for such tasks; and

(B) identify targets for use of National Guard personnel to support cyber workforce rationalization and the actions taken under subsection (a).

(4) SUBMITTAL TO CONGRESS.—The Secretary shall submit the plan required by paragraph (1) to the congressional defense committees at the time of the submittal to Congress of the budget of the President for fiscal year 2014 pursuant to section 1105(a) of title 31, United States Code.

SEC. 924. NEXT-GENERATION HOST-BASED CYBER SECURITY SYSTEM FOR THE DEPARTMENT OF DEFENSE.

(a) STRATEGY FOR ACQUISITION OF SYSTEM REQUIRED.—The Chief Information Officer of the Department of Defense shall, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, develop a strategy to acquire next-generation host-based cybersecurity tools and capabilities (in this section referred to as a ''next-generation system'') for the Department of Defense.

(b) ELEMENTS OF SYSTEM.—It is the sense of Congress that any next-generation system acquired under the strategy required by subsection (a) should meet the following requirements:

(1) To overcome problems and limitations in current capabilities, the system should not rely on anti-virus or signature-based threat detection techniques that—

(A) cannot address new or rapidly morphing threats:

(B) consume substantial amounts of communications capacity to remain current with known threats and to report current status; or

(C) consume substantial amounts of resources to store rapidly growing threat libraries.

(2) The system should provide an open architecture-based framework for so-called ''plug-and-play'' integration of a variety of types of deployable tools in addition to cyber intrusion detection tools, including tools for—

(A) insider threat detection;

(B) continuous monitoring and configuration management;

(C) remediation following infections; and

(D) protection techniques that do not rely on detection of the attack, such as virtualization, and diversification of attack surfaces.

(3) The system should be designed for ease of deployment to potentially millions of host devices of tailored security solutions depending on need and risk, and to be compatible with cloud-based, thin-client, and virtualized environments as well as battlefield devices and weapons systems.

(c) SUBMITTAL TO CONGRESS.—The Chief Information Office shall submit to Congress a report setting forth the strategy required by subsection (a) together with the budget justification materials of the Department of Defense submitted to Congress with the budget of the President for fiscal year 2015 pursuant to section 1105(a) of title 31, United States Code.

SEC. 925. IMPROVEMENTS OF SECURITY, QUALITY, AND COMPETITION IN COMPUTER SOFTWARE PROCURED BY THE DEPARTMENT OF DEFENSE.

(a) COMPREHENSIVE PROGRAM ON IMPROVEMENT OF PROCUREMENT OF COMPUTER SOFTWARE.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in coordination with the Chief Information Officer of the Department of Defense, develop a comprehensive program for improvements of the security, quality, and competition in the computer software procured by the Department of Defense for covered systems

(b) UPDATE OF DEVELOPMENT AND ACQUISITION MODELS.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in coordination with the Chief Information Officer, provide for the development of updates and improvements to one or more existing best-practice development and acquisition models (such as the Capability Maturity Model Integration) in order to provide explicit guidance under such model or models for improved assurance, security, quality, and resiliency in the computer software developed and procured by the Department.

(2) ELEMENTS.—Any update or improvement to a development and acquisition model under this subsection shall—

(A) include diagnostic methods that enable evaluations of conformance to the processes and best practices of the model for achieving quality, assurance, and security throughout the life cycle of software products concerned; and

(B) be compatible with the variety of current agile and incremental software development methodologies.

(c) REQUIREMENTS FOR SECURE CODE DEVELOPMENT PRACTICES.—The Under Secretary shall, in coordination with the Chief Information Officer—

(1) direct the Director of the Defense Information Systems Agency to modify the Application Security and Development Security Technical Implementation Guide (STIG) to require (rather than highly recommend) the use of automated static vulnerability analysis tools in the computer software code development phase, and in development and operational testing, to identify and remediate security vulnerabilities for covered systems;

(2) develop a list of qualified government and private-sector static analysis tools and third-party testing organizations to support the requirement under paragraph (1);

(3) direct the Director—

(A) to designate secure software coding standards; and

(B) to modify the Security Technical Implementation Guide to reference the approved standards; and

(4) develop guidance and direction for Department program managers to require government software development and maintenance organizations

and contractors to identify and implement, through contract statements of work, a secure software coding plan that includes verifiable processes and practices.

(d) VERIFICATION OF EFFECTIVE IMPLEMENTATION.—The Under Secretary shall, in coordination with the Chief Information Officer, develop guidance and direction for Department program managers for covered systems to do as follows:

(1) To require evidence that government software development and maintenance organizations and contractors are conforming in computer software coding to—

(A) approved secure coding standards of the Department during software development, upgrade and maintenance activities, including through the use of inspection and appraisals;

(B) an applicable best practice development and acquisition model; and

(C) the requirement established pursuant to subsection (b)(1).

(2) To make appropriate use of authorized software code assessment centers (whether a government center, Federally funded research and development center, or government contractor) to evaluate

applications and software products for conformance to secure coding requirements.

(e) STUDY ON ADDITIONAL MEANS OF IMPROVING SOFTWARE SECURITY.—

(1) IN GENERAL.—The Under Secretary shall, in coordination with the Chief Information Officer, provide for a study of potential mechanisms for obtaining higher quality and secure development of computer software for the Department.

(2) MECHANISMS TO BE STUDIED.—The mechanisms studied under paragraph (1) may include the following:

(A) Liability for defects or vulnerabilities in software code.

(B) So-called ''clawback'' provisions on earned fees that enable the Department to recoup funds for security vulnerabilities discovered after software is delivered.

(C) Exemption from liability for rigorous conformance with secure development processes.

(D) Warranties against software defects and vulnerabilities.

(f) SOFTWARE REPOSITORIES AND COLLABORATIVE DEVELOPMENT ENVIRONMENTS.—The Under Secretary shall, in consultation with the Chief Information Officer—

(1) establish or require the use of one or more existing computer software repositories and collaborative computer software development environments (such as Forge.mil managed by the Defense Information Systems Agency) for covered systems for purposes of—

(A) storing software code owned by the government, or to which it has use rights, together with all associated documentation and quality and security test results;

(B) minimizing duplicative investment in software code development infrastructure while promoting common, high-quality development practices and facilitating sharing of best practices; and

(C) promoting software re-use and competition for software capability insertion, upgrades, and maintenance;

(2) establish rules and procedures for depositors in the repositories and environments provided for under paragraph (1) to keep the software code base current, if the depositors are not already using such a repository or environment for software development and life-cycle management; and

(3) ensure that the repositories and environments provided for under paragraph (1) provide automated tools for software reverse engineering, functionality analysis, and static and dynamic vulnerability analysis of source code and binary code in order to enable users to search for software relevant to their requirements, understand what the code does and how it functions, and assess its quality and security.

(g) COVERED SYSTEMS DEFINED.—In this section, the term ''covered systems'' means any Department of Defense critical information systems and weapons systems, including—

(1) major systems, as that term is defined in section 2302(5) of title 10, United States Code;

(2) national security systems, as that term is defined in section 3542(b)(2) of title 44, United States Code; and

(3) Department of Defense information systems categorized as Mission Assurance Category I in Department of Defense Directive 8500.01E that are funded by the Department of Defense.

SEC. 926. COMPETITION IN CONNECTION WITH DEPARTMENT OF DEFENSE DATA LINK SYSTEMS.

(a) COMPETITION IN CONNECTION WITH DATA LINK SYSTEMS.—

(1) IN GENERAL.—Not later than December 1, 2013, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(A) develop an inventory of all data link systems in use and in development in the Department of Defense;

(B) conduct a business case analysis of each data link system contained in the inventory under subparagraph (A) to determine whether—

(i) the maintenance, upgrade, new deployment, or replacement of such system should be open to competition; or

(ii) the data link should be converted to an open architecture, or a different data link standard should be adopted to enable such competition;

(C) for each data link system for which competition is determined advisable under clause (i) or (ii) of subparagraph (B), develop a plan (with specific objectives, actions, and schedules) to achieve such competition, includ-

ing a plan to address any policy, legal, programmatic, or technical barriers to such competition; and

(D) for each data link system for which competition is determined not advisable under subparagraph (B), prepare a justification for the determination that it is not practical to conduct such competition or to convert the data link standard to open architecture or adopt a different data link standard for which competition is feasible.

(2) ELEMENT OF BUSINESS CASE ANALYSES.—In conducting a business case analysis for purposes of paragraph (1)(B), the Under Secretary shall solicit the views of industry on the merits and feasibility of introducing competition for the maintenance, upgrade, new deployment, or replacement for the data link system in question.

(b) EARLIER ACTIONS.—If the Under Secretary completes any portion of the plan described in subsection (a)(1)(C) before December 1, 2013, the Secretary may commence action on such portion of the plan upon completion of such portion, including publication of such portion of the plan.

(c) REPORTS.—

(1) SUBMITTAL OF PLAN TO CONGRESS.—The Under Secretary shall submit to Congress the plan described in subsection (a)(1)(C) at the same time the budget of the President for fiscal year 2015 is submitted to Congress pursuant to section 1105(a) of title 31, United States Code. The Under Secretary shall include with the plan—

(A) a list of the data link systems covered by subsection (a)(1)(C);

(B) a list of the data link systems covered by subsection (a)(1)(D); and

(C) for each data link system covered by subsection (a)(1)(D), the justification prepared under that subsection with respect to the data link system.

(2) COMPTROLLER OF THE UNITED STATES ASSESSMENT.—Not later than 90 days after the submittal to Congress under paragraph (1) of the plan described in subsection (a)(1)(C), the Comptroller General of the United States shall submit to Congress a report setting forth the assessment of the Comptroller General of the plan, including an assessment of the adequacy and objectives of the plan.

SEC. 927. INTEGRATION OF CRITICAL SIGNALS INTELLIGENCE CAPABILITIES.

(a) PLAN FOR INTEGRATION REQUIRED.—

(1) IN GENERAL.—Not later than January 1, 2013, the Director of the Intelligence, Surveillance, and Reconnaissance (ISR) Task Force shall develop a plan to rapidly achieve an operationally integrated signals intelligence collection and dissemination capability to meet requirements for detecting, tracking, and precisely geolocating high-band communications devices in order to trigger the immediate observation and tracking of high-value targets by imagery sensor by combining or integrating capabilities that exist or are in development in ongoing programs, including the following:

(A) The Guardrail program and the ARGUS A160 program of the Army.

(B) The Blue Moon quick reaction capability program of the Air Force.

(C) The Wide Area Network Detection program of the Defense Advanced Research Projects Agency (DARPA).

(2) CONSULTATION.—The Director shall consult with the National Security Agency, the combatant commands (including the United States Special Operations Command), and the formal wireless

working groups of the intelligence community in developing the plan.

(3) SUPPORT.—The Secretary of the Army, the Secretary of the Air Force, and the Director of the Defense Advanced Research Projects Agency shall each provide the Director such information and support as the Director shall require for the development of the plan.

(b) DEVELOPMENT AND DEPLOYMENT.—In addition to the responsibility under subsection (a), the Director of the Intelligence, Surveillance, and Reconnaissance Task Force shall also coordinate funding, provide acquisition oversight, coordinate system deployment, and synchronize operational integration in support of combat operations for purposes of the development and deployment of the capability described in that subsection.

SEC. 928. COLLECTION AND ANALYSIS OF NETWORK FLOW DATA.

(a) DEVELOPMENT OF TECHNOLOGIES.—The Chief Information Officer of the Department of Defense may, in coordination with the Under Secretary of Defense for Policy and the Under Secretary of Defense for Intelligence and acting through the Director of the Defense Information Systems Agency (DISA), use the available funding and research activities and capabilities of the Community

Data Center of the Defense Information Systems Agency to develop and demonstrate collection, processing, and storage technologies for network flow data that—

(1) are potentially scalable to the volume used by Tier 1 Internet Service Providers (ISPs) to collect and analyze the flow data across their networks;

(2) will substantially reduce the cost and complexity of capturing and analyzing high volumes of flow data; and

(3) support the capability—

(A) to detect and identify cybersecurity threats, networks of compromised computers, and command and control sites used for managing illicit cyber operations and receiving information from compromised computers;

(B) track illicit cyber operations for attribution of the source; and

(C) provide early warning and attack assessment of offensive cyber operations.

(b) COORDINATION.—Any research and development required in the development of the technologies described in subsection (a) shall be conducted in cooperation with the heads of other appropriate departments and agencies of the Federal Government and, whenever feasible, Tier 1 Internet Service Providers.

SEC. 929. DEPARTMENT OF DEFENSE USE OF NATIONAL SECURITY AGENCY CLOUD COMPUTING DATABASE AND INTELLIGENCE COMMUNITY CLOUD COMPUTING INFRASTRUCTURE AND SERVICES.

(a) LIMITATION ON USE OF NSA DATABASE.—

(1) LIMITATION.—No component of the Department of Defense may utilize the cloud computing database developed by the National Security Agency (NSA) called Accumulo after September 30, 2013, unless the Chief Information Officer of the Department of Defense certifies one of the following:

(A) That there are no viable commercial open source databases with extensive industry support (such as the Apache Foundation HBase and Cassandra databases) that have security features comparable to the Accumulo database that are considered essential by the Chief Information Officer for purposes of the certification under this paragraph.

(B) That the Accumulo database has become a successful Apache Foundation open source database with adequate industry support and diversification, based on criteria to be established by the Chief Information Officer for purposes of the certification under this para-

graph and submitted to the appropriate committees of Congress not later than January 1, 2013.

(2) CONSTRUCTION.—The limitation in paragraph (1) shall not apply to the National Security Agency.

(b) ADAPTATION OF ACCUMULO SECURITY FEATURES TO HBASE DATABASE.—The Director of the National Security Agency shall take appropriate actions to ensure that companies and organizations developing and supporting open source and commercial open source versions of the Apache Foundation HBase and Cassandra databases, or similar systems, receive technical assistance from government and contractor developers of software code for the Accumulo database to enable adaptation and integration of the security features of the Accumulo database.

(c) COORDINATION REGARDING DOD USE OF INTELLIGENCE COMMUNITY CLOUD COMPUTING INFRASTRUCTURE AND SERVICES.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer of the Department of Defense, and the Chief Information Officer of each of the military departments shall coordinate with the

Director of National Intelligence and the Under Secretary of Defense for Intelligence regarding the use of cloud computing infrastructure and software services offered by the intelligence community by components of the Department of Defense for purposes other than intelligence analysis.

(2) PURPOSE.—The purpose of the coordination required by paragraph (1) is to ensure that Department use of cloud computing infrastructure and software services described in that paragraph is cost-effective and consistent with the Information Technology Efficiencies initiative, data center and server consolidation plans, and cybersecurity requirements and policies of the Department.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 930. ELECTRO-OPTICAL IMAGERY.

(a) SUSTAINMENT OF COLLECTION CAPACITY.—The Secretary of Defense and the Director of National Intelligence shall jointly take appropriate actions to sustain through fiscal year 2013 the commercial electro-optical imaging collection capacity that was planned under the Enhanced View program approved in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) to be available to the Department of Defense though the Service Level Agreements with commercial data providers.

(b) IDENTIFICATION OF DEPARTMENT OF DEFENSE ELECTRO-OPTICAL IMAGERY REQUIREMENTS.—

(1) REPORT.—Not later than April 1, 2013, the Vice Chairman of the Joint Chiefs of Staff shall submit to the Director of the Congressional Budget Office a report setting forth a comprehensive description of Department of Defense peacetime and wartime requirements for electro-optical imagery under current circumstances and under anticipated revisions of strategy and budgetary constraints.

(2) SCOPE OF REQUIREMENTS.—The requirements under paragraph (1) shall—

(A) be expressed in such terms as daily regional and global area coverage and number of point targets, resolution, revisit rates, mean-

time to access, latency, redundancy, survivability, and diversity; and

(B) take into consideration all types of imagery and collection means available.

(c) ASSESSMENT OF IDENTIFIED REQUIREMENTS.—

(1) IN GENERAL.—Not later than September 15, 2013, the Director of the Congressional Budget Office shall submit to the appropriate committees of Congress a report setting forth an assessment by the Director of the report required by subsection (b).

(2) ELEMENTS.—The assessment required by paragraph (1) shall include an assessment of the following:

(A) The extent to which the requirements of the Department for electro-optical imagery from space can be satisfied by commercial companies using either—

(i) current designs; or

(ii) enhanced designs that could be developed at low risk.

(B) Whether a reduction by half in the amounts requested for the Enhanced View program for fiscal year 2013 from amounts requested for that program for fiscal year 2012 is consistent with Presidential Space Policy of

June 2010, Presidential Policy Directive 4, applicable provisions of the Federal Acquisition Regulation (10.001(a)(3)(ii) and 12.101(a)–(b)), and section 2377 of title 10, United States Code, regarding preferences for procuring commercial capabilities and modifying as necessary and feasible commercial capabilities to meet government requirements, and for modifying government requirements to a reasonable extent to enable commercial or non-developmental products to meet government needs.

(3) CONSULTATION AND OTHER RESOURCES.—In preparing the assessment required by paragraph (1), the Director shall—

(A) consult widely with appropriate individuals and entities, including Members and committees of Congress, the Office of Management and Budget and other agencies and officials of the Government, private industry, and academia; and

(B) make maximum use of existing studies and modeling and simulations conducted by or on behalf of Members and committees of Congress, the Joint Staff, the Director of National Intelligence, the National Reconnaissance Of-

fice, the National Geospatial-Intelligence Agency, private industry, and academia.

(4) ACCESS TO INFORMATION.—The Director of National Intelligence and the Secretary of Defense shall each provide the staff of the Director of the Congressional Budget Office with such access to information and programs applicable to the assessment required by paragraph (1) as the Director of the Congressional Budget Office shall require for the preparation of the assessment.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) FUNDING.—In addition to any other amounts authorized to be appropriated by this Act and available for Service Level Agreements described in subsection (a), of the amounts authorized to be appropriated for fiscal year 2013 by section 301 for operation and maintenance and available as specified in the funding table in section 4301,

$125,000,000 is available for such Service Level Agreements.

SEC. 931. SOFTWARE LICENSES OF THE DEPARTMENT OF DEFENSE.

(a) AUDITS.—Not later than 180 days after the date of the enactment of this Act, and every two years thereafter, the Chief Information Officer of the Department of the Defense shall, in consultation with chief information officers of the military departments and the Defense Agencies—

(1) conduct an inventory of all existing software licenses in favor of the Department of Defense, including licenses in use and licenses not in use, on an application-by-application basis;

(2) compare the number of software licenses in use, and the manner of their use by Department employees, with the number of software licenses available to the Department and the product use rights contained in such licenses;

(3) assess the needs of the Department and the components of the Department for software licenses during the two fiscal years next following the date of the completion of the inventory; and

(4) determine means by which the Department can achieve the greatest possible economies of scale

and cost-savings in the procurement, use, and optimization of software licenses.

(b) PERFORMANCE PLAN.—

(1) IN GENERAL.—If the Chief Information Officer determines through an inventory conducted under subsection (a) that the number of existing software licenses, on an application-by-application basis, of the Department and the components of the Department exceeds the needs of the Department for such software licenses, the Secretary of Defense shall, not later than 90 days after the date of the completion of such inventory, implement a plan to bring the number of software licenses, on an application-by-application basis, into balance with the needs of the Department.

(2) EXCEPTIONS.—The Chief Information Officer may exempt from coverage under a plan under paragraph (1) such applications or categories of applications as the Chief Information Officer considers appropriate. Immediately upon finalizing the applications or categories of applications to be exempt from coverage under a plan, the Chief Information Officer shall submit to the congressional defense committees a report (in classified form, if required)

setting forth the applications or categories of applications to be exempt from coverage under the plan.

SEC. 932. DEFENSE CLANDESTINE SERVICE.

(a) PROHIBITION ON USE OF FUNDS FOR ADDITIONAL PERSONNEL.—Amounts authorized to be appropriated by this Act for the Military Intelligence Program (MIP) may not be obligated or expended to provide for a number of personnel conducting or supporting human intelligence within the Department of Defense in excess of the number of such personnel as of April 20, 2012.

(b) CAPE REPORT ON COSTS.—Not later than 120 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation of the Department of Defense shall submit to the appropriate committees of Congress an independent estimate of the costs of the Defense Clandestine Service, whether funded through the Military Intelligence Program or the National Intelligence Program, including an estimate of the costs over the period of the current future-years defense program and an estimate of the out year costs.

(c) USDI REPORT ON DCS.—

(1) REPORT REQUIRED.—Not later than February 1, 2013, the Under Secretary of Defense for Intelligence shall submit to the appropriate commit-

tees of Congress a report on the Defense Clandestine Service.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A detailed description of the location and schedule for current and anticipated deployments of case officers trained under the Field Tradecraft Course, whether overseas or domestically, and a certification whether or not such deployments can be accommodated and supported.

(B) A statement of the objectives for the effective management of case officers trained under the Field Tradecraft Course for each of the Armed Forces, the Defense Intelligence Agency, and the United States Special Operations Command, including objectives on numbers of tours requiring training in the Field Tradecraft Course and objectives for management of career tracks and case officer covers.

(C) A statement of the manner in which each Armed Force, the Defense Intelligence Agency, and the United States Special Operations Command will each achieve the objectives applicable thereto under subparagraph (B).

(D) A copy of any memoranda of understanding or memoranda of agreement between the Department of Defense and other departments and agencies of the United States Government, or between components or elements of the Department of Defense, that are required to implement objectives for the Defense Clandestine Service.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(B) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''future-years defense program'' means the future-years defense program under section 221 of title 10, United States Code.

SEC. 933. AUTHORITY FOR SHORT-TERM EXTENSION OF LEASE FOR AIRCRAFT SUPPORTING THE BLUE DEVIL INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE PROGRAM.

(a) IN GENERAL.—Notwithstanding section 2401 of title 10, United States Code, the Secretary of the Air Force may extend or renew the lease of aircraft supporting the Blue Devil intelligence, surveillance, and reconnaissance program after the date of the expiration of the current lease of such aircraft for a term that is the shorter of—

(1) the period beginning on the date of the expiration of the current lease and ending on the date on which the Commander of the United States Central Command notifies the Secretary that a substitute is available for the capabilities provided by the lease, or that the capabilities provided by such aircraft are no longer required; or

(2) six months.

(b) FUNDING.—Amounts authorized to be appropriated for fiscal year 2013 by title XV and available for Overseas Contingency Operations for operation and maintenance as specified in the funding tables in section 4302 may be available for the extension or renewal of the lease authorized by subsection (a).

SEC. 934. SENSE OF SENATE ON POTENTIAL SECURITY RISKS TO DEPARTMENT OF DEFENSE NETWORKS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Cybersecurity threats are pervasive and serious, including through the supply chain of information technology equipment and software.

(2) Semiconductor manufacturing is already dominated by foreign producers, presenting supply chain risk management challenges.

(3) In a number of instances, foreign manufacturers of telecommunications equipment, including advanced wireless technology, are gaining global market share due to high quality and low prices. Competitive market forces ensure that commercial providers of consumer, business, and government systems and services will choose equipment and associated software from these manufacturers. In some cases, like Huawei Industries, this competitive position stems in part from inappropriate government subsidies and other forms of assistance.

(4) Some of these companies also present clear cybersecurity supply chain risks that the Government must address.

(5) The Committee on Foreign Investment in the United States has blocked the attempt by Huawei to acquire United States technology firms on two occasions and the National Security Agency and the Secretary of Commerce have advised two major United States telecommunications carriers against selecting Huawei as a supplier.

(6) The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) provided authority and mechanisms for the Secretary of Defense to control these supply chain risks, but only for National Security Systems, leaving many information technology systems and missions exposed to supply chain risks.

(7) Blocking sales from providers of information technology systems and services due to concerns about cybersecurity risks, while maintaining our commitment to free trade and fair and transparent competition, poses difficult policy challenges.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Department of Defense—

(1) must ensure it maintains full visibility and adequate control of its supply chain, including subcontractors, in order to mitigate supply chain exploitation; and

(2) needs the authority and capability to mitigate supply chain risks to its information technology systems that fall outside the scope of National Security Systems.

SEC. 935. SENSE OF CONGRESS ON THE UNITED STATES CYBER COMMAND.

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

(1) On June 23, 2009, the Secretary of Defense directed the Commander of the United States Strategic Command to establish the United States Cyber Command, which became operational on May 21, 2010, and operates as a sub-unified command subordinate to the United States Strategic Command.

(2) In May 2012, media reports indicated that General Martin Dempsey, the Chairman of the Joint Chiefs of Staff, planned to recommend to Secretary of Defense Leon Panetta that the two-year-old United States Cyber Command be elevated to full combatant command status.

(3) On August 14, 2012, General Keith Alexander, the Commander of the United States Cyber Command and the Director of the National Security Agency, addressed the TechNet Land Forces conference and stated that ''[i]n 2007 we drafted . . .

a paper . . . about establishing a Cyber Command . . . [which concluded that] . . . the most logical is to set it up as a sub unified and grow it to a unified, and I think that's the process that we're going to work our way through''.

(4) On October 11, 2012, Secretary of Defense Leon Panetta discussed cybersecurity in a speech to the Business Executives for National Security in New York, New York, specifically calling for a strengthening of the United States Cyber Command and stating that the Department of Defense ''must ensure that [the United States Cyber Command] has the resources, that it has the authorities, that it has the capabilities required to perform this growing mission. And it must also be able to react quickly to events unfolding in cyberspace and help fully integrate cyber into all of the department's plans and activities.''.

(b) SENSE OF CONGRESS.—Congress—

(1) recognizes the serious cyber threat to national security and the need to work both offensively and defensively to protect the Nation's networks and critical infrastructure;

(2) acknowledges the importance of the unified command structure of the Department in directing

military operations in cyberspace and recognizes that a change in the status of the United States Cyber Command has Department-wide and national security implications, which require careful consideration;

(3) expects to be briefed and consulted about any proposal to elevate the United States Cyber Command to a unified command before a decision by the Secretary make such a proposal to the President and to receive, at a minimum—

(A) a clear statement of mission and related legal definitions;

(B) an outline of the specific national security benefits of elevating the sub-unified United States Cyber Command to a unified command;

(C) an estimate of the cost of creating a unified United States Cyber Command and a justification of the expenditure; and

(D) if the Secretary considers it advisable to continue the designation of the Commander of the United States Cyber Command as also being the Director of the National Security Agency—

(i) an explanation of how a single individual could serve as a commander of a

combatant command that conducts overt, albeit clandestine, cyber operations under title 10, United States Code, as well as the director of an intelligence agency that conducts covert cyber operations under the National Security Act of 1947 (50 U.S.C. 401 et seq.) in a manner that affords deniability to the United States; and

(ii) a statement of whether the Secretary believes it is appropriate either to appoint a line officer as the Director of the National Security Agency or to take the unprecedented step of appointing an intelligence officer as a unified commander; and

(4) believes that appropriate policy foundations and standing rules of engagement must be in place before any decision to create a unified United States Cyber Command.

SEC. 936. REPORTS TO DEPARTMENT OF DEFENSE ON PENETRATIONS OF NETWORKS AND INFORMATION SYSTEMS OF CERTAIN CONTRACTORS.

(a) PROCESS FOR REPORTING PENETRATIONS.—The Under Secretary of Defense for Intelligence shall, in coordination with the officials specified in subsection (c), es-

tablish a process by which cleared defense contractors shall report to elements of the Department of Defense designated by the Under Secretary for purposes of the process when a network or information system of such contractors designated pursuant to subsection (b) is successfully penetrated.

(b) DESIGNATION OF NETWORKS AND INFORMATION SYSTEMS.—The Under Secretary of Defense for Intelligence shall, in coordination with the officials specified in subsection (c), establish criteria for designating the cleared defense contractors' networks or information systems that contain or process information created by or for the Department of Defense to be subject to the reporting process established pursuant to subsection (a).

(c) OFFICIALS.—The officials specified in this subsection are the following:

(1) The Under Secretary of Defense for Policy.

(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

(3) The Chief Information Officer of the Department of Defense.

(4) The Commander of the United States Cyber Command.

(d) PROCESS REQUIREMENTS.—

(1) RAPID REPORTING.—The process required by subsection (a) shall provide for rapid reporting by contractors of successful penetrations of designated network or information systems.

(2) REPORT ELEMENTS.—The report by a contractor on a successful penetration of a designated network or information system under the process shall include the following:

(A) A description of the technique or method used in the penetration.

(B) A sample of the malicious software, if discovered and isolated by the contractor.

(3) ACCESS.—The process shall include mechanisms by which Department of Defense personnel may, upon request, obtain access to equipment or information of a contractor necessary to conduct a forensic analysis to determine whether information created by or for the Department in connection with any Department program was successfully exfiltrated from a network or information system of the contractor and, if so, what information was exfiltrated.

(4) LIMITATION ON DISSEMINATION OF CERTAIN INFORMATION.—The process shall prohibit the dissemination outside the Department of Defense of

information obtained or derived through the process that is not created by or for the Department except with the approval of the contractor providing such information.

(e) CLEARED DEFENSE CONTRACTOR DEFINED.—In this section, the term ''cleared defense contractor'' means a private entity granted clearance by the Defense Security Service to receive and store classified information for the purpose of bidding for a contract or conducting activities under a contract with the Department of Defense.

Subtitle D—Other Matters

SEC. 941. NATIONAL LANGUAGE SERVICE CORPS.

(a) AUTHORITY TO ESTABLISH.—The David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) is amended by adding at the end the following new section:

''SEC. 813. NATIONAL LANGUAGE SERVICE CORPS.

''(a) ESTABLISHMENT.—(1) The Secretary of Defense may establish and maintain within the Department of Defense a National Language Service Corps (in this section referred to as the 'Corps').

''(2) The purpose of the Corps is to provide a pool of personnel with foreign language skills who, as provided in regulations prescribed under this section, agree to provide foreign language services to the Department of De-

fense or another department or agency of the United States.

"(b) NATIONAL SECURITY EDUCATION BOARD.—If the Corps is established, the Secretary shall provide for the National Security Education Board to oversee and coordinate the activities of the Corps to such extent and in such manner as determined by the Secretary under paragraph (9) of section 803(d).

"(c) MEMBERSHIP.—To be eligible for membership in the Corps, a person must be a citizen of the United States authorized by law to be employed in the United States, have attained the age of 18 years, and possess such foreign language skills as the Secretary considers appropriate for membership in the Corps. Members of the Corps may include employees of the Federal Government and of State and local governments.

"(d) TRAINING.—The Secretary may provide members of the Corps such training as the Secretary prescribes for purposes of this section.

"(e) SERVICE.—Upon a determination that it is in the national interests of the United States, the Secretary shall call upon members of the Corps to provide foreign language services to the Department of Defense or another department or agency of the United States.

"(f) FUNDING.—The Secretary may impose fees, in amounts up to full-cost recovery, for language services and technical assistance rendered by members of the Corps. Amounts of fees received under this section shall be credited to the account of the Department providing funds for any costs incurred by the Department in connection with the Corps. Amounts so credited to such account shall be merged with amounts in such account, and shall be available to the same extent, and subject to the same conditions and limitations, as amounts in such account. Any amounts so credited shall remain available until expended.".

(b) NATIONAL SECURITY EDUCATION BOARD MATTERS.—

(1) COMPOSITION.—Subsection (b) of section 803 of such Act (50 U.S.C. 1903) is amended—

(A) by striking paragraph (5);

(B) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(C) by inserting after paragraph (4) the following new paragraphs:

"(5) The Secretary of Homeland Security.

"(6) The Secretary of Energy.

"(7) The Director of National Intelligence.".

(2) FUNCTIONS.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

"(9) To the extent provided by the Secretary of Defense, oversee and coordinate the activities of the National Language Service Corps under section 813, including—

"(A) identifying and assessing on a periodic basis the needs of the departments and agencies of the Federal Government for personnel with skills in various foreign languages;

"(B) establishing plans to address foreign language shortfalls and requirements of the departments and agencies of the Federal Government;

"(C) recommending effective ways to increase public awareness of the need for foreign languages skills and career paths in the Federal government that use those skills;

"(D) coordinating activities with Executive agencies and State and Local governments to develop interagency plans and agreements to address overall foreign language shortfalls and to utilize personnel to address the various types

of crises that warrant foreign language skills; and

"(E) proposing to the Secretary regulations to carry out section 813.".

SEC. 942. REPORT ON EDUCATION AND TRAINING AND PROMOTION RATES FOR PILOTS OF REMOTELY PILOTED AIRCRAFT.

(a) REPORT REQUIRED.—Not later than January 31, 2013, the Secretary of the Air Force and the Chief of Staff of the Air Force shall jointly submit to the congressional defense committees a report on education and training and promotion rates for Air Force pilots of remotely piloted aircraft (RPA).

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

(1) A detailed analysis of the reasons for persistently lower average education and training and promotion rates for Air Force pilots of remotely piloted aircraft.

(2) An assessment of the long-term impact on the Air Force of the sustainment of such lower rates

(3) A plan to raise such rates, including—

(A) a description of the near-term and longer-term actions the Air Force intends to undertake to implement the plan; and

(B) an analysis of the potential direct and indirect impacts of the plan on the achievement and sustainment of the combat air patrol objectives of the Air Force for remotely piloted aircraft.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A trans-

fer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration for fiscal year 2013 in section 3101 is less than $7,900,000,000 (the amount projected to be required for such activities in fiscal year 2013 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2013 pursuant to this Act, to the Secretary of Energy an amount, not to exceed $150,000,000, to be available only for weapons activities of the National Nuclear Security Administration.

(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such notice the Department of Defense account or accounts from which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred under this section shall be transferred in accordance with

established procedures for reprogramming under section 1001 or successor provisions of law.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority provided under subsection (a) is in addition to any other transfer authority provided under this Act.

SEC. 1003. AUDIT READINESS OF DEPARTMENT OF DEFENSE STATEMENTS OF BUDGETARY RESOURCES.

(a) OBJECTIVE.—Section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2439; 10 U.S.C. 2222 note) is amended by inserting ", and the statement of budgetary resources of the Department of Defense is validated as ready for audit by not later than September 30, 2014" after "September 30, 2017".

(b) AFFORDABLE AND SUSTAINABLE APPROACH.—

(1) IN GENERAL.—The Chief Management Officer of the Department of Defense and the Chief Management Officers of each of the military departments shall ensure that plans to achieve an auditable statement of budgetary resources of the Department of Defense by September 30, 2014, include appropriate steps to minimize one-time fixes and manual work-arounds, are sustainable and af-

fordable, and will not delay full auditability of financial statements.

(2) ADDITIONAL ELEMENTS IN FIAR PLAN REPORT.—Each semi-annual report on the Financial Improvement and Audit Readiness Plan of the Department of Defense submitted by the Under Secretary of Defense (Comptroller) under section 1003(b) of the National Defense Authorization Act for Fiscal Year 2010 during the period beginning on the date of the enactment of this Act and ending on September 30, 2014, shall include the following:

(A) A description of the actions taken by the military departments pursuant to paragraph (1).

(B) A determination by the Chief Management Officer of each military department whether or not such military department is able to achieve an auditable statement of budgetary resources by September 30, 2014, without an unaffordable or unsustainable level of one-time fixes and manual work-arounds and without delaying the full auditability of the financial statements of such military department.

(C) If the Chief Management Officer of a military department determines under subpara-

graph (B) that the military department is not able to achieve an auditable statement of budgetary resources by September 30, 2014, as described in that subparagraph—

(i) an explanation why the military department is unable to meet the deadline;

(ii) an alternative deadline by which the military department will achieve an auditable statement of budgetary resources;

(iii) a description of the plan of the military department for meeting the alternative deadline.

SEC. 1004. REPORT ON EFFECTS OF BUDGET SEQUESTRATION ON THE DEPARTMENT OF DEFENSE.

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

(1) The inability of the Joint Select Committee on Deficit Reduction to find $1,200,000,000,000 in savings will trigger automatic funding reductions known as "sequestration" to the Department of Defense of $492,000,000,000 between 2013 and 2021 under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 USC 901a).

(2) These reductions are in addition to reductions of $487,000,000,000 already being implemented by the Department of Defense, and would decrease the readiness and capabilities of the Armed Forces while increasing risks to the effective implementation of the National Security Strategy of the United States.

(3) The leaders of the Department of Defense have consistently testified that threats to the national security of the United States have increased, not decreased. Secretary of Defense Leon Panetta said that these reductions would ''inflict severe damage to our national defense for generations'', comments that have been echoed by the Secretaries of the Army, Navy, and Air Force.

(4) While reductions in funds available for the Department of Defense will automatically commence January 2, 2013, uncertainty regarding the reductions has already exacerbated Department of Defense efforts to plan future defense budget.

(5) Sequestration will have a detrimental effect on the industrial base that supports the Department of Defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than August 15, 2012, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a detailed report on the impact on the Department of Defense of the sequestration of funds authorized and appropriated for fiscal year 2013 for the Department of Defense, if automatically triggered on January 2, 2013, under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

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

(A) An assessment of the potential impact of sequestration on the readiness of the Armed Forces, including impacts to steaming hours, flying hours, and full spectrum training miles, and an estimate of the increase or decrease in readiness (as defined in the C status C–1 through C–5).

(B) An assessment of the potential impact of sequestration on the ability of the Department of Defense to carry out the National Military Strategy of the United States, and any changes to the most recent Risk Assessment of the Chairman of the Joint Chiefs of Staff under

section 153(b) of title 10, United States Code arising from sequestration.

(C) A list of the programs, projects, and activities across the Department of Defense, the military departments, and the elements and components of the Department of Defense that would be reduced or terminated as a result of sequestration.

(D) An estimate of the number and value of all contracts that will be terminated, restructured, or revised in scope as a result of sequestration, including an estimate of potential termination costs and of increased contract costs due to renegotiation and reinstatement of contracts.

(3) ASSUMPTIONS.—The report required by paragraph (1) shall assume the following:

(A) Except as provided in subparagraph (B), the funds subject to sequester are the funds in all 050 accounts, including all unobligated balances.

(B) The funds exempt from the sequester are the following:

(i) Funds in accounts for military personnel.

(ii) Funds in accounts for overseas contingency operations.

(4) PRESENTATION OF CERTAIN INFORMATION.—In listing programs, projects, and activities under paragraph (2)(C), the report required by paragraph (1) shall set forth for each the following:

(A) The most specific level of budget item identified in applicable appropriations Acts.

(B) Related classified annexes and explanatory statements.

(C) Department of Defense budget justification documents DOD P–1 and R–1 as subsequently modified by congressional action, and as submitted by the Department of Defense together with the budget materials for the budget of the President for fiscal year 2013 (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code).

(D) Department of Defense document O–1 for operation and maintenance accounts for fiscal year 2013, for which purpose the term ''program, project, or activity'' means the budget activity account and sub account for the program, project, or activity as submitted in such document O–1.

SEC. 1005. REPORT ON BALANCES CARRIED FORWARD BY THE DEPARTMENT OF DEFENSE AT THE END OF FISCAL YEAR 2012.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress, and publish on the Internet website of the Department of Defense available to the public, the following:

(1) The total dollar amount of all balances carried forward by the Department of Defense at the end of fiscal year 2012 by account.

(2) The total dollar amount of all unobligated balances carried forward by the Department of Defense at the end of fiscal year 2012 by account.

(3) The total dollar amount of any balances (both obligated and unobligated) that have been carried forward by the Department of Defense for five years or more as of the end of fiscal year 2012 by account.

SEC. 1006. TRANSFER OF CERTAIN FISCAL YEAR 2012 AND 2013 FUNDS.

(a) TRANSFER AUTHORIZED.—To the extent provided in appropriations Acts, the Secretary of Defense may transfer from fiscal year 2012 and 2013 procurement or research, development, test, and evaluation accounts an

aggregate of $46,000,000 to be available for the additional authorizations in sections 132, 154, and 217.

(b) COVERED FUNDS.—In subsection (a), the term ''fiscal year 2012 and 2013 procurement or research, development, test, and evaluation accounts'' means—

(1) amounts authorized to be appropriated for fiscal year 2012 by sections 101 and 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) and available as specified in the funding tables in sections 4101 and 4201 of that Act for Army tactical bridging, BLIN–133, $12.5 million; Army C–RAM, BLIN–90, $15.8 million; Army non-system training devices, BLIN–182, $9.8 million; Defense wide 12/14 USSOCOM C–ISO modifications, $4.0 million; Defense wide 12/14 Combat mission requirements, $4.2 million.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to change the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 371 note) is amended by striking ''2012'' and inserting ''2013''.

SEC. 1012. REQUIREMENT FOR BIENNIAL CERTIFICATION ON PROVISION OF SUPPORT FOR COUNTER-DRUG ACTIVITIES TO CERTAIN FOREIGN GOVERNMENTS.

Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1006 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1557), is further amended—

(1) in subsection (f)—

(A) in paragraph (1), by striking ''the written certification described in subsection (g) for that fiscal year.'' and inserting ''a written certification described in subsection (g) applicable to that fiscal year. The first such certifi-

cation with respect to any such government may apply only to a period of one fiscal year. Subsequent certifications with respect to any such government may apply to a period of not to exceed two fiscal years.''; and

(B) in paragraph (4)(B), by striking ''The Committee on National Security and the Committee on International Relations of the House of Representatives'' and inserting ''The Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives''; and

(2) in subsection (g), in the matter preceding paragraph (1)—

(A) by striking ''The written'' and inserting ''A written''; and

(B) by striking ''for a fiscal year'' and all that follows through the colon and inserting ''with respect to a government to receive support under this section for any period of time is a certification of each of the following with respect to that government:''.

SEC. 1013. AUTHORITY TO SUPPORT THE UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

(a) AUTHORITY.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated by section 1404 for the Department of Defense for drug interdiction and counterdrug activities, Defense-wide for fiscal year 2013, not more than $50,000,000 may be used by the Secretary of Defense to provide in support of a unified campaign by the Government of Colombia against narcotics trafficking and against terrorist organizations (as designated by the Secretary of State) in Colombia the following:

(A) Logistics support, services, and supplies.

(B) The types of support authorized under section 1004(b) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 374 note).

(C) The types of support authorized under section 1033(c) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85).

(2) SCOPE OF AUTHORITY.—The authority to provide assistance for a campaign under this sub-

section includes authority to take actions to protect human health and welfare in emergency circumstances, including the undertaking of rescue operations.

(b) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in this subsection that is otherwise prohibited by any provision of law.

(c) LIMITATION ON PARTICIPATION OF UNITED STATES PERSONNEL.—No United States Armed Forces personnel, United States civilian employees, or United States civilian contractor personnel employed by the United States may participate in any combat operation in connection with assistance using funds pursuant to the authority in subsection (a), except for the purpose of acting in self defense or of rescuing any United States citizen, including any United States Armed Forces personnel, United States civilian employee, or civilian contractor employed by the United States.

(d) RELATION TO OTHER AUTHORITIES.—The authority provided by subsection (a) is in addition to any other authority in law to provide assistance to the Government of Colombia.

(e) REPORT.—

(1) IN GENERAL.—Not later than November 1 following any fiscal year in which the Secretary of Defense provides support under subsection (a), the Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) A description of the support provided, including—

(i) a description of the support;

(ii) the cost of the support;

(iii) a list of the Colombia units to which support was provided; and

(iv) a list of the Colombia operations supported.

(B) Guidance for future Department of Defense support for a unified campaign by the Government of Colombia against narcotics trafficking and terrorism.

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

SEC. 1014. QUARTERLY REPORTS ON USE OF FUNDS IN THE DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE ACCOUNT.

(a) QUARTERLY REPORTS ON EXPENDITURES OF FUNDS.—Not later than 60 days after the end of each

fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of the expenditure of funds, by project code, from the Drug Interdiction and Counter-Drug Activities, Defense-wide account during such fiscal year quarter, including expenditures of funds in direct or indirect support of the counter-drug activities of foreign governments.

(b) INFORMATION ON SUPPORT OF COUNTER-DRUG ACTIVITIES OF FOREIGN GOVERNMENTS.—The information in a report under subsection (a) on direct or indirect support of the counter-drug activities of foreign governments shall include, for each foreign government so supported, the following:

(1) The total amount of assistance provided to, or expended on behalf of, the foreign government.

(2) A description of the types of counter-drug activities conducted using the assistance.

(3) An explanation of the legal authority under which the assistance was provided.

(c) CESSATION OF REQUIREMENT.—No report shall be required under subsection (a) for any fiscal year quarter beginning on or after October 1, 2017.

(d) REPEAL OF OBSOLETE AUTHORITY.—Section 1022 of the Floyd D. Spence National Defense Authoriza-

tion Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398) is repealed.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. RETIREMENT OF NAVAL VESSELS.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Chief of Naval Operations shall submit to the congressional defense committees a report that sets forth a comprehensive description of the current requirements of the Navy for combatant vessels of the Navy, including submarines.

(b) ADDITIONAL REPORT ELEMENT IF LESS THAN 313 VESSELS REQUIRED.—If the number of combatant vessels for the Navy (including submarines) specified as being required in the report under subsection (a) is less than 313 combatant vessels, the report shall include a justification for the number of vessels specified as being so required and the rationale by which the number of vessels is considered consistent with applicable strategic guidance issued by the President and the Secretary of Defense in 2012.

SEC. 1022. TERMINATION OF A MARITIME PREPOSITIONING SHIP SQUADRON.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Chief of Naval Operations and the Commandant of the Marine Corps shall jointly submit to the congressional defense committees a report setting forth an assessment of the Marine Corps Prepositioning Program–Norway and the capability of that program to address any readiness gaps that will be created by the termination of Maritime Prepositioning Ship Squadron One in the Mediterranean.

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

(A) A detailed description of the time required to transfer stockpiles onto Navy vessels for use in contingency operations.

(B) A comparison of the response time of the Marine Corps Prepositioning Program–Norway with the current response time of Maritime Prepositioning Ship Squadron One.

(C) A description of the equipment stored in the stockpiles of the Marine Corps Prepositioning Program–Norway, and an assessment of the differences, if any, between that equipment and the equipment of a Maritime Prepositioning Ship squadron.

(D) A description and assessment of the current age and state of maintenance of the equipment of the Marine Corps Maritime Prepositioning Program–Norway.

(E) A plan to address the equipment shortages and modernization needs of the Marine Corps Maritime Prepositioning Program–Norway.

(b) LIMITATION ON AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated by this Act may not be obligated or expended to terminate a Maritime Prepositioning Ship squadron until the date of the submittal to the congressional defense committees of the report required by subsection (a).

SEC. 1023. SENSE OF CONGRESS ON RECAPITALIZATION FOR THE NAVY AND COAST GUARD.

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

(1) More than 70 percent of the world's surface is comprised of navigable oceans.

(2) More than 80 percent of the population of the world lives within 100 miles of an ocean.

(3) More than 90 percent of the world's commerce traverses an oceans.

(4) The national security of the United States is inextricably linked to the maintenance of global freedom of access for both the strategic and commercial interests of the United States.

(5) To maintain that freedom of access the sea services of the United States, composed of the Navy, the Marine Corps, and the Coast Guard, must be sufficiently positioned as rotationally globally deployable forces with the capability to decisively defend United States citizens, homeland, and interests abroad from direct or asymmetric attack and must be comprised of sufficient vessels to maintain global freedom of action.

(6) To achieve appropriate capabilities to ensure national security the Government of the United States must continue to recapitalize the fleets of the Navy and Coast Guard and must continue to conduct vital maintenance and repair of existing vessels to ensure such vessels meet service life goals.

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

(1) the sea services of the United States should be funded and maintained to provide the broad spectrum of capabilities required to protect the national security of the United States;

(2) such capabilities should include—

(A) the ability to project United States power rapidly anywhere on the globe without the need for host nation basing permission or long and potentially vulnerable logistics supply lines;

(B) the ability to land and recover maritime forces from the sea for direct combat action, to evacuate United States citizens from hostile situations, and to provide humanitarian assistance where needed;

(C) the ability to operate from the subsurface with overpowering conventional combat power, as well as strategic deterrence; and

(D) the ability to operate in collaboration with United States maritime partners in the common interest of preventing piracy at sea and maintaining the commercial sea lanes available for global commerce;

(3) the Secretary of Defense, in coordination with the Secretary of the Navy, should maintain the recapitalization plans for the Navy as a priority in all future force structure decisions; and

(4) the Secretary of Homeland Security should maintain the recapitalization plans for the Coast

Guard as a priority in all future force structure decisions.

SEC. 1024. NOTICE TO CONGRESS FOR THE REVIEW OF PROPOSALS TO NAME NAVAL VESSELS.

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

(1) The Navy traces its ancestry to October 13, 1775, when an Act of the Continental Congress authorized the first vessel of a navy for the United Colonies. Vessels of the Continental Navy were named for early patriots and military heroes, Federal institutions, colonial cities, and positive character traits representative of naval and military virtues.

(2) An Act of Congress on March 3, 1819, made the Secretary of the Navy responsible for assigning names to vessels of the Navy. Traditional sources for vessel names customarily encompassed such categories as geographic locations in the United States; historic sites, battles, and ships; naval and military heroes and leaders; and noted individuals who made distinguished contributions to United States national security.

(3) These customs and traditions provide appropriate and necessary standards for the naming of vessels of the Navy.

(b) NOTICE TO CONGRESS.—Section 7292 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The Secretary of the Navy may not announce or implement any proposal to name a vessel of the Navy until 30 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth such proposal.

''(2) Each report under this subsection shall describe the justification for the proposal covered by such report in accordance with the standards referred to in section 1024(a) of the National Defense Authorization Act for Fiscal Year 2013.''.

(c) EFFECTIVE DATE.—This section and the amendment made by this section shall go into effect on the date that is 30 days after the date of the enactment of this Act.

Subtitle D— Counterterrorism

SEC. 1031. EXTENSION OF CERTAIN PROHIBITIONS AND REQUIREMENTS RELATING TO DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN US FOR TRANSFER OF DETAINEES.—Section 1026(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1566) is amended by inserting ''or 2013'' after ''fiscal year 2012''.

(b) REQUIREMENTS FOR CERTIFICATIONS ON TRANSFERS OF DETAINEES TO FOREIGN COUNTRIES OR ENTITIES.—Section 1028(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1567; 10 U.S.C. 801 note) is amended by inserting ''or 2013'' after ''fiscal year 2012''.

SEC. 1032. PROHIBITION ON USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No authorized to be appropriated funds may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1033. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b)(1) An authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States, unless an Act of Congress expressly authorizes such detention.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act For Fiscal Year 2013.

"(3) Paragraph (1) shall not be construed to authorize the detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.".

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. ENHANCEMENT OF RESPONSIBILITIES OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF REGARDING THE NATIONAL MILITARY STRATEGY.

(a) IN GENERAL.—Subsection (b) of section 153 of title 10, United States Code, is amended to read as follows:

"(b) NATIONAL MILITARY STRATEGY.—

"(1) NATIONAL MILITARY STRATEGY.—(A) The Chairman shall determine each even-numbered year whether to prepare a new National Military Strategy in accordance with this subparagraph or to update a strategy previously prepared in accordance with this subsection. The Chairman shall complete preparation of the National Military Strategy or update in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

"(B) Each National Military Strategy (or update) under this paragraph shall be based on a comprehensive review conducted by the Chairman in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the unified and specified combatant commands.

"(C) Each National Military Strategy (or update) submitted under this paragraph shall refer to and support each of the following:

"(i) The most recent National Security Strategy prescribed by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 404a).

"(ii) The most recent annual report of the Secretary of Defense submitted to the President and Congress pursuant to section 113 of this title.

"(iii) The most recent Quadrennial Defense Review conducted by the Secretary of Defense pursuant to section 118 of this title.

"(iv) Any other national security or defense strategic guidance issued by the President or the Secretary of Defense.

"(D) Each National Military Strategy (or update) submitted under this paragraph shall do the following:

"(i) Describe the strategic environment and the opportunities and challenges that affect United States national interests and United States national security.

"(ii) Describe the threats, such as international, regional, transnational, hybrid, terrorism, cyber-attack, weapons of mass destruction, asymmetric challenges, and any other categories of threats identified by the Chairman, to the United States national security.

"(iii) Identify the United States national military objectives and the relationship of those objectives to the strategic environment and to the threats described under clause (ii).

"(iv) Identify the operational concepts, missions, tasks, or activities necessary to support the achievement of the objectives identified under clause (iii).

"(v) Identify the fiscal, budgetary, and resource environments and conditions that, in the assessment of the Chairman, impact the strategy.

"(vi) Identify the implications of current force planning and sizing constructs for the strategy.

"(vii) Identify and assess the capacity, capabilities, and availability of United States forces (including both the regular and reserve components) to support the execution of missions required by the strategy.

"(viii) Identify areas in which the armed forces intends to engage and synchronize with other departments and agencies of the United States Government contributing to the execution of missions required by the strategy.

"(ix) Identify and assess potential areas in which the armed forces could be augmented by contributions from alliances (such as the North Atlantic Treaty Organization (NATO)), international allies, or other friendly nations in the execution of missions required by the strategy.

"(x) Identify and assess the requirements for contractor support to the armed forces for conducting training, peacekeeping, overseas contingency operations, and other major combat operations under the strategy.

"(xi) Identify the assumptions made with respect to each of clauses (i) through (x).

"(E) Each update to a National Military Strategy under this paragraph shall address only those parts of the most recent National Military Strategy for which the Chairman determines, on the basis of a comprehensive review conducted in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the combatant commands, that a modification is needed.

"(2) RISK ASSESSMENT.—(A) The Chairman shall prepare each year an assessment of the risks associated with the most current National Military Strategy (or update) under paragraph (1). The risk assessment shall be known as the 'Risk Assessment of the Chairman of the Joint Chiefs of Staff'. The Chairman shall complete preparation of the Risk Assessment in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

"(B) The Risk Assessment shall do the following:

"(i) As the Chairman considers appropriate, update any changes to the strategic en-

vironment, threats, objectives, force planning and sizing constructs, assessments, and assumptions in the National Military Strategy.

''(ii) Identify and define the strategic risks to United States interests and the military risks in executing the missions of the National Military Strategy.

''(iii) Identify and define levels of risk distinguishing between the concepts of probability and consequences, including an identification of what constitutes 'significant' risk in the judgment of the Chairman.

''(iv) Identify and assess risk in the National Military Strategy by category and level and the ways in which risk might manifest itself, including how risk is projected to increase, decrease, or remain stable over time, and, for each category of risk, assess the extent to which current or future risk increases, decreases, or is stable as a result of budgetary priorities, tradeoffs, or fiscal constraints or limitations as currently estimated and applied in the most current future-years defense program under section 221 of this title.

"(v) Identify and assess risk associated with the assumptions or plans of the National Military Strategy about the contributions or support of—

"(I) other departments and agencies of the United States Government (including their capabilities and availability);

"(II) alliances, allies, and other friendly nations, (including their capabilities, availability, and interoperability); and

"(III) contractors.

"(vi) Identify and assess the critical deficiencies and strengths in force capabilities (including manpower, logistics, intelligence, and mobility support) identified during the preparation and review of the contingency plans of each unified combatant command, and identify and assess the effect of such deficiencies and strengths for the National Military Strategy.

"(3) SUBMITTAL OF NATIONAL MILITARY STRATEGY AND RISK ASSESSMENT TO CONGRESS.—(A) Not later than February 15 of each even-numbered year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Rep-

resentatives the National Military Strategy or update, if any, prepared under paragraph (1) in such year.

"(B) Not later than February 15 each year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Representatives the Risk Assessment prepared under paragraph (2) in such year.

"(4) SECRETARY OF DEFENSE REPORTS TO CONGRESS.—(A) In transmitting a National Military Strategy (or update) or Risk Assessment to Congress pursuant to paragraph (3), the Secretary of Defense shall include in the transmittal such comments of the Secretary thereon, if any, as the Secretary considers appropriate.

"(B) If the Risk Assessment transmitted under paragraph (3) in a year includes an assessment that a risk or risks associated with the National Military Strategy (or update) are significant, or that critical deficiencies in force capabilities exist for a contingency plan described in paragraph (2)(B)(vi), the Secretary shall include in the transmittal of the Risk Assessment the plan of the Secretary for mitigating

such risk or deficiency. A plan for mitigating risk of deficiency under this subparagraph shall—

"(i) address the risk assumed in the National Military Strategy (or update) concerned, and the additional actions taken or planned to be taken to address such risk using only current technology and force structure capabilities; and

"(ii) specify, for each risk addressed, the extent of, and a schedule for expected mitigation of, such risk, and an assessment of the potential for residual risk, if any, after mitigation.".

(b) CONFORMING AMENDMENT.—Such section is further amended by striking subsection (d).

SEC. 1042. MODIFICATION OF AUTHORITY ON TRAINING OF SPECIAL OPERATIONS FORCES WITH FRIENDLY FOREIGN FORCES.

(a) AUTHORITY TO PAY FOR MINOR MILITARY CONSTRUCTION IN CONNECTION WITH TRAINING.—Subsection (a) of section 2011 of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4) Expenses of minor military construction directly related to that training with such expenses

payable from amounts available to the commander for unspecified minor military construction, except that—

"(A) the amount of any project for which such expenses are so payable may not exceed $250,000; and

"(B) the total amount of such expenses so paid in any fiscal year may not exceed $2,000,000.".

(b) PURPOSES OF TRAINING.—Subsection (b) of such section is amended to read as follows:

"(b) PURPOSES OF TRAINING.—The purposes of the training for which payment may be made under subsection (a) shall be as follows:

"(1) To train the special operations forces of the combatant command.

"(2) In the case of a commander of a combatant command having a geographic area of responsibility, to train the military forces and other security forces of a friendly foreign country in a manner consistent with the Theater Campaign Plan of the commander for that geographic area.".

(c) PRIOR APPROVAL.—Subsection (c) of such section is amended by inserting before the period at the end of the second sentence the following: ", or, in the case of

training activities carried out after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the approval of the Secretary of Defense, in coordination with the Secretary of State''.

(d) REPORTS.—Subsection (e) of such section is amended—

(1) in paragraph (3)—

(A) by inserting ''or other security'' after ''foreign'' the first place it appears; and

(B) by striking ''foreign military personnel'' and inserting ''such foreign personnel'';

(2) in paragraph (4)—

(A) by striking ''and military training activities'' and inserting ''military training activities''; and

(B) by inserting before the period at the end the following: '', and training programs sponsored by the Department of State'';

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following new paragraph (6):

''(6) A description of any minor military construction projects for which expenses were paid, in-

cluding a justification of the benefits of each such project to training under this section.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the of the enactment of this Act. The amendments made by subsection (d) shall apply with respect to any reports submitted under subsection (e) of section 2011 of title 10, United States Code (as so amended), after that date.

SEC. 1043. EXTENSION OF AUTHORITY TO PROVIDE ASSURED BUSINESS GUARANTEES TO CARRIERS PARTICIPATING IN CIVIL RESERVE AIR FLEET.

(a) EXTENSION.—Subsection (k) of section 9515 of title 10, United States Code, is amended by striking ''December 31, 2015'' and inserting ''December 31, 2020''.

(b) APPLICATION TO ALL SEGMENTS OF CRAF.—Such section is further amended—

(1) in subsection (a)(3), by striking ''passenger''; and

(2) in subsection (j), by striking '', except that it only means such transportation for which the Secretary of Defense has entered into a contract for the purpose of passenger travel''.

SEC. 1044. PARTICIPATION OF VETERANS IN THE TRANSITION ASSISTANCE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Each veteran, during the one-year period beginning on the date on which the veteran is discharged or separated from service in the Armed Forces, shall be authorized to participate in the Transition Assistance Program (TAP) of the Department of Defense.

(b) SCOPE OF AUTHORIZED PARTICIPATION.—As part of their participation in the Transition Assistance Program pursuant to this section, veterans shall be authorized to receive the following:

(1) Transition assistance counseling under the program at any military installation at which transition assistance counseling is being provided to members of the Armed Forces under the program.

(2) Ongoing access to the electronic materials and information provided as part of the Transition Assistance Program, including access after the end of the one-year period of participation under subsection (a).

(c) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Veterans Affairs shall enter into a memorandum of understanding regarding the participation of veterans in the Transition Assistance Program pursuant to this section. The memorandum

of understanding shall provide for the access of veterans to military installations for purposes of participation in the Transition Assistance Program and such other matters as such Secretaries jointly consider appropriate for purposes of this section.

(d) DEFINITIONS.—In this section:

(1) The term ''Transition Assistance Program'' means the program carried out by the Department of Defense under sections 1142 and 1144 of title 10, United States Code.

(2) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

SEC. 1045. MODIFICATION OF THE MINISTRY OF DEFENSE ADVISOR PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1599; 10 U.S.C. 168 note) is amended by inserting—

(1) in the matter preceding paragraph (1), by inserting '', regional organizations with defense or security components, and international organizations of which the United States is a member'' after ''foreign countries''; and

(2) by inserting ''or organization'' after ''ministry'' both places it appears.

(b) REPORTS.—Subsection (c) of such section is amended—

(1) by inserting ''or organizations'' after ''defense ministries'' both places it appears; and

(2) by striking paragraph (7).

(c) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

''SEC. 1081. AUTHORITY FOR ASSIGNMENT OF CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE AS ADVISORS TO FOREIGN MINISTRIES OF DEFENSE AND CERTAIN REGIONAL AND INTERNATIONAL ORGANIZATIONS.''.

SEC. 1046. INTERAGENCY COLLABORATION ON UNMANNED AIRCRAFT SYSTEMS.

(a) FINDINGS ON JOINT DEPARTMENT OF DEFENSE FEDERAL AVIATION ADMINISTRATION EXECUTIVE COMMITTEE ON CONFLICT AND DISPUTE RESOLUTION.—Section 1036(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) is amended by adding at the end the following new paragraph:

''(9) Collaboration of scientific and technical personnel and sharing of technical information, test

results, and resources where available from the Department of Defense, the Federal Aviation Administration, and the National Aeronautics and Space Administration can advance an enduring relationship of research capability to advance the access of unmanned aircraft systems of the Department of Defense, the National Aeronautics and Space Administration and other public agencies to the National Airspace System.''.

(b) INTERAGENCY COLLABORATION.—

(1) IN GENERAL.—The Secretary of Defense shall collaborate with the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration to conduct research and seek solutions to challenges associated with the safe integration of unmanned aircraft systems into the National Airspace System in accordance with subtitle B of title III of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 126 Stat. 72).

(2) ACTIVITIES IN SUPPORT OF PLAN ON ACCESS TO NATIONAL AIRSPACE FOR UNMANNED AIRCRAFT SYSTEMS.—Collaboration under paragraph (1) may include research and development of scientific and technical issues, equipment, and tech-

nology in support of the plan to safely accelerate the integration of unmanned aircraft systems as required by subtitle B of title III of the FAA Modernization and Reform Act of 2012.

(3) NONDUPLICATIVE EFFORTS.—If the Secretary of Defense determines it is in the interest of the Department of Defense, the Secretary may use existing aerospace-related laboratories, personnel, equipment, research radars, and ground facilities of the Department of Defense to avoid duplication of efforts in carrying out collaboration under paragraph (1).

(4) REPORTS.—

(A) REQUIREMENT.—The Secretary of Defense, on behalf of the UAS Executive Committee, shall annually submit to the congressional defense committees, the Committee on Transportation and Infrastructure, and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the progress of research activity of the Department of Defense, including—

(i) progress in accomplishing the goals of the unmanned aircraft systems research, development, and demonstration as related to the Department of Defense Final Report to Congress on Access to National Airspace for Unmanned Aircraft Systems of October 2010, and any ongoing and collaborative research and development programs with the Federal Aviation Administration and the National Aeronautics and Space Administration and

(ii) estimates of long-term funding needs and details of funds expended and allocated in the budget requests of the President that support integration into the National Airspace.

(B) TERMINATION.—The requirement to submit a report under subparagraph (A) shall terminate on the date that is 5 years after the date of the enactment of this Act.

(c) UAS EXECUTIVE COMMITTEE DEFINED.—In this section, the term ''UAS Executive Committee'' means the National Aeronautics and Space and Administration and the Department of Defense–Federal Aviation Administration executive committee described in section 1036(b) of

the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 and established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 1047. SENSE OF SENATE ON NOTICE TO CONGRESS ON UNFUNDED PRIORITIES.

It is the sense of the Senate that—

(1) not later than 45 days after the submittal to Congress of the budget for a fiscal year under section 1105(a) of title 31, United States Code, each officer specified in paragraph (2) should, through the Chairman of the Joint Chiefs of Staff and the Secretary of Defense, submit to the congressional defense committees a list of any priority military programs or activities under the jurisdiction of such officer for which, in the estimate of such officer additional funds, if available, would substantially reduce operational or programmatic risk or accelerate the creation or fielding of a critical military capability;

(2) the officers specified in this paragraph are—

(A) the Chief of Staff of the Army;

(B) the Chief of Naval Operations;

(C) the Chief of Staff of the Air Force;

(D) the Commandant of the Marine Corps; and

(E) the Commander of the United States Special Operations Command; and

(3) each list, if any, under paragraph (1) should set forth for each military program or activity on such list—

(A) a description of such program or activity;

(B) a summary description of the justification for or objectives of additional funds, if available for such program or activity; and

(C) the additional amount of funds recommended in connection with the justification or objectives described for such program or activity under subparagraph (B).

SEC. 1048. ENHANCEMENT OF AUTHORITIES ON ADMISSION OF DEFENSE INDUSTRY CIVILIANS TO CERTAIN DEPARTMENT OF DEFENSE EDUCATIONAL INSTITUTIONS AND PROGRAMS.

(a) NAVY DEFENSE PRODUCT DEVELOPMENT PROGRAM.—Section 7049(a) of title 10, United States Code, is amended—

(1) in the second sentence, by inserting ''or professional continuing education certificate'' after ''master's degree'';

(2) in the third sentence, by striking ''125 such defense industry employees'' and inserting ''250 such defense industry employees''; and

(3) in the last sentence, by inserting before the period at the end the following: ''or an appropriate professional continuing education certificate, as applicable''.

(b) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.—Section 9314a(a) of such title is amended—

(1) in paragraph (1), by inserting ''or professional continuing education certificate'' after ''graduate degree'';

(2) in paragraph (2), by striking ''125 defense industry employees'' and inserting ''250 defense industry employees''; and

(3) in paragraph (3), by inserting before the period at the end the following: ''or an appropriate professional continuing education certificate, as applicable''.

SEC. 1049. MILITARY WORKING DOG MATTERS.

(a) RETIREMENT OF MILITARY WORKING DOGS.—

(1) Section 2583 of title 10, United States Code, is amended—

(A) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(B) by inserting after subsection (e) the following new subsection (f):

''(f) TRANSFER OF RETIRED MILITARY WORKING DOGS.—If the Secretary of the military department concerned determines that a military working dog should be retired, and no suitable adoption is available at the military facility where the dog is located, the Secretary may transfer the dog—

''(1) to the 341st Training Squadron; or

''(2) to another location for adoption under this section.''.

(b) VETERINARY CARE FOR RETIRED MILITARY WORKING DOGS.—

(1) IN GENERAL.—Chapter 50 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 993. Military working dogs: veterinary care for retired military working dogs

''(a) IN GENERAL.—The Secretary of Defense may establish and maintain a system to provide for the veterinary care of retired military working dogs. No funds may be provided by the Federal Government for this purpose.

''(b) ELIGIBLE DOGS.—A retired military working dog eligible for veterinary care under this section is any military working dog adopted under section 2583 of this title.

''(c) STANDARDS OF CARE.—The veterinary care provided under the system authorized by this section shall meet such standards as the Secretary shall establish and from time to time update.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 50 of such title is amended by adding at the end the following new item:

''993. Military working dogs: veterinary care for retired military working dogs.''.

(c) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—The Secretary of Defense may authorize the recognition of military working dogs that are killed, wounded, or missing in action and military working dogs

that perform an exceptionally meritorious or courageous act in service to the United States.

SEC. 1050. PROHIBITION ON FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary determines that such a waiver is in the national security interests of the United States with respect to the capacity of the Afghan National Security Forces (ANSF).

SEC. 1051. SENSE OF CONGRESS ON THE JOINT WARFIGHTING ANALYSIS CENTER.

It is the sense of Congress that the Joint Warfighting Analysis Center (JWAC) should have adequate resources to meet the continuing requirements of the combatant commands.

SEC. 1052. TRANSITION ASSISTANCE ADVISOR PROGRAM.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by inserting after section 1144 the following new section:

"§ 1144a. Transition Assistance Advisors

''(a) IN GENERAL.—The Secretary of Defense shall establish as part of the Transition Assistance Program (TAP) a Transition Assistance Advisor (TAA) program to provide professionals in each State to serve as statewide points of contact to assist members of the armed forces in accessing benefits and health care furnished under laws administered by the Secretary of Defense and benefits and health care furnished under laws administered by the Secretary of Veterans Affairs.

''(b) NUMBER OF ADVISORS.—The Secretary of Defense shall ensure that the minimum number of Transition Assistance Advisors in each State is as follows:

''(1) During the period beginning 180 days before the commencement of a contingency operation (or, if later, as soon before as is otherwise practicable) and ending 180 days after the conclusion of such contingency operation—

''(A) in the case of a State with fewer than 1,500 members of the Army National Guard of the United States and the Air National Guard of the United States residing in the State, not

less than one Transition Assistance Advisor; and

"(B) in the case of a State with 1,500 or more members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State, not less than one Transition Assistance Advisor for each 1,500 members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State.

"(2) At any time not covered by paragraph (1)—

"(A) in the case of a State with fewer than 5,000 members of the Army National Guard of the United States and the Air National Guard of the United States residing in the State, not less than one Transition Assistance Advisor; and

"(B) in the case of a State with 5,000 or more members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State, not less than one Transition Assistance Advisor for each 1,500 members of the Army National

Guard of the United States and the Air National Guard of the United States who reside in such State.

"(c) DUTIES.—The duties of a Transition Assistance Advisor includes the following:

"(1) To assist with the creation and execution of individual transition plans for members of the National Guard described in subsection (d)(2) and their families for the reintegration of such members into civilian life.

"(2) To provide employment support services to members of the National Guard and their families, including assistance with discovering employment opportunities and identifying and obtaining assistance from programs within and outside of the Federal Government.

"(3) Provide information on relocation, health care, mental health care, and financial support services available to members of the National Guard or their families from the Department of Defense, the Department of Veterans Affairs, and other Federal, State, and local agencies.

"(4) Provide information on educational support services available to members of the National

Guard, including Post-9/11 Educational Assistance under chapter 33 of title 38.

"(d) TRANSITION PLANS.—(1) Each individual plan created under subsection (c)(1) for a member of the National Guard described in paragraph (2) shall include the following:

"(A) A plan for the transition of the member to life in the civilian world, including with respect to employment, education, and health care.

"(B) A description of the transition services that the member and the member's family will need to achieve their transition objectives, including information on any forms that such member will need to fill out to be eligible for such services.

"(C) A point of contact for each agency or entity that can provide the transition services described in subparagraph (B).

"(2) A member of the National Guard described in this paragraph is any member of the National Guard who has served on active duty in the armed forces for a period of more than 180 days.

"(e) FUNDING.—Amounts for the program established under subsection (a) for a fiscal year shall be derived from amounts authorized to be appropriated for op-

erations and maintenance for the National Guard for that fiscal year.

"(f) STATE DEFINED.—In this section, the term 'State' means each of the several States of the United States, the District of Columbia, and any territory of the United States.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of such title is amended by inserting after the item relating to section 1144 the following new item:

"1144a. Transition Assistance Advisors.".

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a description of the efforts of the Secretary to implement the requirements of section 1144A of title 10, United States Code, as added by subsection (a)(1).

Subtitle F—Reports

SEC. 1061. REPORT ON STRATEGIC AIRLIFT AIRCRAFT.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth the following:

(1) An assessment of the feasibility and advisability of obtaining a Federal Aviation Administra-

tion certification for commercial use of each of the following:

(A) A commercial variant of the C–17 aircraft.

(B) A retired C–17A aircraft.

(C) a retired C–5A aircraft.

(2) An assessment of the current limitations of the aircraft of the Civil Reserve Air Fleet.

(3) An assessment of the potential for using the aircraft referred to in paragraph (1) in the Civil Reserve Air Fleet.

(4) An assessment of the advantages of adding the aircraft referred to in paragraph (1) to the Civil Reserve Air Fleet.

(5) An update on the status of any cooperation between the Federal Aviation Administration and the Department of Defense on the certification of the aircraft referred to in paragraph (1).

(6) A description of all actions required, including any impediments to such actions, to offering retired C–5A aircraft or retired C–17A aircraft as excess defense articles to United States allies or for sale to Civil Reserve Air Fleet carriers.

(7) A description of the actions required for interested allies or Civil Reserve Air Fleet carriers to

take delivery of excess C–5A aircraft or excess C–17A aircraft, including the actions, modifications, or demilitarization necessary for such recipients to take delivery of such aircraft, and provisions for permitting such recipients to undertake responsibility for such actions, to the maximum extent practicable.

SEC. 1062. REPEAL OF BIENNIAL REPORT ON THE GLOBAL POSITIONING SYSTEM.

Section 2281 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 1063. REPEAL OF ANNUAL REPORT ON THREAT POSED BY WEAPONS OF MASS DESTRUCTION, BALLISTIC MISSILES, AND CRUISE MISSILES.

Section 234 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1664; 50 U.S.C. 2367) is repealed.

SEC. 1064. REPORT ON PROGRAM ON RETURN OF RARE EARTH PHOSPHORS FROM DEPARTMENT OF DEFENSE FLUORESCENT LIGHTING WASTE TO THE DOMESTIC RARE EARTH SUPPLY CHAIN.

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

(1) In its December 2011 report entitled ''Critical Materials Strategy'', the Department of Energy states that the heavy rare earth phosphors, dysprosium, europium, terbium, and yttrium, are particularly important given their relative scarcity and their importance to clean energy, energy efficiency, hybrid and electric vehicles, and advanced defense systems, among other key technologies.

(2) While new sources of production of rare earth elements show promise, these are focused primarily on the light rare earth elements.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the recycling of end-use technologies that use rare earth elements can provide near-term opportunities to recapture, reprocess, and reuse some of the rare earth elements contained in them;

(2) fluorescent lighting materials could prove to be a promising recyclable source of heavy rare earth elements;

(3) a cost-benefit analysis would be helpful in determining the viability of a Department of Defense program to recycle fluorescent lighting waste in order to increase its supplies of heavy rare earth elements; and

(4) the recycling of heavy rare earth elements may be one component of a long term strategic plan to address the global demand for such elements, without which such elements could be unnecessarily lost.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report on the results of a cost-benefit analysis on, and on recommendations concerning, the feasibility and advisability of establishing a program within the Department of Defense to—

(A) recapture fluorescent lighting waste; and

(B) make such waste available to entities that have the ability to extract rare earth phos-

phors, reprocess and separate them in an environmentally safe manner, and return them to the domestic rare earth supply chain.

(2) ELEMENTS.—The report required by paragraph (1) shall include analysis of measures that could be taken to—

(A) provide for the disposal and mitigation of residual mercury and other hazardous by-products to be produced by the recycling process; and

(B) address concerns regarding the potential export of heavy rare earth materials obtained from United States Government sources to non-allied nations.

SEC. 1065. REPORT ON ESTABLISHMENT OF JOINT ARMED FORCES HISTORICAL STORAGE AND PRESERVATION FACILITY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the feasability and advisability of establishing a joint Armed Forces historical storage and preservation facility. The report shall include a description and assessment of the current capacities and qualities of

the historical storage and preservation facilities of each of the Armed Forces, including the following:

(1) An identification of any excess capacity at any such facility.

(2) An identification of any shortfalls in the capacity or quality of such facilities of any Armed Force, and a description of possible actions to address such shortfalls.

SEC. 1066. STUDY ON BRADLEY FIGHTING VEHICLE INDUSTRIAL BASE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall conduct a study on the Bradley Fighting Vehicle industrial base.

(b) CONTENT.—The study required under subsection (a) shall—

(1) assess the quantitative impacts of a production break for the Bradley Fighting Vehicle, including the cost of shutdown compared to the cost of continued production; and

(2) assess the qualitative impacts of a production break for the Bradley Fighting Vehicle, including the loss of a specialized workforce and supplier base.

SEC. 1067. REPORT ON MILITARY RESOURCES NECESSARY TO EXECUTE UNITED STATES FORCE POSTURE STRATEGY IN THE ASIA PACIFIC REGION.

(a) REVIEW REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff, conduct a comprehensive review of the national defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies of the United States with regard to the Asia Pacific region to determine the resources, equipment, and transportation required to meet the strategic and operational plans of the United States.

(2) ELEMENTS.—The review required under paragraph (1) shall include the following elements:

(A) The force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program of the United States associated with the Asia Pacific region that would be required to execute successfully the full range of missions called for in the national defense strategy.

(B) An estimate of the timing for initial and final operational capability for each unit

based in, realigned within, or identified for support to the Asia Pacific region.

(C) An assessment of the strategic and tactical sea, ground, and air transportation required for the forces assigned to the Asia Pacific region to meet strategic and operational plans.

(D) The specific capabilities, including the general number and type of specific military platforms, their permanent station, and planned forward operating locations needed to achieve the strategic and warfighting objectives identified in the review.

(E) The forward presence, phased deployments, pre-positioning, and other anticipatory deployments of manpower or military equipment necessary for conflict deterrence and adequate military response to anticipated conflicts.

(F) The budget plan that would be required to provide sufficient resources to execute successfully the full range of missions and phased operations in the Asia Pacific region at a low-to-moderate level of risk and any additional resources (beyond those programmed in

the current future-years defense program) required to achieve such a level of risk.

(G) Budgetary recommendations that are not constrained to comply with and are fully independent of the budget submitted to Congress by the President pursuant to section 1105 of title 31, United States Code.

(b) CJCS REVIEW.—Upon the completion of the review under subsection (a), the Chairman of the Joint Chiefs of Staff shall prepare and submit to the Secretary of Defense the Chairman's assessment of the review, including the Chairman's assessment of risk and a description of the capabilities needed to address such risk.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the review required under subsection (a).

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) A description of the elements set forth under subsection (a)(1).

(B) A description of the assumptions used in the examination, including assumptions relating to—

(i) the status of readiness of the Armed Forces;

(ii) the cooperation of allies, mission-sharing, and additional benefits to and burdens on the Armed Forces resulting from coalition operations;

(iii) warning times;

(iv) levels of engagement in operations other than war and smaller-scale contingencies and withdrawal from such operations and contingencies;

(v) the intensity, duration, and military and political end-states of conflicts and smaller-scale contingencies; and

(vi) the roles and responsibilities that would be discharged by contractors.

(C) Any other matters the Secretary of Defense considers appropriate.

(D) The assessment of the Chairman of the Joint Chiefs of Staff under subsection (b), including related comments of the Secretary of Defense.

(3) FORM.—The report required under paragraph (1) may be submitted in classified or unclassified form.

SEC. 1068. REPORT ON PLANNED EFFICIENCY INITIATIVES AT SPACE AND NAVAL WARFARE SYSTEMS COMMAND.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on plans to implement efficiency initiatives to reduce overhead costs at the Space and Naval Warfare Systems Command (SPAWAR), including a detailed description of the long-term impacts on current and planned future mission requirements.

SEC. 1069. STUDY ON ABILITY OF NATIONAL AIR AND GROUND TEST AND EVALUATION INFRASTRUCTURE FACILITIES TO SUPPORT DEFENSE HYPERSONIC TEST AND EVALUATION ACTIVITIES.

(a) STUDY REQUIRED.—The Director of the Office of Science and Technology Policy, working with the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration (NASA), shall conduct a study on the ability of Department of Defense and NASA air and ground test and evaluation infrastructure

facilities and private ground test and evaluation infrastructure facilities, including wind tunnels and air test ranges, as well as associated instrumentation, to support defense hypersonic test and evaluation activities for the short and long term.

(b) REPORT AND PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report containing the results of the study required under subsection (a) together with a plan for requirements and proposed investments to meet Department of Defense needs through 2025.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) An assessment of the current condition and adequacy of the hypersonics test and evaluation infrastructure within the Department of Defense, NASA, and the private sector to support hypersonic research and development within the Department of Defense.

(B) An identification of test and evaluation infrastructure that could be used to support Department of Defense hypersonic research and

development outside the Department and assess means to ensure the availability of such capabilities to the Department in the present and future.

(C) A time-phased plan to acquire required hypersonics research, development, test and evaluation capabilities, including identification of the resources necessary to acquire any needed capabilities that are currently not available.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 1069A. REPORT ON SIMULATED TACTICAL FLIGHT TRAINING IN A SUSTAINED GRAVITY ENVIRONMENT.

(a) INDEPENDENT STUDY REQUIRED.—The Secretary of Defense shall provide for the conduct by an appropriate federally funded research and development cen-

ter (FFRDC) of a study on the effectiveness of simulated tactical flight training in a sustained gravity environment.

(b) ELEMENTS.—The study conducted pursuant to subsection (a) shall include the following:

(1) An assessment of the effectiveness of high fidelity simulated tactical flight training in a sustained gravity environment generally, and, in particular, the effectiveness of such training in preparing pilots to withstand and tolerate the high-gravity forces associated with the operation of high-performance combat aircraft (commonly referred to as ''G readiness'' and ''G tolerance'').

(2) An assessment of the cost savings to be achieved through the use of simulated tactical flight training in a sustained gravity environment, including cost savings associated with operation and maintenance and life cycle savings associated with aircraft and airframe usage.

(3) An assessment of the safety benefits to be achieved through the use of simulated tactical flight training in a sustained gravity environment.

(4) An identification and assessment of other benefits to be achieved through the use of simulated tactical flight training in a sustained gravity environment, including benefits relating to physiological

research and benefits relating to reductions in carbon emissions.

(5) An evaluation and comparison of tactical flight simulators that could be used for simulated tactical flight training in a sustained gravity environment.

(6) Such other matters relating to the use of simulated tactical flight training in a sustained gravity environment as the Secretary shall specify for purposes of the study.

(c) REPORT.—In providing for study pursuant to subsection (a), the Secretary shall require the federally funded research and development center conducting the study to submit to the Secretary a report on the results of the study, including the matters specified in subsection (b), by not later than 18 months after the date of the enactment of this Act.

(d) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the submittal to the Secretary of the report required by subsection (c), the Secretary shall transmit the report to the congressional defense committees, together with any comments of the Secretary in light of the report and such recommendations for legislative or administrative action as the Secretary considers appropriate regard-

ing the use of simulated tactical flight training in a sustained gravity environment in light of the report.

SEC. 1069B. REPORT ON DEPARTMENT OF DEFENSE SUPPORT FOR UNITED STATES DIPLOMATIC SECURITY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the ongoing Department of Defense review of defense support of United States diplomatic security.

(b) ELEMENTS.—The report required by subsection (a) shall include, but not be limited to, such findings and recommendations as the Secretaries consider appropriate with respect to the following:

(1) Department of Defense authorities, directives, and guidelines in support of diplomatic security.

(2) Interagency processes and procedures to identify, validate, and resource diplomatic security support required from the Department of Defense.

(3) Department of Defense roles, missions, and resources required to fulfill requirements for United

States diplomatic security, including, but not limited to the following:

(A) Marine Corps Embassy Security Guard detachments.

(B) Training and advising host nation security forces for diplomatic security.

(C) Intelligence collection to prevent and respond to threats to diplomatic security.

(D) Security assessments of diplomatic missions.

(E) Support of emergency action planning.

(F) Rapid response forces to respond to threats to diplomatic security.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1069C. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON DEPARTMENT OF DEFENSE SPENDING FOR CONFERENCES AND CONVENTIONS.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment of Department of Defense spending for conferences and conventions. The

report shall include, at a minimum, an assessment of the following:

(1) The extent to which Department spending for conferences and conventions has been wasteful or excessive.

(2) The actions the Department has taken to control spending for conferences and conventions, and the efficacy of those actions.

(3) Any fees incurred for the cancellation of conferences or conventions and an evaluation of the impact of cancelling conferences and conventions.

Subtitle G—Nuclear Matters

SEC. 1071. STRATEGIC DELIVERY SYSTEMS.

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

(1) The Nuclear Posture Review of 2010 said, with respect to modernizing the triad, ''for planned reductions under New START, the United States should retain a smaller Triad of SLBMs, ICBMs, and heavy bombers. Retaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities''.

(2) The Senate stated in Declaration 12 of the Resolution of Advice and Consent to Ratification of

the New START Treaty that ''In accordance with paragraph 1 of Article V of the New START Treaty, which states that, 'Subject to the provisions of this Treaty, modernization and replacement of strategic offensive arms may be carried out,' it is the sense of the Senate that United States deterrence and flexibility is assured by a robust triad of strategic delivery vehicles. To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and to ensuring the continued flexibility of United States conventional and nuclear delivery systems''.

(3) The Senate required the President, prior to the entry into force of the New START Treaty, to certify to the Senate that the President intended to modernize or replace the triad of strategic nuclear delivery systems.

(4) The President made this certification in a message to the Senate on February 2, 2011, in which the President stated, ''I intend to (a) modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM; and (b)

maintain the United States rocket motor industrial base''.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 491. Strategic delivery systems

''(a) ANNUAL CERTIFICATION.—Beginning in fiscal year 2013, the President shall annually certify in writing to the congressional defense committees whether plans to modernize or replace strategic delivery systems are fully funded at levels equal to or more than the levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549), including plans regarding—

''(1) a heavy bomber and air-launched cruise missile;

''(2) an intercontinental ballistic missile;

''(3) a submarine-launched ballistic missile;

''(4) a ballistic missile submarine; and

''(5) maintaining the nuclear command and control system (as first reported in section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576)).

"(b) ADDITIONAL REPORT MATTERS FOLLOWING CERTAIN CERTIFICATIONS.—If the President certifies under subsection (a) that plans to modernize or replace strategic delivery systems are not fully funded, the President shall include in the next annual report submitted to Congress under section 1043 of the National Defense Authorization Act for Fiscal Year 2012 the following:

"(1) A determination whether or not the lack of full funding will result in a loss of military capability when compared with the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010.

"(2) If the determination under paragraph (1) is that the lack of full funding will result in a loss of military capability—

"(A) a plan to preserve or retain the military capability that would otherwise be lost; or

"(B) a report setting forth—

"(i) an assessment of the impact of the lack of full funding on the strategic delivery systems specified in subsection (a); and

"(ii) a description of the funding required to restore or maintain the capability.

"(3) A certification by the President whether or not the President is committed to accomplishing the modernization and replacement of strategic delivery systems and will meet the obligations concerning nuclear modernization as set forth in declaration 12 of the Resolution of Advice and Consent to Ratification of the New START Treaty.

"(c) TREATMENT OF CERTAIN REDUCTIONS.—Any certification under subsection (a) shall not take into account the following:

"(1) Reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and delivery systems.

"(2) Strategic delivery systems that are retired or awaiting dismantlement on the date of the certification under subsection (a).

"(d) DEFINITIONS.—In this section:

"(1) The term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive

Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

''(2) The term 'strategic delivery system' means a delivery system for nuclear weapons.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by adding at the end the following new item:

''491. Strategic delivery systems.''.

SEC. 1072. REQUIREMENTS DEFINITION FOR COMBINED WARHEAD FOR CERTAIN MISSILE SYSTEMS.

Not later than 60 days after the date of the enactment of this Act, the Nuclear Weapons Council shall submit Congress a report setting forth a definition of the requirements for a combined warhead for the W–78 Minuteman III missile system and the W–88 Trident D–5 missile system. The definition shall serve as the basis for a 6.1 conception definition and 6.2 feasibility study for the combined systems.

SEC. 1073. CONGRESSIONAL BUDGET OFFICE ESTIMATE OF COSTS OF NUCLEAR WEAPONS AND DELIVERY SYSTEMS.

Not later than one year after the date of the enactment of this Act, the Director of the Congressional Budget Office shall submit to the congressional defense committees a report setting forth the following:

(1) An estimate of the costs over the 10-year period beginning on the date of the report associated with fielding and maintaining the current nuclear weapons and nuclear weapon delivery systems of the United States.

(2) An estimate of the costs over the 10-year period beginning on the date of the report of any life extension, modernization, or replacement of any current nuclear weapons or nuclear weapon delivery systems of the United States that is anticipated as of the date of the report.

SEC. 1074. BRIEFINGS ON DIALOGUE BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION ON NUCLEAR ARMS, MISSILE DEFENSE, AND LONG-RANGE CONVENTIONAL STRIKE SYSTEMS.

(a) BRIEFINGS.—Not later than 60 days after the date of the enactment of this Act, and not less than twice each year thereafter, the President, or the President's designee, shall brief the Committees on Foreign Relations and Armed Services of the Senate on the dialogue between the United States and the Russian Federation on issues related to limits or controls on nuclear arms, missile defense systems, or long-range conventional strike systems.

(b) SENSE OF THE SENATE ON CERTAIN AGREEMENTS.—It is the sense of the Senate that any agreement between the United States and the Russian Federation related to missile defense, nuclear weapons, or long-range conventional strike systems obligating the United States to reduce or limit the Armed Forces or armaments of the United States in any militarily significant manner may be made only pursuant to the treaty-making power of the President as set forth in Article II, section 2, clause 2 of the Constitution of the United States.

Subtitle H—Other Matters

SEC. 1081. REDESIGNATION OF THE CENTER FOR HEMISPHERIC DEFENSE STUDIES AS THE WILLIAM J. PERRY CENTER FOR HEMISPHERIC DEFENSE STUDIES.

(a) REDESIGNATION.—

(1) IN GENERAL.—The Center for Hemispheric Defense Studies is hereby redesignated as the ''William J. Perry Center for Hemispheric Defense Studies''.

(2) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the center referred to in paragraph (1) shall be considered to be a reference to

the William J. Perry Center for Hemispheric Defense Studies.

(b) CONFORMING AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) In section 184—

(A) in subsection (b)(2), by striking subparagraph (C) and inserting the following new subparagraph (C):

''(C) The William J. Perry Center for Hemispheric Defense Studies, established in 1997 and located in Washington, D.C.''; and

(B) in subsection (f)(5), by striking ''Center for Hemispheric Defense Studies'' and inserting ''William J. Perry Center for Hemispheric Defense Studies''.

(2) In section 2611(a)(2), by striking subparagraph (C) and inserting the following new subparagraph (C):

''(C) The William J. Perry Center for Hemispheric Defense Studies.''.

SEC. 1082. TECHNICAL AMENDMENTS TO REPEAL STATUTORY REFERENCES TO UNITED STATES JOINT FORCES COMMAND.

Title 10, United States Code, is amended as follows:

(1)(A) Section 232 is repealed.

(B) The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 232.

(2) Section 2859(d) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2).

(3) Section 10503(13)(B) is amended—

(A) by striking clause (iii); and

(B) redesignating clause (iv) as clause (iii).

SEC. 1083. SENSE OF CONGRESS ON NON-UNITED STATES CITIZENS WHO ARE GRADUATES OF UNITED STATES EDUCATIONAL INSTITUTIONS WITH ADVANCED DEGREES IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

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

(1) It is a national security concern that more than half of all graduates with advanced scientific and technical degrees from United States institutions of higher education are non-United States citizens who have very limited opportunities upon graduation to contribute to the science and technology activities of the Department of Defense and the United States defense industrial base.

(2) The capabilities of the Armed Forces are highly reliant upon advanced technologies that provide our forces with a technological edge on the battlefield.

(3) In order to maintain and advance our military technological superiority, the United States requires the best and brightest scientists, mathematicians, and engineers to discover, develop, and field the next generation of weapon systems and defense technologies.

(4) The Department of Defense and the defense industrial base compete with other sectors for a limited number of United States citizens who have appropriate advanced degrees and skills.

(5) While an overarching national priority is to increase the numbers of United States citizens who have appropriate advanced degrees in science, technology, engineering, and mathematics (STEM), it would be beneficial if the Department of Defense and the defense industrial base were able to access the pool of talent of non-United States citizens with advanced scientific and technical degrees from United States institutions of higher education, many of whom are otherwise returning to their home countries.

(b) SENSE OF CONGRESS.—It is the sense of Congress—

(1) that the Department of Defense should make every reasonable and practical effort to increase the number of United States citizens who pursue advanced degrees in science, technology, engineering, and mathematics; and

(2) to strongly urge the Department of Defense to investigate innovative mechanisms (subject to all appropriate security requirements) to access to the pool of talent of non-United States citizens with advanced scientific and technical degrees from United States institutions of higher education, especially in those scientific and technical areas that are most vital to the national defense (such as those identified by the Assistant Secretary of Defense for Research and Engineering and the Armed Forces).

SEC. 1084. SENSE OF SENATE ON THE MAINTENANCE BY THE UNITED STATES OF A TRIAD OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.

(a) FINDINGS.—The Senate finds the following:

(1) The April 2010 Nuclear Posture Review concluded that even with the reductions specified in the New START Treaty, the United States should retain a nuclear ''Triad'' of land-based interconti-

nental ballistic missiles, submarine-launched ballistic missiles and nuclear capable heavy bombers, noting that ''[r]etaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities''.

(2) The resolution of ratification for the New START Treaty, which the Senate approved on December 22, 2010, stated that ''it is the sense of the Senate that United States deterrence and flexibility is assured by a robust triad of strategic delivery vehicles. To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and to ensuring the continued flexibility of United States conventional and nuclear delivery systems''.

(3) In a message to the Senate on February 2, 2011, President Obama certified that he intended to ''modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM'' and to ''maintain the United States rocket motor industrial base''.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States should maintain a triad of strategic nuclear delivery systems; and

(2) the United States is committed to modernizing the component weapons and delivery systems of that triad.

SEC. 1085. PLAN TO PARTNER WITH STATE AND LOCAL ENTITIES TO ADDRESS VETERANS CLAIMS BACKLOG.

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

(1) The Department of Veterans Affairs defines any claim for benefits under laws administered by the Secretary of Veterans Affairs as backlogged if the claim has been pending for 125 days or more.

(2) According to the Department, as of November 24, 2012, there were 899,540 pending claims, with 604,583 (67.2 percent) of those considered backlogged.

(3) The Department's data further shows that, on November 22, 2010, there were 749,934 claims pending, with only 244,129 (32.6 percent) of those considered backlogged.

(4) During the past two years, both the overall number of backlogged claims and the percentage of all pending claims that are backlogged have doubled.

(5) In order to reduce the claims backlog at regional offices of the Department of Veterans Affairs located in Texas, the Texas Veterans Commission announced two initiatives on July 19, 2012, to partner with the Department of Veterans Affairs—

(A) to assist veterans whose claims are already backlogged to complete development of those claims; and

(B) to help veterans who are filing new claims to fully develop those claims prior to filing them, shortening the processing time required.

(6) The common goal of the two initiatives of the Texas Veterans Commission, called the ''Texas State Strike Force Team'' and the ''Fully Developed Claims Team Initiative'', is to reduce the backlog of claims pending in Texas by 17,000 within one year.

(7) During the first two months of these new initiatives, the Texas Veterans Commission helped veterans complete development of more than 2,500 backlogged claims and assisted veterans with the submission of more than 800 fully developed claims.

(8) In testimony before the Subcommittee on Disability Assistance and Memorial Affairs of the Committee on Veterans' Affairs of the House of Representatives on September 21, 2012, Diana Rubens, Deputy Under Secretary for Field Operations of the Veterans Benefits Administration, indicated that the Department of Veterans Affairs has experienced positive outcomes in projects with the Texas Veterans Commission, stating that both Veterans Service Organizations ''and state and county service officers . . . are important partners in VBA's transformation to better serve Veterans.''.

(9) At the same hearing, Mr. John Limpose, director of the regional office of the Department of Veterans Affairs in Waco, Texas, testified that the ''TVC is working very, very well'' with regional offices of the Department in Texas, calling the Texas Veterans Commission a ''very positive story that we can branch out into . . . all of our stakeholders.''.

(b) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a plan to reduce the current backlog of pending claims for benefits under laws administered by the Secretary

and more efficiently process claims for such benefits in the future.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A summary of all steps the Secretary has taken thus far to partner with non-Federal entities in support of efforts to reduce the backlog described in paragraph (1) and more efficiently process claims described in such paragraph in the future, including two previous initiatives by the Texas Veterans Commission, namely the 2008–2009 Development Assistant Pilot Project and the 2009–2011 Claims Processing Assistance Team.

(B) A plan for the Secretary to partner with non-Federal entities to support efforts to reduce such backlog and more efficiently process such claims in the future, including the following:

(i) State and local agencies relating to veterans affairs.

(ii) Organizations recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

(iii) Such other relevant government and non-government entities as the Secretary considers appropriate.

(C) A description of how the Secretary intends to leverage partnerships with non-Federal entities described in subparagraph (B) to eliminate such backlog, including through increasing the percentage of claims that are fully developed prior to submittal to the Secretary and ensuring that new claims are fully developed prior to their submittal.

(D) A description of what steps the Secretary has taken and will take—

(i) to expedite the processing of claims that are already fully developed at the time of submittal; and

(ii) to support initiatives by non-Federal entities described in subparagraph (B) to help claimants gather and submit necessary evidence for claims that were previously filed but require further development.

(E) A description of how partnerships with non-Federal entities described in subparagraph

(B) will fit into the Secretary's overall claims processing transformation plan.

SEC. 1086. SENSE OF THE SENATE ON PROTECTION OF DEPARTMENT OF DEFENSE AIRFIELDS, TRAINING AIRSPACE, AND AIR TRAINING ROUTES.

It is the sense of the Senate that—

(1) Department of Defense airfields, training airspace, and air training routes are national treasures that must be protected from encroachment;

(2) placement or emplacement of obstructions near or on Department of Defense airfields, training airspace, or air training routes has the potential of increasing risk to military aircraft and personnel as well as impacting training and readiness; and

(3) the Department of Defense should develop comprehensive rules and regulations to address construction and use of land in close proximity to Department of Defense airfields, training areas, or air training routes to ensure compatibility with military aircraft operations.

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.

Section 2023(d) of title 38, United States Code, is amended by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

SEC. 1088. SENSE OF CONGRESS THAT THE BUGLE CALL COMMONLY KNOWN AS TAPS SHOULD BE DESIGNATED AS THE NATIONAL SONG OF MILITARY REMEMBRANCE.

It is the 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.

(a) DIRECTOR OF NATIONAL INTELLIGENCE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress an intelligence assessment of the Nigerian organization known as Boko Haram. Such assessment shall address the following:

(1) The organizational structure, operational goals, and funding sources of Boko Haram.

(2) The extent to which Boko Haram threatens the stability of Nigeria and surrounding countries.

(3) The extent to which Boko Haram threatens the security of citizens of the United States or the national security or interests of the United States.

(4) Any interaction between Boko Haram and al-Qaeda in the Islamic Maghreb or other al-Qaeda affiliates with respect to operational planning and execution, training, and funding.

(5) The capacity of Nigerian security forces to counter the threat posed by Boko Haram and an assessment of the effectiveness of the strategy of the Nigerian government to date.

(6) Any intelligence gaps with respect to the leadership, operational goals, and capabilities of Boko Haram.

(b) SECRETARY OF STATE REPORT.—Not later than 90 days after the date the report required by subsection (a) is submitted to Congress, the Secretary of State shall submit to Congress a report describing the strategy of the United States to counter the threat posed by Boko Haram.

SEC. 1090. NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by striking section 33 (15 U.S.C. 657c).

(b) CORPORATION.—On and after the date of enactment of this Act, the National Veterans Business Development Corporation and any successor thereto may not represent that the corporation is federally chartered or in any other manner authorized by the Federal Government.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.), as amended by this section, is amended—

(A) by redesignating sections 34 through 45 as sections 33 through 44, respectively;

(B) in section 9(k)(1)(D) (15 U.S.C. 638(k)(1)(D)), by striking ''section 34(d)'' and inserting ''section 33(d)'';

(C) in section 33 (15 U.S.C. 657d), as so redesignated—

(i) by striking ''section 35'' each place it appears and inserting ''section 34'';

(ii) in subsection (a)—

(I) in paragraph (2), by striking "section 35(c)(2)(B)" and inserting "section 34(c)(2)(B)";

(II) in paragraph (4), by striking "section 35(c)(2)" and inserting "section 34(c)(2)"; and

(III) in paragraph (5), by striking "section 35(c)" and inserting "section 34(c)"; and

(iii) in subsection (h)(2), by striking "section 35(d)" and inserting "section 34(d)";

(D) in section 34 (15 U.S.C. 657e), as so redesignated—

(i) by striking "section 34" each place it appears and inserting "section 33"; and

(ii) in subsection (c)(1), by striking section "34(c)(1)(E)(ii)" and inserting section "33(c)(1)(E)(ii)";

(E) in section 36(d) (15 U.S.C. 657i(d)), as so redesignated, by striking "section 43" and inserting "section 42";

(F) in section 39(d) (15 U.S.C. 657l(d)), as so redesignated, by striking "section 43" and inserting "section 42"; and

(G) in section 40(b) (15 U.S.C. 657m(b)), as so redesignated, by striking ''section 43'' and inserting ''section 42''.

(2) TITLE 10.—Section 1142(b)(13) of title 10, United States Code, is amended by striking ''and the National Veterans Business Development Corporation''.

(3) TITLE 38.—Section 3452(h) of title 38, United States Code, is amended by striking ''any of the'' and all that follows and inserting ''any small business development center described in section 21 of the Small Business Act (15 U.S.C. 648), insofar as such center offers, sponsors, or cosponsors an entrepreneurship course, as that term is defined in section 3675(c)(2).''.

(4) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Section 12072(c)(2) of the Food, Conservation, and Energy Act of 2008 (15 U.S.C. 636g(c)(2)) is amended by striking ''section 43 of the Small Business Act, as added by this Act'' and inserting ''section 42 of the Small Business Act (15 U.S.C. 657o)''.

(5) VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999.—Section 203(c)(5) of the Veterans Entrepreneurship and

Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking ''In cooperation with the National Veterans Business Development Corporation, develop'' and inserting ''Develop''.

SEC. 1091. WHITE SANDS MISSILE RANGE AND FORT BLISS.

(a) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights and paragraph (3), the Federal land described in paragraph (2) is withdrawn from—

(A) entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) DESCRIPTION OF FEDERAL LAND.—The Federal land referred to in paragraph (1) consists of—

(A) the approximately 5,100 acres of land depicted as ''Parcel 1'' on the map entitled ''White Sands Missile Range/Fort Bliss/BLM Land Transfer and Withdrawal'' and dated April 3, 2012 (referred to in this section as the ''map'');

(B) the approximately 37,600 acres of land depicted as ''Parcel 2'', ''Parcel 3'', and ''Parcel 4'' on the map; and

(C) any land or interest in land that is acquired by the United States within the boundaries of the parcels described in subparagraph (B).

(3) LIMITATION.—Notwithstanding paragraph (1), the land depicted as ''Parcel 4'' on the map is not withdrawn for purposes of the issuance of oil and gas pipeline rights-of-way.

(b) RESERVATION.—The Federal land described in subsection (a)(2)(A) is reserved for use by the Secretary of the Army for military purposes in accordance with Public Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822).

(c) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Effective on the date of enactment of this Act, administrative jurisdiction over the approximately 2,050 acres of land generally depicted as ''Parcel 2'' on the map—

(1) is transferred from the Secretary of the Army to the Secretary of the Interior (acting through the Director of the Bureau of Land Management); and

(2) shall be managed in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) any other applicable laws.

(d) LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall publish in the Federal Register a legal description of the Federal land withdrawn by subsection (a).

(2) FORCE OF LAW.—The legal description published under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct errors in the legal description.

(3) REIMBURSEMENT OF COSTS.—The Secretary of the Army shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior in implementing this subsection with regard to the Federal land described in subsection (a)(2)(A).

SEC. 1092. TRANSPORT FOR FEMALE GENITAL MUTILATION.

Section 116 of title 18, United States Code, is amended by adding at the end the following:

"(d) Whoever knowingly transports from the United States and its territories a person in foreign commerce for the purpose of conduct with regard to that person that would be a violation of subsection (a) if the conduct occurred within the United States, or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both.".

SEC. 1093. RENEWAL OF EXPIRED PROHIBITION ON RETURN OF VETERANS MEMORIAL OBJECTS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) CODIFICATION OF PROHIBITION.—Section 2572 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e)(1) Except as provided in paragraph (3), and notwithstanding this section or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or an entity controlled by a foreign government, or otherwise transfer or convey such an object to any person or entity for purposes of the ultimate transfer or conveyance of the object to a foreign country or entity controlled by a foreign government.

"(2) In this subsection:

"(A) The term 'entity controlled by a foreign government' has the meaning given that term in section 2536(c)(1) of this title.

"(B) The term 'veterans memorial object' means any object, including a physical structure or portion thereof, that—

"(i) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

"(ii) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the armed forces; and

"(iii) was brought to the United States from abroad as a memorial of combat abroad.

"(3) The prohibition imposed by paragraph (1) does not apply to a transfer of a veterans memorial object if—

"(A) the transfer of that veterans memorial object is specifically authorized by law; or

"(B) the transfer is made after September 30, 2017.".

(b) REPEAL OF OBSOLETE SOURCE LAW.—Section 1051 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 2572 note) is repealed.

SEC. 1094. TRANSFER OF EXCESS AIRCRAFT TO OTHER DEPARTMENTS.

(a) TRANSFER.—Subject to subsection (c), the Secretary of Defense shall transfer excess aircraft specified

in subsection (b) to the Secretary of Agriculture and the Secretary of Homeland Security for use by the Forest Service and the United States Coast Guard. The transfer of any excess aircraft under this subsection shall be without reimbursement.

(b) AIRCRAFT.—

(1) IN GENERAL.—The aircraft transferred under subsection (a) are aircraft of the Department of Defense that are—

(A) identified by the Forest Service or the United States Coast Guard as a suitable platform to carry out their respective missions;

(B) subject to paragraphs (2) and (3), excess to the needs of the Department of Defense, as determined by the Secretary of Defense;

(C) acceptable for use by the Forest Service, as determined by the Secretary of Agriculture; and

(D) acceptable for use by the United States Coast Guard, as determined by the Secretary of Homeland Security.

(2) LIMITATION ON NUMBER.—The number of aircraft that may be transferred to either the Secretary of Agriculture or the Secretary of Homeland Security may not exceed 12 aircraft.

(3) LIMITATIONS ON DETERMINATION AS EXCESS.—Aircraft may not be determined to be excess for the purposes of this subsection, unless such aircraft are determined to be excess in the report referenced by subsection (b) of section 1703 of title XVII of this Act, or if such aircraft are otherwise prohibited from being determined excess by law.

(c) PRIORITY IN TRANSFER.—The Secretary of Agriculture and the Secretary of Homeland Security shall be afforded equal priority in the transfer under subsection (a) of excess aircraft of the Department of Defense specified in subsection (b) before any other department or agency of the Federal Government.

(d) CONDITIONS OF TRANSFER.—Excess aircraft transferred to the Secretary of Agriculture under subsection (a)—

(1) may be used only for wildfire suppression purposes; and

(2) may not be flown or otherwise removed from the United States unless dispatched by the National Interagency Fire Center in support of an international agreement to assist in wildfire suppression efforts or for other purposes approved by the Secretary of Agriculture in writing in advance.

(e) EXPIRATION OF AUTHORITY.—The authority to transfer excess aircraft under subsection (a) shall expire on December 31, 2013.

SEC. 1095. REAUTHORIZATION OF SALE OF AIRCRAFT AND PARTS FOR WILDFIRE SUPPRESSION PURPOSES.

Section 2 of the Wildfire Suppression Aircraft Transfer Act of 1996 (10 U.S.C. 2576 note) is amended—

(1) in subsection (a), by striking "during the period beginning on October 1, 1996, and ending on September 30, 2005" and inserting "during a period specified in subsection (g)";

(2) by redesignating subsection (g) as subsection (h); and

(3) by inserting after subsection (f) the following new subsection (g):

"(g) PERIODS FOR EXERCISE OF AUTHORITY.—The periods specified in this subsection are the following:

"(1) The period beginning on October 1, 1996, and ending on September 30, 2005.

"(2) The period beginning on October 1, 2012, and ending on September 30, 2017.".

SEC. 1096. PROTECTION OF VETERANS' MEMORIALS.

(a) TRANSPORTATION OF STOLEN MEMORIALS.—Section 2314 of title 18, United States Code, is amended by adding at the end the following:

''In the case of an offense under the first paragraph of this section, if the goods, wares, or merchandise consist of or include a veterans' memorial, the requirement of that paragraph that the goods, wares, or merchandise have a value of $5,000 or more does not apply. In this paragraph, the term 'veterans' memorial' means a grave marker, headstone, monument, or other object, intended to permanently honor a veteran or mark a veteran's grave, or any monument that signifies an event of national military historical significance.''.

(b) SALE OR RECEIPT OF STOLEN MEMORIALS.—Section 2315 of such title is amended by adding at the end the following:

''In the case of an offense under the first paragraph of this section, if the goods, wares, or merchandise consist of or include a veterans' memorial, the requirement of that paragraph that the goods, wares, or merchandise have a value of $5,000 or more does not apply. In this paragraph, the term 'veterans' memorial' means a grave marker, headstone, monument, or other object, intended to permanently honor a veteran or mark a veteran's grave, or any

monument that signifies an event of national military historical significance.''.

SEC. 1097. TRANSPORTATION OF INDIVIDUALS TO AND FROM FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 111 the following new section:

''§ 111A. Transportation of individuals to and from Department facilities

''(a) TRANSPORTATION BY SECRETARY.—The Secretary may transport any person to or from a Department facility or other place in connection with vocational rehabilitation, counseling required by the Secretary pursuant to chapter 34 or 35 of this title, or for the purpose of examination, treatment, or care.''.

(b) CONFORMING AMENDMENT.—Subsection (h) of section 111 of such title is—

(1) transferred to section 111A of such title, as added by subsection (a);

(2) redesignated as subsection (b);

(3) inserted after subsection (a) of such section; and

(4) amended by inserting ''TRANSPORTATION BY THIRD-PARTIES.—'' before ''The Secretary''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 111 the following new item:

"111A. Transportation of individuals to and from Department facilities.".

SEC. 1098. NATIONAL PUBLIC AWARENESS AND PARTICIPATION CAMPAIGN FOR VETERANS' HISTORY PROJECT OF AMERICAN FOLKLIFE CENTER.

(a) IN GENERAL.—The Director of the American Folklife Center at the Library of Congress shall carry out a national public awareness and participation campaign for the program required by section 3(a) of the Veterans' Oral History Project Act (20 U.S.C. 2142(a)). Such campaign shall provide for the following:

(1) Encouraging the people of the United States, veterans organizations, community groups, and national organizations to participate in such program.

(2) Ensuring greater awareness and participation throughout the United States in such program.

(3) Providing meaningful opportunities for learning about the experiences of veterans.

(4) Complementing the efforts supporting the readjustment and successful reintegration of veterans into civilian life after service in the Armed Forces.

(b) COORDINATION AND COOPERATION.—To the degree practicable, the Director shall, in carrying out the campaign required by subsection (a), coordinate and cooperate with veterans service organizations.

(c) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term ''veterans service organization'' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 1099. TECHNICAL AMENDMENTS RELATING TO THE TERMINATION OF THE ARMED FORCES INSTITUTE OF PATHOLOGY UNDER DEFENSE BASE CLOSURE AND REALIGNMENT.

Section 177 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking ''those professional societies'' and all that follows through ''the Armed Forces Institute of Pathology'' and inserting ''the professional societies and organizations that support the activities of the American Registry of Pathology''; and

(ii) by striking the second sentence; and

(B) in paragraph (3), by striking ''with the concurrence of the Director of the Armed Forces Institute of Pathology'';

(2) in subsection (b)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively; and

(C) in paragraph (2), as redesignated by subparagraph (B)—

(i) by striking ''accept gifts and grants from and''; and

(ii) by inserting ''and accept gifts and grants from such entities'' before the semicolon; and

(3) in subsection (d), by striking ''to the Director'' and all that follows through ''it deems desirable,'' and inserting ''annually to its Board and supporting organizations referred to in subsection (a)(2)''.

SEC. 1099A. IMPROVED ENUMERATION OF MEMBERS OF THE ARMED FORCES IN ANY TABULATION OF TOTAL POPULATION BY SECRETARY OF COMMERCE.

(a) IN GENERAL.—Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) Effective beginning with the 2020 decennial census of population, in taking any tabulation of total population by States, the Secretary shall take appropriate measures to ensure, to the maximum extent practicable, that all members of the Armed Forces deployed abroad on the date of taking such tabulation are—

''(1) fully and accurately counted; and

''(2) properly attributed to the State in which their residence at their permanent duty station or homeport is located on such date.''.

(b) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to affect the residency status of any member of the Armed Forces under any provision of law other than title 13, United States Code.

SEC. 1099B. STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING.

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following:

''(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary may require the State—

''(i) to demonstrate that when the State approves or denies a certification or license described in subparagraph (B) for a veteran the State takes into consideration any training received or experience gained by the veteran while serving on active duty in the Armed Forces; and

''(ii) to disclose to the Secretary in writing the following:

''(I) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

''(II) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty

in the Armed Forces and evaluating the documented work experience of such veterans during such service for purposes of approving or denying a certification or license described in subparagraph (B).

''(III) Identification of areas in which training and experience described in subclause (II) fails to meet criteria described in subclause (I).''

''(B) A certification or license described in this subparagraph is any of the following:

''(i) A license to be a State tested nursing assistant or a certified nursing assistant.

''(ii) A commercial driver's license.

''(iii) An emergency medical technician license EMT–B or EMT–I.

''(iv) An emergency medical technician–paramedic license.

''(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are able to receive a certification or license described in subparagraph (B) from a State.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to a program year beginning on or after the date of the enactment of this Act.

SECTION 1099C. AMENDMENTS TO LAW ENFORCEMENT OFFICER SAFETY PROVISIONS OF TITLE 18.

Chapter 44 of title 18, United States Code, is amended—

(1) in section 926B—

(A) in subsection (c)(1), by inserting ''or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice)'' after ''arrest'';

(B) in subsection (d), by striking ''as a law enforcement officer'' and inserting ''that identifies the employee as a police officer or law enforcement officer of the agency''; and

(C) in subsection (f), by inserting ''or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice)'' after ''arrest''; and

(2) in section 926C—

(A) in subsection (c)(2), by inserting ''or apprehension under section 807(b) of title 10,

United States Code (article 7(b) of the Uniform Code of Military Justice)'' after ''arrest''; and

(B) in subsection (d)—

(i) in paragraph (1), by striking ''that indicates'' and inserting ''that identifies the person as having been employed as a police officer or law enforcement officer and indicates''; and

(ii) in paragraph (2)(A), by inserting ''that identifies the person as having been employed as a police officer or law enforcement officer'' after ''officer''.

SEC. 1099D. MODERNIZATION OF ABSENTEE BALLOT MAIL DELIVERY SYSTEM.

It is the sense of Congress that the Department of Defense should partner with the United States Postal Service (USPS) to modernize the USPS mail delivery system to address problems with the delivery of absentee ballots and ensure the effective and efficient delivery of such ballots, including through the establishment of a centralized mail forwarding system to ensure that blank ballots are properly redirected.

SEC. 1099E. STATE TRADE AND EXPORT PROMOTION GRANT PROGRAM.

Section 1207(a)(5) of the Small Business Jobs Act of 2010 (15 U.S.C. 649b note) is amended by inserting after ''Guam,'' the following: ''the Commonwealth of the Northern Mariana Islands,''.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. AUTHORITY FOR TRANSPORTATION OF FAMILY HOUSEHOLD PETS OF CIVILIAN PERSONNEL DURING EVACUATION OF NON-ESSENTIAL PERSONNEL.

Section 5725 of title 5, United States Code, is amended—

(1) in subsection (a)(2), by inserting ''and family household pets,'' after ''personal effects,''; and

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

''(c)(1) Authority under subsection (a) to transport family household pets of an employee includes authority for shipment and the payment of quarantine costs, if any.

''(2) An employee for whom transportation of family household pets is authorized under subsection (a) may be paid reimbursement or a monetary allowance if other commercial transportation means have been used.

"(3) The provision of transportation of family household pets for an employee of the Department of Defense under subsection (a) and the payment of reimbursement under paragraph (2) shall be subject to the same terms and conditions as apply under subsection 406(b)(1)(H)(iii) of title 37 with respect to family household pets of members of the uniformed services, including limitations on the types, size, and number of pets for which transportation may be provided or reimbursement paid.".

SEC. 1102. EXPANSION OF EXPERIMENTAL PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL AT THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

(a) EXPANSION.—Section 1101(b)(1)(A) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended by striking "40" and inserting "60".

(b) CONSTRUCTION.—The amendment made by subsection (a) shall not be construed as affecting any applicable authorization or delimitation of the numbers of personnel that may be employed at the Defense Advanced Research Projects Agency.

SEC. 1103. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and amended by section 1112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1616), is further amended by striking ''2013'' and inserting ''2014''.

SEC. 1104. FEDERAL EMPLOYEES RETIREMENT SYSTEM AGE AND RETIREMENT TREATMENT FOR CERTAIN RETIREES OF THE ARMED FORCES.

(a) INCREASE IN MAXIMUM AGE LIMIT FOR POSITIONS SUBJECT TO FERS.—

(1) LAW ENFORCEMENT OFFICERS.—Section 3307(e) of title 5, United States Code, is amended—

(A) in paragraph (1), by inserting ''or (3)'' after ''paragraph (2)''; and

(B) by adding at the end the following:

''(3) The maximum age limit for an original appointment to a position as a law enforcement officer (as defined

in section 8401(17)) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.''.

(2) OTHER POSITIONS.—The maximum age limit for an original appointment to a position as a member of the Capitol Police or Supreme Court Police, nuclear materials courier (as defined under section 8401(33) of such title), or customs and border protection officer (as defined in section 8401(36) of such title) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.

(b) ELIGIBILITY FOR ANNUITY.—Section 8412(d) of such title is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2), by adding ''or'' at the end; and

(3) by inserting after paragraph (2) the following:

"(3) after becoming 57 years of age and completing 10 years of service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs or border protection officer, or any combination of such service totaling 10 years, if such employee—

"(A) is originally appointed to a position as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, or customs and border protection officer on or after the effective date of this paragraph under section 1104(e) of the National Defense Authorization Act for Fiscal Year 2013, and

"(B) on the date that original appointment met the requirements of section 3307(e)(2) of this title or section 1104(a)(2) of the National Defense Authorization Act for Fiscal Year 2013,".

(c) MANDATORY SEPARATION.—Section 8425 of such title is amended—

(1) in subsection (b)(1), in the first sentence, by inserting ", except that a law enforcement officer,

nuclear materials courier, or customs and border protection officer eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age'' before the period;

(2) in subsection (c), in the first sentence, by inserting '', except that a member of the Capitol Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age'' before the period; and

(3) in subsection (d), in the first sentence, by inserting '', except that a member of the Supreme Court Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age'' before the period.

(d) COMPUTATION OF BASIC ANNUITY.—Section 8415(e) of such title is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking ''The annuity of an employee'' and inserting ''(1) Except as provided in paragraph (2), the annuity of an employee''; and

(3) by adding at the end the following:

"(2)(A) The annuity of an employee retiring under subsection (d) or (e) of section 8412 or under subsection (a), (b), or (c) of section 8425 who is an employee described in subparagraph (B) is—

"(i) 1 7/10 percent of that individual's average pay multiplied by so much of such individual's civilian service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs and border protection officer, or air traffic controller that, in the aggregate, does not exceed 20 years; plus

"(ii) 1 percent of that individual's average pay multiplied by the remainder of such individual's total service.

"(B) An employee described in this subparagraph is an employee who—

"(i) is originally appointed to a position as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, or customs and border protection officer on or after the effective date of this paragraph under section 1104(e) of the National Defense Authorization Act for Fiscal Year 2013; and

"(ii) on the date that original appointment met the requirements of section 3307(e)(2) of this title

or section 1104(a)(2) of the National Defense Authorization Act for Fiscal Year 2013.''.

(e) EFFECTIVE DATE.—This section (including the amendments made by this section) shall take effect 60 days after the date of enactment of this Act and shall apply to appointments made on or after that effective date.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. EXTENSION OF AUTHORITY TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES AND MODIFICATION OF NOTICE IN CONNECTION WITH INITIATION OF ACTIVITIES.

(a) EXTENSION.—Subsection (g) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), as most recent amended by section 1204(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1622), is further amended—

(1) by striking ''September 30, 2013'' and inserting ''September 30, 2014''; and

(2) by striking ''fiscal years 2006 through 2013'' and inserting ''fiscal years 2006 through 2014''.

(b) MODIFICATION OF NOTICE.—

(1) IN GENERAL.—Subsection (e)(2) of such section 1206, as amended by section 1206(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2418), is further amended by adding at the end the following new subparagraph:

''(D) Detailed information (including the amount and purpose) on the assistance provided the country during the three preceding fiscal years under each of the following programs or accounts:

''(i) A program under this section.

''(ii) The Foreign Military Financing program under the Foreign Assistance Act of 1961.

''(iii) Peacekeeping Operations.

''(iv) The International Narcotics Control and Law Enforcement (INCLE) program under section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291).

"(v) Nonproliferation, Anti-Terrorism, Demining, and Related Programs (NADR).".

(2) APPLICABILITY.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to any country in which activities are initiated under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 on or after that date.

SEC. 1202. EXTENSION OF AUTHORITY FOR NON-RECIPROCAL EXCHANGE OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.

Section 1207(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2514; 10 U.S.C. 168 note) is amended by striking "September 30, 2012" and inserting "September 30, 2017".

SEC. 1203. AUTHORITY TO BUILD THE CAPACITY OF CERTAIN COUNTERTERRORISM FORCES IN YEMEN AND EAST AFRICA.

(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the Secretary of State, provide assistance as follows:

(1) To enhance the ability of the Yemen Ministry of Interior Counter Terrorism Forces to conduct counterterrorism operations against al Qaeda in the Arabian Peninsula and its affiliates.

(2) To enhance the capacity of the national military forces, security agencies serving a similar defense function, other counterterrorism forces, and border security forces of Djibouti, Ethiopia, and Kenya to conduct counterterrorism operations against al Qaeda, al Qaeda affiliates, and al Shabaab.

(3) To enhance the capacity of national military forces participating in the African Union Mission in Somalia to conduct counterterrorism operations against al Qaeda, al Qaeda affiliates, and al Shabaab.

(b) TYPES OF ASSISTANCE.—

(1) AUTHORIZED ELEMENTS.—Assistance under subsection (a) may include the provision of equipment, supplies, training, and minor military construction.

(2) REQUIRED ELEMENTS.—Assistance under subsection (a) shall be provided in a manner that promotes—

(A) observance of and respect for human rights and fundamental freedoms; and

(B) respect for legitimate civilian authority in the country receiving such assistance.

(3) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in this subsection that is otherwise prohibited by any other provision of law.

(4) LIMITATIONS ON MINOR MILITARY CONSTRUCTION.—The total amount that may be obligated and expended on minor military construction under subsection (a) in any fiscal year may not exceed amounts as follows:

(A) In the case of minor military construction under paragraph (1) of subsection (a), $10,000,000.

(B) In the case of minor military construction under paragraphs (2) and (3) of subsection (a), $10,000,000.

(c) FUNDING.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for a fiscal year for the Department of Defense for operation and maintenance—

(A) not more than $75,000,000 may be used to provide assistance under paragraph (1) of subsection (a); and

(B) not more than $75,000,000 may used to provide assistance under paragraphs (2) and (3) of subsection (a).

(2) AVAILABILITY OF FUNDS FOR ASSISTANCE ACROSS FISCAL YEARS.—Amounts available under this subsection for the authority in subsection (a) for a fiscal year may be used for assistance under that authority that begins in such fiscal year but ends in the next fiscal year.

(d) NOTICE TO CONGRESS.—

(1) IN GENERAL.—Not later than 30 days before providing assistance under subsection (a), the Secretary of Defense shall submit to the committees of Congress specified in paragraph (2) a notice setting forth the assistance to be provided, including the types of such assistance, the budget for such assistance, and the completion date for the provision of such assistance.

(2) COMMITTEES OF CONGRESS.—The committees of Congress specified in this paragraph are—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(e) EXPIRATION.—Except as provided in subsection (c)(2), the authority provided under subsection (a) may not be exercised after the earlier of—

(1) the date on which the Global Security Contingency Fund achieves full operational capability; or

(2) September 30, 2014.

SEC. 1204. LIMITATION ON AVAILABILITY OF FUNDS FOR STATE PARTNERSHIP PROGRAM.

(a) LIMITATION.—Of the amounts authorized to be appropriated by this Act and available for the State Partnership Program, not more than 50 percent may be obligated or expended for that Program until the latter of the following:

(1) The date on which the Secretary of Defense submits to the appropriate congressional committees the final regulations required by subsection (a) of section 1210 of the National Defense Authorization

Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2517; 32 U.S.C. 107 note).

(2) The date on which the Secretary of Defense certifies to the appropriate congressional committees that appropriate modifications have been made, and appropriate controls have been instituted, to ensure the compliance of the Program with section 1341 of title 31, United States Code (commonly referred to as the ''Anti-Deficiency Act''), in the future.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term in subsection (d) of section 1210 of the National Defense Authorization Act for Fiscal Year 2010.

Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan

SEC. 1211. COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) ONE-YEAR EXTENSION.—

(1) IN GENERAL.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619) is amended by striking ''fiscal year 2012'' each place it appears and inserting ''fiscal year 2013''.

(2) CONFORMING AMENDMENT.—The heading of subsection (a) of such section is amended by striking ''FISCAL YEAR 2012'' and inserting ''FISCAL YEAR 2013''.

(b) AMOUNT OF FUNDS AVAILABLE DURING FISCAL YEAR 2013.—Subsection (a) of such section is further amended by striking ''$400,000,000'' and inserting ''$200,000,000''.

SEC. 1212. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) LIMITATION ON AMOUNT OF FUNDS FOR FISCAL YEAR 2013.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note) is amended by striking ''in fiscal year 2012'' and all that follows and inserting ''may not exceed amounts as follows:

''(1) In fiscal year 2012, $524,000,000.

''(2) In fiscal year 2013, $508,000,000.''.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by inserting ''or 2013'' after ''fiscal year 2012''.

SEC. 1213. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Senate is deeply concerned with the dramatic rise in conflict-induced displacement in Afghanistan and the corresponding increase in humanitarian need, especially as winter approaches;

(2) there have been several reports of children freezing to death in various refugee settlements in Afghanistan during the winter of 2011–12;

(3) the Bureau of Population, Refugees, and Migration of the Department of State and the Special Representative for Afghanistan and Pakistan should jointly develop a comprehensive strategy to address the displacement and human suffering referred to in paragraphs (1) and (2), which shall include—

(A) an assessment of the capacity of the Government of Afghanistan—

(i) to prevent, mitigate, and respond to forced displacement; and

(ii) to provide durable solutions for internally displaced Afghans and Afghan refugees; and

(B) a coherent plan to strengthen the capacity of the Government of Afghanistan to address the causes and consequences of displacement within Afghanistan.

(b) EXTENSION OF AUTHORITY.—Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4392), as amended by section 1216 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1632), is further amended—

(1) in subsection (a)—

(A) by striking ''$50,000,000'' and inserting ''$35,000,000''; and

(B) by striking ''in each of fiscal years 2011 and 2012'' and inserting ''for fiscal year 2013''; and

(2) in subsection (e)—

(A) by striking ''utilize funds'' and inserting ''obligate funds''; and

(B) by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

SEC. 1214. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR PROGRAM TO DEVELOP AND CARRY OUT INFRASTRUCTURE PROJECTS IN AFGHANISTAN.

Section 1217(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4393), as amended by section 1217(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1632), is further amended—

(1) by striking paragraph (1) and inserting the following new paragraph (1):

"(1) IN GENERAL.—Subject to paragraph (2), to carry out the program authorized under subsection (a), the Secretary of Defense may use amounts as follows:

"(A) Up to $400,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2012.

"(B) Up to $350,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2013.";

(2) in paragraph (2)—

(A) by striking "85 percent" and inserting "50 percent";

(B) by inserting ''for a fiscal year after fiscal year 2011'' after ''in paragraph (1)''; and

(C) by striking ''fiscal year 2012.'' and inserting ''such fiscal year, including for each project to be initiated during such fiscal year the following:

''(A) An estimate of the financial and other requirements necessary to sustain such project on an annual basis after the completion of such project.

''(B) An assessment whether the Government of Afghanistan is committed to and has the capacity to maintain and use such project after its completion.

''(C) A description of any arrangements for the sustainment of such project following its completion if the Government of Afghanistan lacks the capacity (in either financial or human resources) to maintain such project.''; and

(3) in paragraph (3), by adding at the end the following new subparagraph:

''(C) In the case of funds for fiscal year 2013, until September 30, 2014.''.

SEC. 1215. EXTENSION OF PAKISTAN COUNTERINSURGENCY FUND.

(a) EXTENSION.—Section 1224(h) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2521), as most recently amended by section 1220(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1633), is further amended by striking ''September 30, 2012'' each place it appears and inserting ''September 30, 2013''.

(b) EXTENSION OF LIMITATION ON FUNDS PENDING REPORT.—Section 1220(b)(1)(A) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1633) is amended by striking ''fiscal year 2013'' and inserting ''fiscal year 2013''.

SEC. 1216. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION OF AUTHORITY.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1630), is further amended—

(1) by striking ''for fiscal year 2012'' and

(2) by inserting '', during the period ending on September 30, 2013,'' after ''Secretary of Defense may''.

(b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d) of such section, as so amended, is further amended—

(1) by striking ''during fiscal year 2012 may not exceed $1,690,000,000'' and inserting ''may not exceed $1,750,000,000 during fiscal year 2013, except that reimbursements made during fiscal year 2013 for support provided by Pakistan before May 1, 2011, using funds available for that purpose before fiscal year 2013 shall not count against this limitation''; and

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

''(3) PROHIBITION ON REIMBURSEMENT OF PAKISTAN FOR SUPPORT DURING PERIODS CLOSED TO TRANSSHIPMENT.—Effective as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, funds (including funds from a prior fiscal year that remain available for obligation) may not be used for reimbursements under the authority in subsection (a) for Pakistan for

claims of support provided during any period when the ground lines of supply through Pakistan to Afghanistan were closed to the transshipment of equipment and supplies in support of United States military operations in Afghanistan.''.

(c) SUPPORTED OPERATIONS.—Such section is further amended in subsections (a)(1) and (b) by striking ''Operation Iraqi Freedom or''.

(d) LIMITATION ON REIMBURSEMENT OF PAKISTAN IN FISCAL YEAR 2013 PENDING CERTIFICATION ON PAKISTAN.—

(1) IN GENERAL.—Effective as of the date of the enactment of this Act, no amounts authorized to be appropriated by this Act, and no amounts authorized to be appropriated for fiscal years before fiscal year 2013 that remain available for obligation, may be used for reimbursements of Pakistan under the authority in subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008, as so amended, until the Secretary of Defense certifies to the congressional defense committees each of the following:

(A) That Pakistan has opened and is maintaining security along the ground lines of supply through Pakistan to Afghanistan for the

transshipment of equipment and supplies in support of United States military operations in Afghanistan.

(B) That Pakistan is not providing support to militant extremists groups (including the Haqqani Network and the Afghan Taliban Quetta Shura) located in Pakistan and conducting cross-border attacks against United States, coalition, or Afghanistan security forces, and is taking actions to prevent such groups from basing and operating in Pakistan.

(C) That Pakistan is demonstrating a continuing commitment, and is making significant efforts toward the implementation of a strategy, to counter improvised explosive devices, including efforts to attack improvised explosive device networks, monitor known precursors used in improvised explosive devices, and develop and implement a strict protocol for the manufacture of explosive materials (including calcium ammonium nitrate) and accessories and for their supply to legitimate end users.

(D) That Pakistan is demonstrably cooperating with United States counterterrorism efforts, including by not detaining, prosecuting,

or imprisoning citizens of Pakistan as a result of their cooperation with such efforts, including Dr. Shakil Afridi.

(2) WAIVER AUTHORITY.—The Secretary may waive the limitation in paragraph (1) if the Secretary certifies to the congressional defense committees in writing that the waiver is in the national security interests of the United States and includes with such certification a justification for the waiver.

SEC. 1217. EXTENSION AND MODIFICATION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 111–181; 122 Stat. 394), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1629)), is further amended by striking ''fiscal year 2012'' each place it appears and inserting ''fiscal year 2013''.

(b) REPEAL OF AUTHORITY FOR USE OF FUNDS IN CONNECTION WITH IRAQ.—

(1) IN GENERAL.—Subsection (a) of such section 1234, as so amended, is further amended by striking ''Iraq and''.

(2) CONFORMING AMENDMENT.—The heading of such section 1234 is amended by striking ''**IRAQ AND**''.

SEC. 1218. STRATEGY FOR SUPPORTING THE ACHIEVEMENT OF A SECURE PRESIDENTIAL ELECTION IN AFGHANISTAN IN 2014.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall, in consultation with the Secretary of State, develop a strategy to support the Government of Afghanistan in its efforts to achieve a secure presidential election in Afghanistan in 2014.

(b) ELEMENTS.—The strategy shall include support to the Government of Afghanistan for the following:

(1) The identification and training of an adequate number of personnel within the current existing end strength of the Afghanistan National Security Forces (ANSF) for security of polling stations, election materials, and protection of election workers and officials.

(2) The recruitment and training of an adequate number of female personnel in the Afghanistan National Security Forces to afford equitable access to polls for women, secure polling stations, and secure locations for counting and storing election materials.

(3) The securing of freedom of movement and communications for candidates before and during the election.

(c) FUNDING RESOURCES.—In developing the strategy, the Secretary shall identify, from among funds currently available to the Department of Defense for activities in Afghanistan, the funds required to execute the strategy.

SEC. 1219. INDEPENDENT ASSESSMENT OF THE AFGHAN NATIONAL SECURITY FORCES.

(a) INDEPENDENT ASSESSMENT REQUIRED.—The Secretary of Defense shall provide for the conduct of an independent assessment of the strength, force structure, force posture, and capabilities required to make the Afghan National Security Forces (ANSF) capable of providing security for their own country so as to prevent Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region, and the world.

(b) CONDUCT OF ASSESSMENT.—The assessment required by subsection (a) may, at the election of the Secretary, be conducted by—

(1) a Federally-funded research and development center (FFRDC); or

(2) an independent, non-governmental institute described in section 501(c)(3) of the Internal Rev-

enue Code of 1986 and exempt from tax under section 501(a) of such Code that has recognized credentials and expertise in national security and military affairs appropriate for the assessment.

(c) ELEMENTS.—The assessment required by subsection (a) shall include, but not be limited to, the following:

(1) An assessment of the likely internal and regional security environment for Afghanistan over the next decade, including challenges and threats to the security and sovereignty of Afghanistan from state and non-state actors.

(2) An assessment of the strength, force structure, force posture, and capabilities required to make the Afghan National Security Forces capable of providing security for their own country so as to prevent Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region, and the world.

(3) An assessment of any capability gaps in the Afghan National Security Forces that are likely to persist after 2014 and that will require continued support from the United States and its allies.

(4) An assessment whether current proposals for the resourcing of the Afghan National Security

Forces after 2014 are adequate to establish and maintain long-term security for the Afghanistan people, and implications of the under-resourcing of the Afghan National Security Forces for United States national security interests.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the entity selected for the conduct of the assessment required by subsection (a) shall provide to the Secretary and the congressional defense committees a report containing its findings as a result of the assessment. The report shall be submitted in unclassified form, but may include a classified annex.

(e) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, up to $1,000,000 shall be made available for the assessment required by subsection (a).

(f) AFGHAN NATIONAL SECURITY FORCES.—For purposes of this section, the Afghan National Security Forces shall include all forces under the authority of the Afghan Ministry of Defense and Afghan Ministry of Interior, including the Afghan National Army, the Afghan National Police, the Afghan Border Police, the Afghan National Civil Order Police, and the Afghan Local Police.

SEC. 1220. REPORT ON AFGHANISTAN PEACE AND REINTEGRATION PROGRAM.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the Afghanistan Peace and Reintegration Program (APRP).

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

(1) A description of the goals and objectives of the Afghanistan Peace and Reintegration Program.

(2) A description of the structure of the Program at the national and sub-national levels in Afghanistan, including the number and types of vocational training and other education programs.

(3) A description of the activities of the Program as of the date of the report.

(4) A description and assessment of the procedures for vetting individuals seeking to participate in the Program, including an assessment of the extent to which biometric identification systems are used and the role of provincial peace councils in such procedures.

(5) The amount of funding provided by the United States, and by the international community,

to support the Program, and the amount of funds so provided that have been distributed as of the date of the report.

(6) An assessment of the individuals who have been reintegrated into the Program, set forth in terms as follows:

(A) By geographic distribution by province.

(B) By number of each of low-level insurgent fighters, mid-level commanders, and senior commanders.

(C) By number confirmed to have been part of the insurgency.

(D) By number who are currently members of the Afghan Local Police.

(E) By number who are participating in or have completed vocational training or other educational programs as part of the Program.

(7) A description and assessment of the procedures for monitoring the individuals participating in the Program.

(8) A description and assessment of the role of women and minority populations in the implementation of the Program.

(9) An assessment of the effectiveness of the activities of the Program described under paragraph

(3) in achieving the goals and objectives of the Program.

(10) Such recommendations as the Secretary of Defense considers appropriate for improving the implementation, oversight, and effectiveness of the Program.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1221. COMPLETION OF ACCELERATED TRANSITION OF UNITED STATES COMBAT AND MILITARY AND SECURITY OPERATIONS TO THE GOVERNMENT OF AFGHANISTAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the President should, in coordination with the Government of Afghanistan, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, seek to—

(1) undertake all appropriate activities to accomplish the President's stated goal of transitioning the lead responsibility for security to the Government of Afghanistan by mid-summer 2013;

(2) as part of accomplishing this transition of the lead responsibility for security to the Government of Afghanistan, draw down United States troops to a level sufficient to meet this goal;

(3) as previously announced by the President, continue to draw down United States troop levels at a steady pace through the end of 2014; and

(4) end all regular combat operations by United States troops by not later than December 31, 2014, and take all possible steps to end such operations at the earliest date consistent with a safe and orderly draw down of United States troops in Afghanistan.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to recommend or support any limitation or prohibition on any authority of the President—

(1) to modify the military strategy, tactics, and operations of United States Armed Forces as such Armed Forces redeploy from Afghanistan;

(2) to authorize United States forces in Afghanistan to defend themselves whenever they may be threatened;

(3) to attack Al Qaeda forces wherever such forces are located;

(4) to provide financial support and equipment to the Government of Afghanistan for the training and supply of Afghanistan military and security forces; or

(5) to gather, provide, and share intelligence with United States allies operating in Afghanistan and Pakistan.

SEC. 1222. SENSE OF CONGRESS COMMENDING THE ENDURING STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE UNITED STATES AND AFGHANISTAN.

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

(1) The United States and Afghanistan have been allies in the conflict against al Qaeda and its affiliates for over a decade, with the shared goal of ensuring that Afghanistan is never again a sanctuary for al Qaeda.

(2) The United States and Afghanistan are committed to the framework agreed to at the North Atlantic Treaty Organization (NATO) Summit in Lisbon in 2010, and reaffirmed at the NATO Summit in Chicago in 2012, for the transition from coa-

lition forces to the Afghan National Security Forces of lead responsibility for security throughout Afghanistan by the end of 2014.

(3) In June 2011, President Barack Obama said, ''What we can do, and will do, is build a partnership with the Afghan people that endures—one that ensures that we will be able to continue targeting terrorists and supporting a sovereign Afghan government.''

(4) In November 2011, a traditional loya jirga in Kabul declared that ''strategic cooperation with the United States of America, which is a strategic ally of the people and government of Afghanistan, is considered important in order to ensure political, economic, and military security'' and also stated, ''Signing a strategic cooperation document with the United States conforms with the national interest of Afghanistan and is of significant importance.''

(5) On May 2, 2012, President Obama and President Hamid Karzai signed the Enduring Strategic Partnership Agreement Between the United States of America and the Islamic Republic of Afghanistan.

(6) At the signing of the Enduring Strategic Partnership Agreement, President Obama said,

"Today we're agreeing to be long-term partners in combating terrorism, and training Afghan security forces, strengthening democratic institutions and supporting development, and protecting human rights of all Afghans. With this agreement, the Afghan people, and the world, should know that Afghanistan has a friend and a partner in the United States."

(7) At a May 20, 2012, bilateral meeting with President Karzai at the NATO Summit in Chicago, President Obama said that the Enduring Strategic Partnership Agreement "reflects a future in which two sovereign nations—the United States and Afghanistan—are operating as partners, to the benefit of our countries' citizens, but also for the benefit of peace and security and stability in the region and around the world".

(8) President Karzai said at the May 20, 2012, bilateral meeting with President Obama, "Mr. President, the partnership that we signed a few weeks ago in Kabul has turned a new page in our relations. And the new page is a page of two sovereign countries working together for the mutual interests—peace and security and in all other areas."

(9) On May 26, 2012, the Wolesi Jirga, the lower house of the Afghan parliament, approved the Agreement by a vote of 191–7 with 2 abstentions.

(10) On June 3, 2012, the Meshrano Jirga, the upper house of the Afghan parliament, approved the Agreement by a vote of 67–13.

(11) On July 8, 2012, at the Tokyo Conference on Afghanistan, the international community and the Government of Afghanistan reaffirmed their partnership in the economic growth and development of Afghanistan through a process of mutual commitments and accountability.

(12) On July 4, 2012, the Enduring Strategic Partnership Agreement entered into force.

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

(1) the members of the United States Armed Forces, intelligence community, and diplomatic and development community of the United States are to be commended for their dedicated efforts and sacrifices in support of military and stability operations in Afghanistan that have helped strengthen security in Afghanistan, laid the foundation for transition to a long-term partnership between the United States and a sovereign Afghanistan, and supported the

Government and people of Afghanistan as they continue to build their capacity to effectively and justly govern;

(2) the United States negotiating team for the Enduring Strategic Partnership Agreement, including the United States Embassy personnel in Kabul under the leadership of Ambassador Ryan Crocker, is to be commended for its committed diplomatic efforts;

(3) the Governments of the United States and Afghanistan are to be commended for concluding the Enduring Strategic Partnership Agreement;

(4) Congress supports the objectives and principles of the Enduring Strategic Partnership Agreement, including protecting and promoting shared democratic values, advancing long-term security, reinforcing regional security and cooperation, fostering social and economic development, upholding the rights of women and minorities, and strengthening institutions and governance in Afghanistan;

(5) it is essential that the Government and people of Afghanistan fulfill Afghanistan's international commitments as agreed at the Tokyo Conference of July 2012, the Bonn Conference of December 2011, the Kabul Conference of July 2011, and other

venues to combat corruption, protect the equal rights of all citizens of Afghanistan and enforce the rule of law, hold free and fair elections in 2014, and build inclusive and effective institutions of democratic governance;

(6) a key national security interest of the United States is to maintain a long-term political, economic, and military relationship with Afghanistan, including a limited presence of United States Armed Forces for the purpose of training, advising, and supporting Afghan National Security Forces and cooperating on shared counterterrorism objectives;

(7) the negotiation and conclusion of a Bilateral Security Agreement, as called for in the Enduring Strategic Partnership Agreement, will provide a fundamental framework for the long-term security relationship between the United States and Afghanistan; and

(8) Congress has a critical role in continuing to provide the support and assistance necessary to achieve the goals of the Enduring Strategic Partnership Agreement.

SEC. 1223. CONGRESSIONAL REVIEW OF BILATERAL SECURITY AGREEMENT WITH AFGHANISTAN.

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

(1) The Authorization for the Use of Military Force (Public Law 107–40; 115 Stat. 224) authorizes the President to use all necessary and appropriate force against those nations, organizations, or persons the President determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.

(2) President Barack Obama and Secretary of Defense Leon Panetta have stated that the United States continues to fight in Afghanistan to defeat the al Qaeda threat and the Taliban, which harbored al Qaeda in Afghanistan, where the attacks of September 11, 2001, were planned and where the attackers received training.

(3) On May 1, 2012, the United States entered into the ''Enduring Strategic Partnership Agreement Between the United States of America and the Islamic Republic of Afghanistan'', which establishes an

enduring strategic partnership between the United States and the Islamic Republic of Afghanistan.

(4) The Agreement reaffirms the presence and operations of United States Armed Forces in Afghanistan, and establishes long-term commitments between the two countries, including the continued commitment of United States forces and political and financial support to the Government of Afghanistan.

(5) The Agreement also commits the United States to establishing a long-term Bilateral Security Agreement, with the goal of concluding a Bilateral Security Agreement within one year to supersede the present Status of Forces agreements with the Islamic Republic of Afghanistan.

(6) Congress was not consulted regarding the framework or substance of the Agreement.

(7) In the past, Congress has been consulted, and, in some cases, has provided its advice and consent to ratification of such agreements, including those where the use of force was not authorized nor required in the country.

(b) NOTIFICATION REQUIREMENT.—Not later than 30 days before entering into any Bilateral Security Agreement or other agreement with the Islamic Republic of Af-

ghanistan that will affect the Status of Forces agreements and long-term commitments between the United States and the Islamic Republic of Afghanistan, the President shall submit the agreement to the appropriate congressional committees for review. If the President fails to comply with such requirement, 50 percent of the unobligated balance of the amounts appropriated or otherwise made available for the Executive Office of the President shall be withheld.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1224. AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN AND CERTAIN OTHER COUNTRIES.

(a) NONEXCESS ARTICLES AND RELATED SERVICES.—The Secretary of Defense may, with the concurrence of the Secretary of State, transfer nonexcess defense

articles from the stocks of the Department of Defense, without reimbursement from the government of the recipient country, and provide defense services in connection with the transfer of such defense articles, as follows:

(1) To the military and security forces of Afghanistan to support the efforts of those forces to restore and maintain peace and security in that country.

(2) To the military and security forces of Yemen to support the efforts of those forces to conduct counterterrorism operations and counter al Qaeda in the Arabian Peninsula.

(3) To the military and security forces of Somalia and other countries in the East Africa region to support the efforts of those forces to conduct counterterrorism and postconflict stability operations in Somalia.

(b) LIMITATIONS.—

(1) VALUE.—The aggregate replacement value of all defense articles transferred and defense services provided in connection with such defense articles under subsection (a) in any fiscal year may not exceed $250,000,000.

(2) SOURCE OF TRANSFERRED ARTICLES.—The authority under subsection (a) may only be used for defense articles that—

(A) were present in Afghanistan as of the date of the enactment of this Act;

(B) immediately before transfer were in use to support operations in Afghanistan; and

(C) are no longer required by United States forces in Afghanistan.

(c) APPLICABLE LAW.—Any defense articles transferred or defense services provided under the authority of subsection (a) shall be subject to the authorities and limitations applicable to excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), other than the authorities and limitations in subsections (b)(1)(B), (e), (f), and (g) of such section.

(d) REPORT REQUIRED BEFORE EXERCISE OF AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense may not exercise the authority under subsection (a) until 15 days after the Secretary submits to the appropriate committees of Congress a report on the equipment and other property of the Department of Defense in Afghanistan.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) A description of the process for inventorying equipment and property, including defense articles, in Afghanistan owned by the Department of Defense, including equipment and property owned by the Department and under the control of contractors in Afghanistan.

(B) An estimate of the types and quantities of equipment and property of the Department of Defense, including defense articles, anticipated to be withdrawn from Afghanistan in connection with the drawdown of United States military forces from Afghanistan between the date of the enactment of this Act and December 31, 2014, including equipment and property owned by the Department and under the control of contractors in Afghanistan.

(e) NOTICE ON EXERCISE OF AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense may not transfer defense articles or provide defense services under subsection (a) until 15 days after the date on which the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate committees of Congress notice of the

proposed transfer of defense articles and provision of defense services.

(2) ELEMENTS.—A notice under paragraph (1) shall include the following:

(A) A description of the amount and types of defense articles to be transferred and defense services to be provided.

(B) A statement describing the current value of the defense articles to be transferred and the estimated replacement value of such articles.

(C) An identification of the element of the military or security force that is the proposed recipient of the defense articles to be transferred and defense service to be provided.

(D) An identification of the military department from which the defense articles to be transferred are to be drawn.

(E) An assessment of the impact, if any, of the transfer of defense articles on the readiness of units from which the defense articles are to be transferred, and the plan, if any, for mitigating such impact or reimbursing the military department of such units for such defense articles.

(F) An assessment of the ability of the recipient government to sustain the costs associated with receiving, possessing, and using the defense articles to be transferred.

(G) A determination and certification by the Secretary of Defense that—

(i) the proposed transfer of the defense articles to be transferred and the provision of defense services to be provided in connection with such transfer is in the national interest of the United States;

(ii) for the transfer of defense articles under the authority in subsection (a)(1), such defense articles are required by the military and security forces of Afghanistan to build their capacity to restore and maintain peace and security in that country;

(iii) for the transfer of defense articles and provision of defense services under the authority in subsection (a)(2), the transfer of such defense articles and provision of such defense services will contribute significantly to building key capacities of the military and security forces of Yemen required to conduct counterterrorism oper-

ations and counter al Qaeda in the Arabian Peninsula; and

(iv) for the transfer of defense articles and provision of defense services under the authority in subsection (a)(3), the transfer of such defense articles and provision of such defense services will contribute significantly to building key capabilities of the military and security forces of the recipient country to conduct counterterrorism and postconflict stability operations in Somalia.

(f) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the first transfer of defense articles and provision of defense services under the authority in subsection (a), and at the end of each calendar quarter, if any, thereafter through March 31, 2015, in which the authority in subsection (a) is exercised, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the implementation of the authority in subsection (a). Each report shall include the replacement value of the defense articles transferred pursuant to subsection (a), both in the aggregate and by military department, and defense services provided to recipient countries,

during the 90-day period ending on the date of such report.

(2) INCLUSION IN OTHER REPORT.—A report required under paragraph (1) may be included in the report required under section 9204 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2410) or any follow on report to such other report.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) DEFENSE ARTICLES.—The term ''defense articles'' has the meaning given the term in section 644(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(d)).

(3) DEFENSE SERVICES.—The term ''defense services'' has the meaning given the term in section

644(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(f)).

(4) MILITARY AND SECURITY FORCES.—The term ''military and security forces'' means national armies, national air forces, national navies, national guard forces, police forces, and border security forces, but does not include nongovernmental or irregular forces (such as private militias).

(5) EAST AFRICA REGION.—The term ''East Africa region'' means Burundi, Djibouti, Ethiopia, Kenya, Somalia, and Uganda.

(h) EXPIRATION.—The authority provided in subsection (a) may not be exercised after December 31, 2014.

(i) EXCESS DEFENSE ARTICLES.—

(1) ADDITIONAL AUTHORITY.—The authority provided by subsection (a) is in addition to the authority provided by section 516 of the Foreign Assistance Act of 1961.

(2) EXEMPTIONS.—(A) During fiscal years 2013 and 2014, the value of excess defense articles transferred from the stocks of the Department of Defense in Afghanistan to Afghanistan, Yemen, Somalia, or other countries in the East Africa region pursuant to section 516 of the Foreign Assistance Act of 1961 shall not be counted against the limita-

tion on the aggregate value of excess defense articles transferred contained in subsection (g) of such section.

(B) During fiscal years 2013 and 2014, any excess defense articles specified in subparagraph (A) shall not be subject to the authorities and limitations applicable to excess defense articles under section 516 of the Foreign Assistance Act of 1961 contained in subsections (b)(1)(B) and (e) of such section.

(3) CONSTRUCTION EQUIPMENT.—Notwithstanding section 644(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)) and section 2562 of title 10, United States Code, construction equipment from the stocks of the Department of Defense in Afghanistan may be transferred as excess defense articles under section 516 of the Foreign Assistance Act of 1961 and subject to the provisions of this subsection.

Subtitle C—Reports

SEC. 1231. REVIEW AND REPORTS ON DEPARTMENT OF DEFENSE EFFORTS TO BUILD THE CAPACITY OF AND PARTNER WITH FOREIGN SECURITY FORCES.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Defense Policy Board shall conduct a review of the efforts of the Department of Defense to build the capacity of, or partner with, foreign security forces in support of national defense and security strategies.

(2) ELEMENTS.—The review required by this subsection shall include the following:

(A) An examination of the ways in which the efforts of the Department to build the capacity of, or partner with, foreign security forces directly support implementation of current national defense and security strategies.

(B) An assessment of the range of effects that efforts of the Department to build the capacity of, or partner with, foreign security forces are designed to achieve in support of current national defense and security strategies.

(C) An assessment of the criteria used for prioritizing such efforts in support of national defense and security strategies.

(D) An identification of the authorities the Department currently uses to implement such efforts, together with an assessment of the adequacy of such authorities.

(E) An assessment of the capabilities required by the Department to implement such efforts.

(F) An assessment of the most effective distribution of the roles and responsibilities for such efforts within the Department, together with an assessment whether the Department military and civilian workforce is appropriately sized and shaped to meet the requirements of such efforts.

(G) An evaluation of current measures of the Department for assessing activities of the Department designed to build the capacity of, or partner with, foreign security forces, including an assessment whether such measures address the extent to which such activities directly support the priorities of national defense and security strategies.

(H) An identification of recommendations for clarifying or improving the guidance and assessment measures of the Department relating to its efforts to build the capacity of, or partner with, foreign security forces in support of national defense and security strategies.

(3) REPORT.—Not later than 90 days after the completion of the review required by this subsection, the Secretary of Defense shall submit to the congressional defense committees a report containing the result of the review.

(b) STRATEGIC GUIDANCE ON DEPARTMENT OF DEFENSE EFFORTS TO BUILD PARTNER CAPACITY AND OTHER PARTNERSHIP INITIATIVES.—Not later than 120 days after the completion of the review required by subsection (a), the Secretary of Defense shall, in coordination with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report setting forth the following:

(1) An assessment, taking into account the recommendations of the Defense Policy Board in the review required by subsection (a), of the efforts of the Department of Defense to build the capacity of, and partner with, foreign military forces in support of national defense and security strategies.

(2) Strategic guidance for the Department for its efforts to build the capacity of, and partner with, foreign military forces in support of national defense and security strategies, which guidance shall address—

(A) the ways such efforts directly support the goals and objectives of national defense and security strategies;

(B) the criteria to be used for prioritizing activities to implement such efforts in support of national defense and security strategies;

(C) the measures to be used to assess the effects achieved by such efforts and the extent to which such effects support the objectives of national defense and security strategies;

(D) the appropriate roles and responsibilities of the Armed Forces, the Defense Agencies, and other components of the Department in conducting such efforts; and

(E) the relationship of Department workforce planning with the requirements for such efforts.

SEC. 1232. ADDITIONAL ELEMENTS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

Section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended—

(1) in subsection (b)—

(A) by amending paragraph (9) to read as follows:

''(9) Developments in China's asymmetric capabilities, including efforts to develop and deploy cyberwarfare and electronic warfare capabilities, and associated activities originating or suspected of originating from China. This discussion of these developments shall include—

''(A) the nature of China's cyber activities directed against the Department of Defense and an assessment of the damage inflicted on the Department of Defense by reason thereof, and the potential harms;

''(B) a description of China's strategy for use and potential targets of offensive cyberwarfare and electronic warfare capabilities;

''(C) details on the number of malicious cyber incidents emanating from Internet Protocol addresses in China, including a comparison of the number of incidents during the reporting period to previous years; and

''(D) details regarding the specific People's Liberation Army; state security; research and academic; state-owned, associated, or other commercial enterprises; and other relevant ac-

tors involved in supporting or conducting cyberwarfare and electronic warfare activities and capabilities.'';

(B) by redesignating paragraphs (10), (11), and (12) as paragraphs (15), (16), and (17) respectively;

(C) by inserting after paragraph (9) the following new paragraphs:

''(10) The strategy and capabilities of Chinese space programs, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities, and efforts to develop, acquire, or gain access to advanced technologies that would enhance Chinese military capabilities.

''(11) Developments in China's nuclear capabilities, which shall include the following:

''(A) The size and state of China's nuclear stockpile.

''(B) A description of China's nuclear strategy and associated doctrines.

''(C) A description of the quantity, range, payload features, and location of China's nuclear missiles and the quantity and operational

status of their associated launchers or platforms.

"(D) An analysis of China's efforts to use electromagnetic pulse.

"(E) Projections of possible future Chinese nuclear arsenals, their capabilities, and associated doctrines.

"(F) A description of China's fissile material stockpile and civil and military production capabilities and capacities.

"(G) A discussion of any significant uncertainties or knowledge gaps surrounding China's nuclear weapons program and the potential implications of any such knowledge gaps for the security of the United States and its allies.

"(12) A description of China's anti-access and area denial capabilities.

"(13) A description of China's command, control, communications, computers, intelligence, surveillance, and reconnaissance modernization program and its applications for China's precision guided weapons.

"(14) A description of China's maritime activities, including—

"(A) China's response to Freedom of Navigation activities conducted by the Department of Defense;

"(B) an account of each time People's Liberation Army Navy vessels have transited outside the First Island Chain, including the type of vessels that were involved; and

"(C) the role of China's maritime law enforcement vessels in maritime incidents, including details regarding any collaboration between China's law enforcement vessels and the People's Liberation Army Navy."; and

(D) by adding after paragraph (17), as redesignated by subparagraph (B), the following new paragraphs:

"(18) A description of Chinese military-to-military relationships with other countries, including the size and activity of military attache offices around the world and military education programs conducted in China for other countries or in other countries for the Chinese.

"(19) A description of any significant sale or transfer of military hardware, expertise, and technology to or from the People's Republic of China, including a forecast of possible future sales and trans-

fers, and a description of the implications of those sales and transfers for the security of the United States and its friends and allies in Asia. The information under this paragraph shall include—

"(A) the extent of the People's Republic of China's knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to receiving states;

"(B) the extent in each selling state of government knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to the People's Republic of China;

"(C) an itemization of significant sales and transfers of military hardware, expertise, or technology that have taken place during the reporting period;

"(D) significant assistance by any selling state to key research and development programs in China, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons;

"(E) significant assistance by the People's Republic of China to the research and development programs of purchasing or receiving states, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons;

"(F) the extent to which arms sales to or from the People's Republic of China are a source of funds for military research and development or procurement programs in China or the selling state;

"(G) a discussion of the ability of the People's Liberation Army to assimilate such sales or transfers, mass produce new equipment, and develop doctrine for use; and

"(H) a discussion of the potential threat of developments related to such sales on the security interests of the United States and its friends and allies in Asia."; and

(2) by amending subsection (d) to read as follows:

"(d) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an assessment of the Commander of the United States Pacific Command on the following matters:

"(1) Any gaps in intelligence that limit the ability of the Commander to address challenges posed by the People's Republic of China.

"(2) Any gaps in the capabilities, capacity, and authorities of the Commander to address challenges posed by the People's Republic of China to the United States Armed Forces and United States interests in the region.

"(3) Any other matters the Commander considers to be relevant.".

SEC. 1233. REPORT ON IMPLEMENTATION BY GOVERNMENT OF BAHRAIN OF RECOMMENDATIONS IN REPORT OF THE BAHRAIN INDEPENDENT COMMISSION OF INQUIRY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the implementation by the Government of Bahrain of the recommendations

contained in the Report of the Bahrain Independent Commission of Inquiry.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) A description of the specific steps taken by the Government of Bahrain to implement each of the 26 recommendations contained in the Report of the Bahrain Independent Commission of Inquiry.

(2) An assessment of whether each recommendation has been fully complied with by the Government of Bahrain.

(3) An assessment of the impact of the findings of the Report of the Bahrain Independent Commission of Inquiry on progress toward democracy and respect for human rights in Bahrain.

SEC. 1234. REPORTS ON SYRIA.

(a) REPORT ON OPPOSITION GROUPS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Secretary of State shall submit to Congress a report describing in detail all the known opposition groups, both independent and state-sponsored, inside and outside of Syria, operating directly or indirectly to oppose the Government of Syria.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) An assessment of the current military capacity of opposition forces.

(B) An assessment of the ability of opposition forces inside and outside of Syria to establish military and political activities impacting Syria, together with a practicable timetable for accomplishing these objectives.

(C) An assessment of the ability of any of the opposition groups to establish effective military and political control in Syria.

(D) A description of the composition and political agenda of each of the known opposition groups inside and outside of Syria, and an assessment of the degree to which such groups represent the views of the people of Syria as a whole.

(E) A description of the financial resources currently available to opposition groups and known potential sources of continued financing.

(F) An assessment of the relationship between each of the Syrian opposition groups and the Muslim Brotherhood, al Qaeda, Hezbollah, Hamas, and any other groups that have pro-

moted an agenda that would negatively impact United States national interests.

(G) An assessment of the impact of support from the United States and challenges to providing such additional support to opposition forces on the factors discussed in subparagraphs (A) through (F).

(b) REPORT ON WEAPONS STOCKPILES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Secretary of Defense shall submit to Congress an assessment of the size and security of conventional and non-conventional weapons stockpiles in Syria.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) A description of who has or may have access to the stockpiles.

(B) A description of the sources and types of weapons flowing from outside Syria to both government and opposition forces.

(C) A description of U.S. and international efforts to prevent the proliferation of conventional, biological, chemical, and other types of weapons in Syria.

(c) REPORT ON CURRENT ACTIVITIES AND FUTURE PLANS TO PROVIDE ASSISTANCE TO SYRIA'S POLITICAL OPPOSITION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report on all the support provided to opposition political forces in Syria.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) A full description of the current technical assistance democracy programs conducted by the Department of State and United States Agency for International Development to support the political opposition in Syria.

(B) A full summary of the communications equipment that is currently being provided to the political opposition in Syria, including a description of the entities that have received and that will continue to receive such equipment.

(C) A description of any additional activities the United States plans to undertake in support of the political opposition in Syria.

(D) A description of the funding levels currently dedicated to support the political opposition in Syria.

(E) A description of obstacles and challenges to providing additional support to Syria's political opposition.

(d) FORM.—The reports required by this section may be submitted in a classified form.

SEC. 1235. REPORT ON MILITARY ACTIVITIES TO DENY OR SIGNIFICANTLY DEGRADE THE USE OF AIR POWER AGAINST CIVILIAN AND OPPOSITION GROUPS IN SYRIA.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report identifying the limited military activities that could deny or significantly degrade the ability of President Bashar al-Assad of Syria, and forces loyal to him, to use air power against civilians and opposition groups in Syria.

(b) NATURE OF MILITARY ACTIVITIES.—

(1) PRINCIPAL PURPOSE.—The principal purpose of the military activities identified for purposes of the report required by subsection (a) shall be to

advance the goals of President Obama of stopping the killing of civilians in Syria and creating conditions for a transition to a democratic, pluralistic political system in Syria.

(2) ADDITIONAL GOALS.—The military activities identified for purposes of the report shall also meet the goals as follows:

(A) That the United States Armed Forces conduct such activities with foreign allies or partners.

(B) That United States ground troops not be deployed onto Syrian territory.

(C) That the risk to civilians on the ground in Syria be limited.

(D) That the risks to United States military personnel be limited.

(E) That the financial costs to the United States be limited.

(c) ELEMENTS ON POTENTIAL MILITARY ACTIVITIES.—The report required by subsection (a) shall include a comprehensive description, evaluation, and assessment of the potential effectiveness of the following military activities, as required by subsection (a):

(1) The deployment of air defense systems, such as Patriot missile batteries, to neighboring

countries for the purpose of denying or significantly degrading the operational capability of Syria aircraft.

(2) The establishment of one or more no-fly zones over key population centers in Syria.

(3) Limited air strikes to destroy or significantly degrade Syria aircraft.

(4) Such other military activities as the Secretary considers appropriate to achieve the goals stated in subsection (b).

(d) ELEMENTS IN DESCRIPTION OF POTENTIAL MILITARY ACTIVITIES.—For each military activity that the Secretary identifies in subsection (c), the comprehensive description of such activities under that subsection shall include, but not be limited to, the type and the number of United States military personnel and assets to be involved in such activities, the anticipated duration of such activities, and the anticipated cost of such activities. The report shall also identify what elements would be required to maximize the effectiveness of such military activities.

(e) NO AUTHORIZATION FOR USE OF MILITARY FORCE.—Nothing in this section shall be construed as a declaration of war or an authorization for the use of force.

(f) The report required in subsection (a) shall be delivered in classified form.

Subtitle D—Other Matters

SEC. 1241. IMPROVED ADMINISTRATION OF THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES' PROGRAM.

(a) AUTHORITY.—

(1) IN GENERAL.—Chapter 6 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 168a. American, British, Canadian, and Australian Armies' Program: administration; agreements with other participating countries

"(a) AUTHORITY.—As part of the participation by the United States in the land-force program known as the American, British, Canadian, and Australian Armies' Program (in this section referred to as the 'Program'), the Secretary of Defense may, with the concurrence of the Secretary of State, enter into agreements with the other participating countries in accordance with this section, and the Program shall be managed pursuant to a joint agreement among the participating countries.

"(b) PARTICIPATING COUNTRIES.—In addition to the United States, the countries participating in the Program are the following:

"(1) Australia.

"(2) Canada.

1 "(3) New Zealand.

2 "(4) The United Kingdom.

3 "(c) CONTRIBUTIONS BY PARTICIPANTS.—(1) An
4 agreement under subsection (a) shall provide that each
5 participating country shall contribute to the Program—

6 "(A) its equitable share of the full cost for the
7 Program, including the full cost of overhead and ad-
8 ministrative costs related to the Program; and

9 "(B) any amount allocated to it in accordance
10 with the agreement for the cost for monetary claims
11 asserted against any participating country as a re-
12 sult of participation in the Program.

13 "(2) Such an agreement shall also provide that each
14 participating country (including the United States) may
15 provide its contribution for its equitable share under the
16 agreement in funds, in personal property, or in services
17 required for the Program (or in any combination thereof).

18 "(3) Any contribution by the United States to the
19 Program that is provided in funds shall be made from
20 funds available to the Department of Defense for oper-
21 ation and maintenance.

22 "(4) Any contribution received by the United States
23 from another participating country to meet that country's
24 share of the costs of the Program shall be credited to ap-
25 propriations available to the Department of Defense, as

determined by the Secretary of Defense. The amount of a contribution credited to an appropriation account in connection with the Program shall be available only for payment of the share of the Program expenses allocated to the participating country making the contribution. Amounts so credited shall be available for the following purposes:

"(A) Payments to contractors and other suppliers (including the Department of Defense and participating countries acting as suppliers) for necessary goods and services of the Program.

"(B) Payments for any damages and costs resulting from the performance or cancellation of any contract or other obligation in support of the Program.

"(C) Payments for any monetary claim against a participating country as a result of the participation of that country in the Program.

"(D) Payments or reimbursements of other Program expenses, including overhead and administrative costs for any administrative office for the Program.

"(E) Refunds to other participating countries.

"(5) Costs for the operation of any office established to carry out the Program shall be borne jointly by the

1 participating countries as provided for in an agreement
2 referred to in subsection (a).

3 "(d) AUTHORITY TO CONTRACT FOR PROGRAM AC-
4 TIVITIES.—As part of the participation by the United
5 States in the Program, the Secretary of Defense may
6 enter into contracts or incur other obligations on behalf
7 of the other participating countries for activities under the
8 Program. Any payment for such a contract or other obli-
9 gation under this subsection may be paid only from con-
10 tributions credited to an appropriation under subsection
11 (c)(4).

12 "(e) DISPOSAL OF PROPERTY.—As part of the par-
13 ticipation by the United States in the Program, the Sec-
14 retary of Defense may, with respect to any property that
15 is jointly acquired by the countries participating in the
16 Program, agree to the disposal of the property without re-
17 gard to any law of the United States that is otherwise
18 applicable to the disposal of property owned by the United
19 States. Such disposal may include the transfer of the in-
20 terest of the United States in the property to one or more
21 of the other participating countries or the sale of the prop-
22 erty. Reimbursement for the value of the property dis-
23 posed of (including the value of the interest of the United
24 States in the property) shall be made in accordance with
25 an agreement under subsection (a).

"(f) SUNSET.—Any agreement entered into by the United States with another country under subsection (a), and United States participation in the joint agreement described in that subsection, shall expire not later than five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 6 of such title is amended by adding at the end the following new item:

"168a. American, British, Canadian, and Australian Armies' Program: administration; agreements with other participating countries.".

(b) REPORT.—Not later than 60 days before the expiration date for agreements under subsection (a) of section 168a of title 10, United States Code (as added by subsection (a) of this section), pursuant to subsection (f) of such section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the activities, costs, and accomplishments of the American, British, Canadian, and Australian Armies' Program during the five-year period ending on the date of such report.

SEC. 1242. UNITED STATES PARTICIPATION IN HEADQUARTERS EUROCORPS.

(a) PARTICIPATION AUTHORIZED.—The Secretary of Defense may, with the concurrence of the Secretary of

State, authorize the participation of members of the Armed Forces as members of the staff of Headquarters Eurocorps for the purpose of supporting the North Atlantic Treaty Organization (NATO) activities of the NATO Rapid Deployable Corps Eurocorps.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) REQUIREMENT.—The participation of members of the Armed Forces as members of the staff of Headquarters Eurocorps shall be in accordance with the terms of one or more memoranda of understanding entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and Headquarters Eurocorps.

(2) COST-SHARING ARRANGEMENTS.—If Department of Defense facilities, equipment, or funds are used to support Headquarters Eurocorps, the memoranda of understanding under paragraph (1) shall provide details of any cost-sharing arrangement or other funding arrangement.

(c) LIMITATION ON NUMBER OF MEMBERS PARTICIPATING AS STAFF.—Not more than two members of the Armed Forces may participate as members of the staff of Headquarters Eurocorps, until the Secretary of Defense submits to the Committees on Armed Services of the Sen-

ate and the House of Representatives a report setting forth the following:

(1) A certification by the Secretary of Defense that the participation of more than two members of the Armed Forces in Headquarters Eurocorps is in the national interests of the United States.

(2) A description of the benefits of the participation of the additional members proposed by the Secretary.

(3) A description of the plans for the participation of the additional members proposed by the Secretary, including the grades and posts to be filled.

(4) A description of the costs associated with the participation of the additional members proposed by the Secretary.

(d) AVAILABILITY OF APPROPRIATED FUNDS.—

(1) AVAILABILITY.—Funds appropriated to the Department of Defense for operation and maintenance are available as follows:

(A) To pay the United States' share of the operating expenses of Headquarters Eurocorps.

(B) To pay the costs of the participation of members of the Armed Forces participating as members of the staff of Headquarters

Eurocorps, including the costs of expenses of such participants.

(2) LIMITATION.—No funds may be used under this section to fund the pay or salaries of members of the Armed Forces who participate as members of the staff of the Headquarters, North Atlantic Treaty Organization (NATO) Rapid Deployable Corps under this section.

(e) HEADQUARTERS EUROCORPS DEFINED.—In this section, the term ''Headquarters Eurocorps'' refers to the multinational military headquarters, established on October 1, 1993, which is one of the High Readiness Forces (Land) associated with the Allied Rapid Reaction Corps of NATO.

SEC. 1243. DEPARTMENT OF DEFENSE PARTICIPATION IN EUROPEAN PROGRAM ON MULTILATERAL EXCHANGE OF AIR TRANSPORTATION AND AIR REFUELING SERVICES.

(a) PARTICIPATION AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of the United States in the Air Transport, Air-to-Air Refueling and other Exchanges of Services program (in this section re-

ferred to as the ''ATARES program'') of the Movement Coordination Centre Europe.

(2) SCOPE OF PARTICIPATION.—Participation in the ATARES program under paragraph (1) shall be limited to the reciprocal exchange or transfer of air transportation and air refueling services on a reimbursable basis or by replacement-in-kind or the exchange of air transportation or air refueling services of an equal value.

(3) LIMITATIONS.—The United States' balance of executed flight hours, whether as credits or debits, in participation in the ATARES program under paragraph (1) may not exceed 500 hours. The United States' balanced of executed flight hours for air refueling in the ATARES program under paragraph (1) may not exceed 200 hours.

(b) WRITTEN ARRANGEMENT OR AGREEMENT.—

(1) ARRANGEMENT OR AGREEMENT REQUIRED.—The participation of the United States in the ATARES program under subsection (a) shall be in accordance with a written arrangement or agreement entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and the Movement Coordination Centre Europe.

(2) FUNDING ARRANGEMENTS.—If Department of Defense facilities, equipment, or funds are used to support the ATARES program, the written arrangement or agreement under paragraph (1) shall specify the details of any equitable cost sharing or other funding arrangement.

(3) OTHER ELEMENTS.—Any written arrangement or agreement entered into under paragraph (1) shall require that any accrued credits and liabilities resulting from an unequal exchange or transfer of air transportation or air refueling services shall be liquidated, not less than once every five years, through the ATARES program.

(c) IMPLEMENTATION.—In carrying out any written arrangement or agreement entered into under subsection (b), the Secretary of Defense may—

(1) pay the United States' equitable share of the operating expenses of the Movement Coordination Centre Europe and the ATARES consortium from funds available to the Department of Defense for operation and maintenance; and

(2) assign members of the Armed Forces or Department of Defense civilian personnel, from among members and personnel within billets authorized for the United States European Command, to duty at

the Movement Coordination Centre Europe as necessary to fulfill the United States' obligations under that arrangement or agreement.

(d) CREDITING OF RECEIPTS.—Any amount received by the United States in carrying out a written arrangement or agreement entered into under subsection (b) shall be credited, as elected by the Secretary of Defense, to the following:

(1) The appropriation, fund, or account used in incurring the obligation for which such amount is received.

(2) An appropriation, fund, or account currently available for the purposes for which such obligation was made.

(e) ANNUAL SECRETARY OF DEFENSE REPORTS.—Not later than 30 days after the end of each fiscal year in which the authority provided by this section is in effect, the Secretary of Defense shall submit to Congress a report on United States participation in the ATARES program during such fiscal year. Each report shall include the following:

(1) The United States balance of executed flight hours at the end of the fiscal year covered by such report.

(2) The types of services exchanged or transferred during the fiscal year covered by such report.

(3) A description of any United States costs under the written arrangement or agreement under subsection (b)(1) in connection with the use of Department of Defense facilities, equipment, or funds to support the ATARES program under that subsection as provided by subsection (b)(2).

(4) A description of the United States' equitable share of the operating expenses of the Movement Coordination Centre Europe and the ATARES consortium paid under subsection (c)(1).

(5) A description of any amounts received by the United States in carrying out a written arrangement or agreement entered into under subsection (b).

(f) COMPTROLLER GENERAL OF UNITED STATES REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the ATARES program. The report shall set forth the assessment of the Comptroller General of the program, including the types of services available under the program, whether the program is achieving its intended purposes, and, on the basis of actual cost data

from the performance of the program, the cost-effectiveness of the program.

(g) EXPIRATION.—The authority provided by this section to participate in the ATARES program shall expire five years after the date on which the Secretary of Defense first enters into a written arrangement or agreement under subsection (b). The Secretary shall publish notice of such date on a public website of the Department of Defense.

SEC. 1244. AUTHORITY TO ESTABLISH PROGRAM TO PROVIDE ASSISTANCE TO FOREIGN CIVILIANS FOR HARM INCIDENT TO COMBAT OPERATIONS OF THE ARMED FORCES IN FOREIGN COUNTRIES.

(a) AUTHORITY TO ESTABLISH PROGRAM.—The Secretary of Defense may establish a program, under such regulations as the Secretary may prescribe, to enable military commanders at their discretion to provide assistance to foreign civilians for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) ELEMENTS.—

(1) NATURE OF ASSISTANCE.—Any assistance provided under a program under subsection (a) may be provided only ex gratia, and shall not be consid-

ered an admission or acknowledgment of any legal obligation to compensate for any damage, personal injury, or death.

(2) TREATMENT WITH OTHER COMPENSATION.—In the event compensation for damage, personal injury, or death covered by this section is received through a separate program operated by the United States Government, receipt of compensation in such amount should be considered by the commander or legal advisor determining appropriate assistance under a program under subsection (a).

(3) AMOUNT OF ASSISTANCE.—If the Secretary of Defense determines a program under subsection (a) to be fitting in a particular setting, the amount of assistance, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment of cultural appropriateness and prevailing economic conditions.

(c) RECORDS.—

(1) IN GENERAL.—The regulations prescribed by the Secretary of Defense for purposes of any pro-

gram under subsection (a) shall include requirements as follows:

(A) That local military commanders maintain a written record of any assistance offered or denied under such program.

(B) That local military commanders submit on a timely basis a report summarizing such written records to the appropriate office in the Department of Defense as specified by the Secretary in such regulations.

SEC. 1245. SUSTAINABILITY REQUIREMENTS FOR CERTAIN CAPITAL PROJECTS IN CONNECTION WITH OVERSEAS CONTINGENCY OPERATIONS.

(a) LIMITATION.—

(1) IN GENERAL.—Commencing 60 days after the date of the enactment of this Act—

(A) amounts authorized to be appropriated for the Department of Defense may not be obligated or expended for a capital project described in subsection (b) unless the Secretary of Defense, in consultation with the United States commander of military operations in the country in which the project will be carried out, completes an assessment on the necessity and sustainability of the project;

(B) amounts authorized to be appropriated for the Department of State may not be obligated or expended for a capital project described in subsection (b) unless the Secretary of State, in consultation with the Chief of Mission in the country in which the project will be carried out, completes an assessment on the necessity and sustainability of the project; and

(C) amounts authorized to be appropriated for the United States Agency for International Development may not be obligated or expended for a capital project described in subsection (b) unless the Administrator of the United States Agency for International Development, in consultation with the Mission Director and the Chief of Mission in the country in which the project will be carried out, completes an assessment on the necessity and sustainability of the project.

(2) ELEMENTS.—Each assessment on a capital project under this subsection shall include, but not be limited to, the following:

(A) An estimate of the total cost of the completed project to the United States.

(B) An estimate of the financial and other requirements necessary for the host government to sustain the project on an annual basis after completion of the project.

(C) An assessment whether the host government has the capacity (in both financial and human resources) to maintain and use the project after completion.

(D) A description of any arrangements for the sustainment of the project following its completion if the host government lacks the capacity (in financial or human resources) to maintain the project.

(E) An assessment whether the host government has requested or expressed its need for the project, and an explanation of the decision to proceed with the project absent such request or need.

(F) An assessment by the Secretary of Defense, where applicable, of the effect of the project on the military mission of the United States in the country concerned

(b) COVERED CAPITAL PROJECTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a capital project described in this sub-

section is any capital project overseas for an overseas contingency operation for the benefit of a host country and funded by the Department of Defense, the Department of State, or the United States Agency for International Development, as applicable, if the capital project—

(A) in the case of a project that directly supports building the capacity of indigenous security forces in the host country, has an estimated value in excess of $10,000,000;

(B) in the case of any project not covered by subparagraph (A) that is to be funded by the Department of State or the United States Agency for International Development, has an estimated value in excess of $5,000,000; or

(C) in the case of any other project, has an estimated value in excess of $2,000,000.

(2) EXCLUSION.—A capital project described in this subsection does not include any project for military construction (as that term is defined in section 114(b) of title 10, United States Code) or a military family housing project under section 2821 of such title.

(c) WAIVER.—The Secretary of Defense, the Secretary of State, or the Administrator of the United States

Agency for International Development, as applicable, may waive the limitation in subsection (a) in order to initiate a capital project if such Secretary or the Administrator, as the case may be, determines that the project is in the national security, diplomatic, or humanitarian interests of the United States. In the first report submitted under subsection (d) after any waiver under this subsection, such Secretary or the Administrator shall include a detailed justification of such waiver. Not later than 45 days after issuing a waiver under this subsection, such Secretary or the Administrator shall submit to Congress the assessment described in subsection (a) with respect to the capital project concerned.

(d) SEMI-ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal-year half-year the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall each submit to the appropriate committees of Congress a report setting forth each assessment conducted under subsection (a) by such Secretary or the Administrator, as the case may be, during such fiscal-year half-year, including the elements of each capital project assessed specified in subsection (a)(2).

(2) ADDITIONAL ELEMENTS.—In addition to the matters provided for in paragraph (1), each report under that paragraph shall include the following:

(A) For each capital project covered by such report, an evaluation (other than by amount of funds expended) of the effectiveness of such project, including, at a minimum, the following:

(i) The stated goals of the project.

(ii) The actions taken to assess and verify whether the project has met the stated goals of the project or is on track to meet such goals when completed.

(iii) The current and anticipated levels of involvement of local governments, communities, and individuals in the project.

(B) For each country or region in which a capital project covered by such report is being carried out, an assessment of the following:

(i) The current and anticipated effects of violence in the country or region on all the projects in the country or region covered by such report.

(ii) The current and anticipated levels of corruption or fraud in the country or region in the connection with all the projects in the country or region covered by such report, and the current and anticipated risks of corruption or fraud in connection with such projects.

(3) FORM.—Each report shall be submitted in unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''capital project'' has the meaning given that term in section 308 of the Aid, Trade, and Competitiveness Act of 1992 (22 U.S.C. 2421e).

(3) The term ''overseas contingency operation'' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

SEC. 1246. EFFORTS TO REMOVE JOSEPH KONY FROM POWER AND END ATROCITIES COMMITTED BY THE LORD'S RESISTANCE ARMY.

Consistent with the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111–172), it is the sense of the Senate that—

(1) the ongoing United States advise and assist operation to support the regional governments in Africa in their ongoing efforts to apprehend or remove Joseph Kony and his top commanders from the battlefield and end atrocities perpetuated by his Lord's Resistance Army should continue;

(2) using amounts authorized to be appropriated by section 301 and specified in the funding table in section 4301 for Operation and Maintenance, Defense-wide for ''Additional ISR Support to Operation Observant Compass'', the Secretary of

Defense should provide increased intelligence, surveillance, and reconnaissance assets to support the ongoing efforts of United States Special Operations Forces to advise and assist regional partners as they conduct operations against the Lord's Resistance Army in Central Africa;

(3) United States and regional African forces should increase their operational coordination; and

(4) the regional governments should recommit themselves to the operations sanctioned by the African Union Peace and Security Council resolution.

SEC. 1247. IMPOSITION OF SANCTIONS WITH RESPECT TO SUPPORT FOR THE REBEL GROUP KNOWN AS M23.

(a) BLOCKING OF ASSETS.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or Executive Order 13413 (74 Fed. Reg. 64105; relating to blocking property of certain persons contributing to the conflict in the Democratic Republic of the Congo), block and prohibit all transactions in all property and interests in property of a person described in subsection (c) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(b) VISA BAN.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien who is a person described in subsection (c).

(c) PERSONS DESCRIBED.—A person described in this subsection is a person that the President determines provides, on or after the date of the enactment of this Act, significant financial, material, or technological support to M23.

(d) WAIVER.—The President may waive the application of this section with respect to a person if the President determines and reports to the appropriate congressional committees that the waiver is in the national interest of the United States.

(e) TERMINATION OF SANCTIONS.—The President may terminate sanctions imposed under this section with respect to a person on and after the date on which the President determines and reports to the appropriate congressional committees that the person has terminated the provision of significant financial, material, and technological support to M23.

(f) TERMINATION OF SECTION.—This section shall terminate on the date on which the President determines that M23 is no longer a significant threat to peace and security in the Democratic Republic of the Congo.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(2) M23.—The term ''M23'' refers to the rebel group known as M23 operating in the Democratic Republic of the Congo that derives its name from the March 23, 2009, agreement between the Government of the Democratic Republic of the Congo and the National Congress for the Defense of the People (or any successor group).

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States.

SEC. 1248. PROGRAM ON REPAIR, OVERHAUL, AND REFURBISHMENT OF DEFENSE ARTICLES FOR SALE OR TRANSFER TO ELIGIBLE FOREIGN COUNTRIES AND ENTITIES.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a program to repair, overhaul, or refurbish in-stock defense articles in anticipation of the sale or transfer of such defense articles to eligible foreign countries or international organizations under law.

(b) FUND FOR SUPPORT OF PROGRAM AUTHORIZED.—The Secretary of Defense may establish and administer a fund to be known as the ''Special Defense Repair Fund'' (in this section referred to as the ''Fund'') to support the program authorized by subsection (a).

(c) CREDITS TO FUND.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the following shall be credited to the Fund:

(A) Subject to applicable provisions of appropriations Acts, such amounts, not to exceed $48,400,000 per fiscal year, from amounts authorized to be appropriated for the Department of Defense for operation and maintenance for the Army as the Secretary of Defense considers appropriate.

(B) Notwithstanding section 114(c) of title 10, United States Code, any collection from the

sale or transfer of defense articles from Department of Defense stocks repaired, overhauled, or refurbished with amounts from the Fund that are not intended to be replaced which sale or transfer is made pursuant to section 21(a)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(a)(1)(A)), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or another provision of law.

(C) Notwithstanding section 37(a) of the Arms Export Control Act (22 U.S.C. 2777(a)), any cash payment from the sale or transfer of defense articles from Department of Defense stocks repaired, overhauled, or refurbished with amounts from the Fund that are intended to be replaced.

(2) LIMITATION ON AMOUNTS CREDITABLE FROM SALE OR TRANSFER OF ARTICLES.—

(A) CREDITS IN CONNECTION WITH ARTICLES NOT TO BE REPLACED.—The amount credited to the Fund under paragraph (1)(B) in connection with a collection from the sale or transfer of defense articles may not exceed the cost incurred by the Department of Defense in repairing, overhauling, or refurbishing such de-

fense articles under the program authorized by subsection (a).

(B) CREDITS IN CONNECTION WITH ARTICLES TO BE REPLACED.—The amount credited to the Fund under paragraph (1)(C) in connection with a sale or transfer of defense articles may not exceed the amounts from the Fund used to repair, overhaul, or refurbish such defense articles.

(3) LIMITATION ON SIZE OF FUND.—The total amount in the Fund at any time may not exceed $50,000,000.

(4) TREATMENT OF AMOUNTS CREDITED.—Amounts credited to the Fund under this subsection shall be merged with amounts in the Fund, and shall remain available until expended.

(d) NONAVAILABILITY OF AMOUNTS IN FUND FOR STORAGE, MAINTENANCE, AND RELATED COSTS.—Following the repair, overhaul, or refurbishment of defense articles under the program authorized by subsection (a), amounts in the Fund may not be used to pay costs of storage and maintenance of such defense articles or any other costs associated with the preservation or preparation for sale or transfer of such defense articles.

(e) SALES OR TRANSFERS OF DEFENSE ARTICLES.—

(1) IN GENERAL.—Any sale or transfer of defense articles repaired, overhauled, or refurbished under the program authorized by subsection (a) shall be in accordance with—

(A) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(B) the Foreign Assistance Act of 1961; or

(C) another provision of law authorizing such sale or transfer.

(2) SECRETARY OF STATE CONCURRENCE REQUIRED FOR CERTAIN SALES OR TRANSFERS TO FOREIGN COUNTRIES.—If the sale or transfer of defense articles occurs in accordance with a provision of law referred to in paragraph (1)(C) that does not otherwise require the concurrence of the Secretary of State for the sale or transfer, the sale or transfer may be made only with the concurrence of the Secretary of State.

(f) TRANSFERS OF AMOUNTS.—

(1) TRANSFER TO OTHER DEPARTMENT OF DEFENSE ACCOUNTS.—Amounts in the Fund may be transferred to any Department of Defense account used to carry out the program authorized by subsection (a). Any amount so transferred shall be merged with amounts in the account to which trans-

ferred, and shall be available for the same purposes and the same time period as amounts in the account to which transferred.

(2) TRANSFER FROM OTHER DEPARTMENT OF DEFENSE ACCOUNTS.—Upon a determination by the Secretary of Defense with respect to an amount transferred under paragraph (1) that all or part of such transfer is not necessary for the purposes transferred, such amount may be transferred back to the Fund. Any amount so transferred shall be merged with amounts in the Fund, and shall remain available until expended.

(g) CERTAIN EXCESS PROCEEDS TO BE CREDITED TO SPECIAL DEFENSE ACQUISITION FUND.—Any collection from the sale or transfer of defense articles that are not intended to be replaced in excess of the amount creditable to the Fund under subsection (c)(2)(A) shall be credited to the Special Defense Acquisition Fund established pursuant to chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.).

(h) REPORTS.—

(1) ANNUAL REPORT.—Not later than 45 days after the end of each fiscal year through the date of expiration specified in subsection (j), the Secretary of Defense shall submit to the congressional defense

1 committees a report on the authorities under this
2 section during such fiscal year. Each report shall in-
3 clude, for the fiscal year covered by such report, the
4 following:
5 (A) The types and quantities of defense ar-
6 ticles repaired, overhauled, or refurbished under
7 the program authorized by subsection (a).
8 (B) The value of the repair, overhaul, or
9 refurbishment performed under the program.
10 (C) The amount of operation and mainte-
11 nance funds credited to the Fund under sub-
12 section (c)(1)(A).
13 (D) The amount of any collections from
14 the sale or transfer of defense articles repaired,
15 overhauled, or refurbished under the program
16 that was credited to the Fund under subsection
17 (c)(1)(B).
18 (E) The amount of any cash payments
19 from the sale or transfer of defense articles re-
20 paired, overhauled, or refurbished under the
21 program that was credited to the Fund under
22 subsection (c)(1)(C).
23 (2) ASSESSMENT REPORT.—Not later than
24 February 1, 2015, the Secretary of Defense shall
25 submit to the congressional defense committees a re-

port on the operation of the authorities in this section. The report shall include an assessment of the effectiveness of the authorities in meeting the objectives of the program authorized by subsection (a).

(i) DEFENSE ARTICLE DEFINED.—In this section, the term ''defense article'' has the meaning given that term in section 47(3) of the Arms Export Control Act (22 U.S.C. 2794(3)).

(j) EXPIRATION OF AUTHORITY.—The authority to carry out the program authorized by subsection (a), and to use amounts in the Fund in support of the program, shall expire on September 30, 2015.

(k) FUNDING FOR FISCAL YEAR 2013.—Of the amounts authorized to be appropriated for fiscal year 2013 by section 1504 for Overseas Contingency Operations and available for operation and maintenance for the Army as specified in funding table in section 4302, $48,400,000 shall be available for deposit in the Fund pursuant to subsection (c)(1)(A), with the amount of the deposit to be attributable to amounts otherwise so available for the YMQ–18A unmanned aerial vehicle, which has been cancelled.

SEC. 1249. PLAN FOR PROMOTING THE SECURITY OF AFGHAN WOMEN AND GIRLS DURING THE SECURITY TRANSITION PROCESS.

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

(1) According to the Department of Defense's April 2012 Report on Progress Toward Security and Stability in Afghanistan:

(A) ''U.S. and coalition forces will continue to degrade the Taliban-led insurgency in order to provide time and space to increase the capacity of the Afghan National Security Forces and the Afghan Government so they can assume full responsibility for Afghanistan's security by the end of 2014.''

(B) ''Transition to Afghan security lead began in July 2011 and transition to full Afghan security responsibility will be complete country-wide by the end of 2014.''

(C) ''The security of the Afghan people and the stability of the government are used to judge provincial readiness to move to each successive stage of transition implementation.''

(D) For each area designated for transition, a transition implementation plan is developed by the Government of Afghanistan,

NATO, and ISAF and approved by the Joint Afghan-NATO Inteqal Board (JANIB). JANIB is also responsible for recommending areas to enter and exit the transition process.

(2) According to a 2002 study on Women, Peace and Security submitted by the Secretary-General of the United Nations pursuant to Security Council resolution 1325 (2000), ''the suspension of or restriction on women's enjoyment of their human rights'' can act as an early-warning indicator of impending or renewed conflict. In Afghanistan, restrictions on women's mobility and rights can signal the presence of extremist or insurgent elements in a community.

(3) The security of Afghan women and girls in areas undergoing security transitions will be an important gauge of the transition strategy's success. Indicators by which to measure women's security include the mobility of women and girls, the participation of women in local government bodies, the rate of school attendance for girls, women's access to government services, and the prevalence of violence against women.

(4) Maintaining and improving physical security for Afghan women and girls throughout the country

is critical in order for women and girls to take advantage of opportunities in education, commerce, politics, and other areas of public life, which in turn is essential for the future stability and prosperity of Afghanistan.

(5) Women who serve as public officials at all levels of the Government of Afghanistan face serious threats to their personal security and that of their families. Many female officials have been the victims of violent crimes, but they are generally not afforded official protection by the Government of Afghanistan or security forces.

(6) Protecting the security and human rights of Afghan women and girls requires the involvement of Afghan men and boys through education about the important benefits of women's full participation in social, economic, and political life. Male officials and security personnel can play a particularly important role in supporting and protecting women and girls.

(7) The Chicago Summit Declaration issued by NATO in May 2012 states: "As the Afghan National Police further develop and professionalize, they will evolve towards a sustainable, credible, and accountable civilian law enforcement force that will shoulder the main responsibility for domestic secu-

rity. This force should be capable of providing policing services to the Afghan population as part of the broader Afghan rule of law system.''

(8) Women face significant barriers to full participation in the ANA and ANP, including a discriminatory or hostile work environment and the lack of separate facilities designed for female personnel.

(9) As of September 2012, female recruitment and retention rates for the Afghan National Security Forces are far below published targets, as follows:

(A) Approximately 1,700 women serve in the Afghan National Security Forces, or less than half of one percent of the total force.

(B) In 2010, President Hamid Karzai announced plans to recruit and train 5,000 women in the Afghan National Police, or approximately 3 percent of the force, by 2014. Currently, there are approximately 1,370 women in the ANP, or 0.87 percent of the police force.

(C) Approximately 350 women currently serve in the Afghan National Army, representing only 0.17 percent of the force. The Government of Afghanistan has said that its

goal is to achieve a force that is 10 percent female. As of May 2012, approximately 3 percent of new ANA recruits were women.

(10) Male security personnel often do not respond to threats or incidences of violence against women, particularly at the local level. They largely lack the training and understanding needed to respond appropriately and effectively to situations involving women. According to the Department of Defense's April 2012 Report on Progress Toward Security and Stability in Afghanistan:

(A) The Afghan Ministry of Defense ''lacks the combination of policies, procedures, and execution to promote opportunity and fair and respectful treatment of women in the force''.

(B) The Afghan Ministry of Interior ''faces significant challenges in fully integrating and protecting women in the ANP workforce, especially among operational units at the provincial and district levels''.

(C) In the Afghan National Police, ''Many Provincial Headquarters Commanders do not accept policewomen, as they prefer male can-

didates and lack adequate facilities to support females.''

(D) ''While women are greatly needed to support police operations, a combination of cultural impediments, weak recruitment, and uneven application of policies hinder significant progress.''

(E) ''Although stronger documentation, implementation, and enforcement of policies, procedures, and guidance to better integrate women will help, time will be needed to change the cultural mores that form the basis of many of the current impediments.''

(11) The United States, the North American Treaty Organization, and United States coalition partners have made firm commitments to support the human rights of the women and girls of Afghanistan, as evidenced by the following actions:

(A) According to the United States National Action Plan on Women, Peace and Security, ''integrating women and gender considerations into peace-building processes helps promote democratic governance and long-term stability,'' which are key United States strategic goals in Afghanistan.

(B) The National Action Plan also states that ''the engagement and protection of women as agents of peace and stability will be central to United States efforts to promote security, prevent, respond to, and resolve conflict, and rebuild societies.'' This policy applies to United States Government efforts in Afghanistan, where addressing the security vulnerabilities of Afghan women and girls during the period of security transition is an essential step toward long-term stability.

(C) The Chicago Summit Declaration issued by NATO in May 2012 states: ''We emphasize the importance of full participation of all Afghan women in the reconstruction, political, peace and reconciliation processes in Afghanistan and the need to respect the institutional arrangements protecting their rights. We remain committed to the implementation of United Nations Security Council Resolution (UNSCR) 1325 on women, peace and security. We recognize also the need for the protection of children from the damaging effects of armed conflict as required in relevant UNSCRs.''

(12) The Strategic Partnership Agreement signed between the United States and Afghanistan by President Obama and President Karzai in June 2012 states, ''Consistent with its Constitution and international obligations, Afghanistan shall ensure and advance the essential role of women in society, so that they may fully enjoy their economic, social, political, civil and cultural rights.''

(b) PLAN TO PROMOTE SECURITY OF AFGHAN WOMEN.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in concurrence with the Secretary of State, shall submit to the appropriate congressional committees a plan to promote the security of Afghan women during the security transition process.

(2) ELEMENTS.—The plan required under paragraph (1) shall include the following elements:

(A) A plan to monitor and respond to changes in women's security conditions in areas undergoing transition, including the following actions:

(i) Seeking to designate a Civilian Impact Advisor on the Joint Afghan-NATO

Inteqal Board (JANIB) to assess the impact of transition on male and female civilians and ensure that efforts to protect women's rights and security are included in each area's transition implementation plan.

(ii) Reviewing existing indicators against which sex-disaggregated data is collected and, if necessary, developing additional indicators, to ensure the availability of data that can be used to measure women's security, such as—

(I) the mobility of women and girls;

(II) the participation of women in local government bodies;

(III) the rate of school attendance for girls;

(IV) women's access to government services; and

(V) the prevalence of violence against women; and incorporating those indicators into ongoing efforts to assess overall security conditions during the transition period.

(iii) Integrating assessments of women's security into current procedures used to determine an area's readiness to proceed through the transition process.

(iv) Working with Afghan partners, coalition partners, and relevant United States Government departments and agencies to take concrete action to support women's rights and security in cases of deterioration in women's security conditions during the transition period.

(B) A plan to increase gender awareness and responsiveness among Afghan National Army and Afghan National Police personnel, including the following actions:

(i) Working with Afghan and coalition partners to utilize training curricula and programming that addresses the human rights of women and girls, appropriate responses to threats against women and girls, and appropriate behavior toward female colleagues and members of the community; assessing the quality and consistency of this training across regional com-

mands; and assessing the impact of this training on trainee behavior.

(ii) Working with national and local ANA and ANP leaders to develop and utilize enforcement and accountability mechanisms for ANA and ANP personnel who violate codes of conduct related to the human rights of women and girls.

(iii) Working with Afghan and coalition partners to implement the above tools and develop uniform methods and standards for training and enforcement among coalition partners and across regions.

(C) A plan to increase the number of female members of the ANA and ANP, including the following actions:

(i) Providing, through consultation with Afghan partners, realistic and achievable objectives for the recruitment and retention of women to the ANA and ANP by the end of the security transition period in 2014.

(ii) Working with national and local ANA and ANP leaders and coalition partners to address physical and cultural chal-

lenges to the recruitment and retention of female ANA and ANP personnel, including through targeted recruitment campaigns, expanded training and mentorship opportunities, parity in pay and promotion rates with male counterparts, and availability of facilities for female personnel.

(iii) Working with national and local ANA and ANP leaders to increase understanding about the unique ways in which women members of the security forces improve the force's overall effectiveness.

(iv) Working with national and local ANA and ANP leaders to develop a plan for maintaining and increasing the recruitment and retention of women in the ANA and ANP following the completion of the security transition.

(3) REPORT.—The Secretary of Defense shall include in each report on progress toward security and stability in Afghanistan that is submitted to Congress under sections 1230 and 1231 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385, 390) a

section describing actions taken to implement the plan required under this subsection.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1250. SENSE OF CONGRESS ON THE ISRAELI IRON DOME DEFENSIVE WEAPON SYSTEM.

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

(1) The citizens of Israel have suffered under a continual barrage of missiles, rockets, and mortar shells from the Hamas-controlled Gaza Strip.

(2) Hamas has been designated by the Secretary of State as a Foreign Terrorist Organization.

(3) Hamas and other terrorist groups in Gaza have routinely used human shields and launched rockets from civilian areas.

(4) Israel has gone to extraordinary lengths to avoid Palestinian civilian casualties, including aborting attacks on military targets because of the

presence of civilians, alerting civilians to leave areas of potential conflict, and allowing the importation of medical and other supplies into Gaza.

(5) Israel faces additional rocket and missile threats from Lebanon and Syria.

(6) The Government of Iran has supplied Hamas with advanced longer range missiles such as the Fajar-5.

(7) Hamas has deployed these weapons to be fired from within their own civilian population.

(8) The Government of Israel, taking seriously the threat of short range rockets and mortars, designed, developed, and produced the Iron Dome system to address those threats.

(9) The Iron Dome system has successfully intercepted hundreds of rockets targeting population centers in Israel.

(10) The Iron Dome system has maintained a success rate of close to 90 percent.

(11) The Government of Israel currently maintains 5 Iron Dome batteries, a number insufficient to protect all of Israel.

(12) It appears that approximately 10 additional Iron Dome batteries are needed to protect all of Israel.

(13) The United States Government, recognizing the threat to Israeli citizens and desirous of promoting peace, approved funding to assist the Government of Israel in procuring Iron Dome batteries.

(14) Israel maintains a significant inventory of Iron Dome interceptors which has been reduced due to attacks from Gaza.

(15) Israel used a significant number of precision-guided munitions in order to destroy military targets while minimizing civilian casualties in its recent defensive effort in Gaza.

(16) President Barack Obama has expressed his intention to seek additional funding for Iron Dome and other United States-Israel missile defense systems.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its commitment to the security of our ally and strategic partner, Israel;

(2) fully supports Israel's right to defend itself against acts of terrorism;

(3) sympathizes with the families of Israelis who have come under the indiscriminate rocket fire from Hamas-controlled Gaza;

(4) recognizes the exceptional success of the Iron Dome Missile Defense system in defending the population of Israel;

(5) desires to help ensure that Israel has the means to defend itself against terrorist attacks, including through the acquisition of additional Iron Dome batteries and interceptors; and

(6) urges the Departments of Defense and State to explore with their Israeli counterparts and alert Congress of any needs the Israeli Defense Force may have for additional Iron Dome batteries, interceptors, or other equipment depleted during the current conflict.

SEC. 1251. SENSE OF THE SENATE ON THE SITUATION IN THE SENKAKU ISLANDS.

It is the sense of the Senate that—

(1) the East China Sea is a vital part of the maritime commons of Asia, including critical sea lanes of communication and commerce that benefit all nations of the Asia-Pacific region;

(2) the peaceful settlement of territorial and jurisdictional disputes in the East China Sea requires the exercise of self-restraint by all parties in the conduct of activities that would complicate or escalate disputes and destabilize the region, and differences

should be handled in a constructive manner consistent with universally recognized principles of customary international law;

(3) while the United States takes no position on the ultimate sovereignty of the Senkaku islands, the United States acknowledges the administration of Japan over the Senkaku Islands;

(4) The unilateral action of a third party will not affect the United States' acknowledgment of the administration of Japan over the Senkaku Islands;

(5) the United States has national interests in freedom of navigation, the maintenance of peace and stability, respect for international law, and unimpeded lawful commerce;

(6) the United States supports a collaborative diplomatic process by claimants to resolve territorial disputes without coercion, and opposes efforts at coercion, the threat of use of force, or use of force by any claimant in seeking to resolve sovereignty and territorial issues in the East China Sea; and

(7) the United States reaffirms its commitment to the Government of Japan under Article V of the Treaty of Mutual Cooperation and Security that ''[e]ach Party recognizes that an armed attack against either Party in the territories under the ad-

ministration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes''.

SEC. 1252. BILATERAL DEFENSE TRADE RELATIONSHIP WITH INDIA.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that articulates the vision of the Department of Defense for defense trade relations between the United States and India within the context of the overall bilateral defense relationship.

(2) CONTENT.—The report required under paragraph (1) shall include the following elements:

(A) A description of the Department's approach for normalizing defense trade.

(B) An assessment of the defense capabilities that could enhance cooperation and coordination between the Governments of the United States and India on matters of shared security interests.

(b) COMPREHENSIVE POLICY REVIEW.—

(1) IN GENERAL.—The Secretary of Defense shall lead a comprehensive policy review to examine the feasibility of engaging in co-production and co-development defense projects with India.

(2) SCOPE.—The policy review should—

(A) examine the parameters and requirements for United States-India cooperation as well as the terms and conditions India must fulfill to broach such cooperation; and

(B) consider potential areas of cooperation, including the possibility of co-producing a training aircraft and co-developing counter-IED technology or individual soldier capabilities.

(c) SENSE OF CONGRESS ON INTERNATIONAL INITIATIVES.—It is the sense of Congress that the Department of Defense, in coordination with the Department State, should—

(1) conduct a review of all United States–India bilateral working groups dealing with high technology transfers, including technology security and licensing for dual-use and munitions licenses, and determine the feasibility of establishing a single United States Government working group dedicated to strategic technology trade;

(2) engage counterparts in the Government of India in an intensified dialogue on the current challenges related to the compatibility of the Foreign Military Sales and direct commercial sales programs with the Indian Defense Procurement Procedure (DPP), and steps to improve compatibility;

(3) engage counterparts in the Government of India in a dialogue about the elements of an effective defense industrial base, including personnel training, quality assurance, and manufacturing procedures;

(4) consider the establishment of orientation programs for new defense officials in the Government of India about the procedures for United States defense sales, including licensing processes; and

(5) continue and deepen ongoing efforts to assist the Government of India in developing its defense acquisition expertise by assisting with the development of training institutions and human capital.

Subtitle E—Iran Sanctions

SEC. 1261. SHORT TITLE.

This subtitle may be cited as the ''Iran Freedom and Counter-Proliferation Act of 2012''.

SEC. 1262. DEFINITIONS.

(a) IN GENERAL.—In this subtitle:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(3) COAL.—The term ''coal'' means metallurgical coal, coking coal, or fuel coke.

(4) CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''correspondent account'' and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(5) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

(6) IRANIAN FINANCIAL INSTITUTION.—The term ''Iranian financial institution'' has the meaning

given that term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

(7) IRANIAN PERSON.—The term ''Iranian person'' means—

(A) an individual who is a citizen or national of Iran; and

(B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(8) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(9) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(10) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(11) SHIPPING.—The term ''shipping'' refers to the transportation of goods by a vessel and related activities.

(12) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 101 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511).

(13) VESSEL.—The term ''vessel'' has the meaning given that term in section 3 of title 1, United States Code.

(b) DETERMINATIONS OF SIGNIFICANCE.—For purposes of this subtitle, in determining if financial transactions or financial services are significant, the President may consider the totality of the facts and circumstances, including factors similar to the factors set forth in section 561.404 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

SEC. 1263. DECLARATION OF POLICY ON HUMAN RIGHTS.

(a) FINDING.—Congress finds that the interests of the United States and international peace are threatened by the ongoing and destabilizing actions of the Government of Iran, including its massive, systematic, and extraordinary violations of the human rights of its own citizens.

(b) DECLARATION OF POLICY.—It shall be the policy of the United States—

(1) to deny the Government of Iran the ability to continue to oppress the people of Iran and to use violence and executions against pro-democracy protestors and regime opponents;

(2) to fully and publicly support efforts made by the people of Iran to promote the establishment of basic freedoms that build the foundation for the emergence of a freely elected, open, and democratic political system;

(3) to help the people of Iran produce, access, and share information freely and safely via the Internet and through other media; and

(4) to defeat all attempts by the Government of Iran to jam or otherwise obstruct international satellite broadcast signals.

SEC. 1264. IMPOSITION OF SANCTIONS WITH RESPECT TO THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN.

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

(1) Iran's energy, shipping, and shipbuilding sectors and Iran's ports are facilitating the Govern-

ment of Iran's nuclear proliferation activities by providing revenue to support proliferation activities.

(2) The United Nations Security Council and the United States Government have expressed concern about the proliferation risks presented by the Iranian nuclear program.

(3) The Director General of the International Atomic Energy Agency (in this section referred to as the ''IAEA'') has in successive reports (GOV/2012/37 and GOV/2011/65) identified possible military dimensions of Iran's nuclear program.

(4) The Government of Iran continues to defy the requirements and obligations contained in relevant IAEA Board of Governors and United Nations Security Council resolutions, including by continuing and expanding uranium enrichment activities in Iran, as reported in IAEA Report GOV/2012/37.

(5) United Nations Security Council Resolution 1929 (2010) recognizes the ''potential connection between Iran's revenues derived from its energy sector and the funding of Iran's proliferation sensitive nuclear activities''.

(6) The National Iranian Tanker Company is the main carrier for the Iranian Revolutionary Guard Corps-designated National Iranian Oil Com-

pany and a key element in the petroleum supply chain responsible for generating energy revenues that support the illicit nuclear proliferation activities of the Government of Iran.

(b) DESIGNATION OF PORTS AND ENTITIES IN THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN AS ENTITIES OF PROLIFERATION CONCERN.—Entities that operate ports in Iran and entities in the energy, shipping, and shipbuilding sectors of Iran, including the National Iranian Oil Company, the National Iranian Tanker Company, the Islamic Republic of Iran Shipping Lines, and their affiliates, play an important role in Iran's nuclear proliferation efforts and all such entities are hereby designated as entities of proliferation concern.

(c) BLOCKING OF PROPERTY OF ENTITIES IN ENERGY, SHIPPING, AND SHIPBUILDING SECTORS.—

(1) IN GENERAL.—On and after the date that is 90 days after the date of the enactment of this Act, the President shall block and prohibit all transactions in all property and interests in property of any person described in paragraph (2) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) PERSONS DESCRIBED.—A person is described in this paragraph if the President determines that the person, on or after the date that is 90 days after the date of the enactment of this Act—

(A) is part of the energy, shipping, or shipbuilding sectors of Iran;

(B) operates a port in Iran; or

(C) knowingly provides significant financial, material, technological, or other support to, or goods or services in support of any activity or transaction on behalf of or for the benefit of—

(i) a person determined under subparagraph (A) to be a part of the energy, shipping, or shipbuilding sectors of Iran;

(ii) a person determined under subparagraph (B) to operate a port in Iran; or

(iii) an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in paragraph (3)).

(3) IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—An Iranian financial institution described in this paragraph is an Iranian financial institution that has not been designated for the imposition of sanctions in connection with—

(A) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction;

(B) Iran's support for international terrorism; or

(C) Iran's abuses of human rights.

(d) ADDITIONAL SANCTIONS WITH RESPECT TO THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN.—

(1) SALE, SUPPLY, OR TRANSFER OF CERTAIN GOODS AND SERVICES.—Except as provided in this section, the President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) with respect to a person if the President determines that the person knowingly, on or after the date that is 90 days after the date of the enactment of this Act, sells, supplies, or transfers to or from Iran significant goods or services described in paragraph (3).

(2) FACILITATION OF CERTAIN TRANSACTIONS.—Except as provided in this section, the President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 90 days after the date of the enactment of this Act, conducts or facilitates a significant financial transaction for the sale, supply, or transfer to or from Iran of goods or services described in paragraph (3).

(3) GOODS AND SERVICES DESCRIBED.—Goods or services described in this paragraph are goods or services used in connection with the energy, shipping, or shipbuilding sectors of Iran, including the National Iranian Oil Company, the National Iranian Tanker Company, and the Islamic Republic of Iran Shipping Lines.

(4) APPLICATION OF CERTAIN PROVISIONS OF IRAN SANCTIONS ACT OF 1996.—The following provisions of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) shall apply with respect to the imposition of sanctions under paragraph (1) to the same extent that such provisions apply

with respect to the imposition of sanctions under section 5(a) of that Act:

(A) Subsections (c), (d), and (f) of section 5 (except for paragraphs (3) and (4)(C) of such subsection (f)).

(B) Sections 8, 11, and 12.

(e) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

(f) APPLICABILITY OF SANCTIONS TO PETROLEUM AND PETROLEUM PRODUCTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall apply with respect to the purchase of petroleum or petroleum products from Iran only if, at the time of the purchase, a determination of the President under section 1245(d)(4)(B) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(B)) that the price and supply of petroleum and petroleum products produced in countries other than Iran is sufficient to permit purchasers of petroleum and petroleum products from Iran to re-

duce significantly their purchases from Iran is in effect.

(2) EXCEPTION FOR CERTAIN COUNTRIES.—

(A) EXPORTATION.—This section shall not apply with respect to the exportation of petroleum or petroleum products from Iran to a country to which the exception under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) applies at the time of the exportation of the petroleum or petroleum products.

(B) FINANCIAL TRANSACTIONS.—

(i) IN GENERAL.—This section shall not apply with respect to a financial transaction described in clause (ii) conducted or facilitated by a foreign financial institution if, at the time of the transaction, the exception under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) applies to the country with primary jurisdiction over the foreign financial institution.

(ii) FINANCIAL TRANSACTIONS DESCRIBED.—A financial transaction conducted or facilitated by a foreign financial institution is described in this clause if—

(I) the financial transaction is for the purchase of purchase of petroleum or petroleum products from Iran;

(II) the financial transaction is only for trade in goods or services—

(aa) not otherwise subject to sanctions under the law of the United States; and

(bb) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(III) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(g) APPLICABILITY OF SANCTIONS TO NATURAL GAS.—

(1) SALE, SUPPLY, OR TRANSFER.—Except as provided in paragraph (2), this section shall not

apply to the sale, supply, or transfer to or from Iran of natural gas.

(2) FINANCIAL TRANSACTIONS.—This section shall apply to a foreign financial institution that conducts or facilitates a financial transaction for the sale, supply, or transfer to or from Iran of natural gas unless—

(A) the financial transaction is only for trade in goods or services—

(i) not otherwise subject to sanctions under the law of the United States; and

(ii) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(B) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(h) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under this section for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1265. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS TO OR FROM IRAN.

(a) SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS.—The President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) with respect to a person if the President determines that the person knowingly, on or after the date that is 90 days after the date of the enactment of this Act, sells, supplies, or transfers, directly or indirectly, to or from Iran—

(1) a precious metal;

(2) a material described in subsection (c) determined pursuant to subsection (d)(1) to be used by Iran as described in that subsection;

(3) any other material described in subsection (c) if—

(A) the material is—

(i) to be used in connection with the energy, shipping, or shipbuilding sectors of Iran or any sector of the economy of Iran controlled directly or indirectly by Iran's Revolutionary Guard Corps;

(ii) sold, supplied, or transferred to or from an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury; or

(iii) relevant to the nuclear, military, or ballistic missile programs of Iran; or

(B) the material is resold, retransferred, or otherwise supplied—

(i) to an end-user in a sector described in clause (i) of subparagraph (A);

(ii) to a person described in clause (ii) of that subparagraph; or

(iii) for a program described in clause (iii) of that subparagraph.

(b) FACILITATION OF CERTAIN TRANSACTIONS.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 90 days after the date of the enactment of this Act, conducts or facilitates a significant financial transaction for the sale, supply, or transfer to or from Iran of materials the sale, supply, or transfer of which would subject a person to sanctions under subsection (a).

(c) MATERIALS DESCRIBED.—Materials described in this subsection are graphite, raw or semi-finished metals such as aluminum and steel, coal, and software for integrating industrial processes.

(d) DETERMINATION WITH RESPECT TO USE OF MATERIALS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees and publish in the Federal Register a report that contains the determination of the President with respect to—

(1) whether Iran is—

(A) using any of the materials described in subsection (c) as a medium for barter, swap, or any other exchange or transaction; or

(B) listing any of such materials as assets of the Government of Iran for purposes of the national balance sheet of Iran;

(2) which sectors of the economy of Iran are controlled directly or indirectly by Iran's Revolutionary Guard Corps; and

(3) which of the materials described in subsection (c) are relevant to the nuclear, military, or ballistic missile programs of Iran.

(e) EXCEPTION FOR PERSONS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under subsection (a) or (b) with respect to a person if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not sell, supply, or transfer to or from Iran materials the sale, supply, or transfer of which would subject a person to sanctions under subsection (a) or conduct or facilitate a financial transaction for such a sale, supply, or transfer.

(f) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under this section for a

period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(g) NATIONAL BALANCE SHEET OF IRAN DEFINED.—For purposes of this section, the term ''national balance sheet of Iran'' refers to the ratio of the assets of the Government of Iran to the liabilities of that Government.

SEC. 1266. IMPOSITION OF SANCTIONS WITH RESPECT TO THE PROVISION OF UNDERWRITING SERVICES OR INSURANCE OR REINSURANCE FOR ACTIVITIES OR PERSONS WITH RESPECT TO WHICH SANCTIONS HAVE BEEN IMPOSED.

(a) IN GENERAL.—Except as provided in subsection (b), the President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996

(Public Law 104–172; 50 U.S.C. 1701 note) with respect to a person if the President determines that the person knowingly, on or after the date that is 90 days after the date of the enactment of this Act, provides underwriting services or insurance or reinsurance—

(1) for any activity with respect to Iran for which sanctions have been imposed under this subtitle, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Iran Sanctions Act of 1996, the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.), the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S.C. 1701 note), or any other provision of law relating to the imposition of sanctions with respect to Iran;

(2) to or for any person—

(A) with respect to, or for the benefit of any activity in the energy, shipping, or shipbuilding sectors of Iran for which sanctions are imposed under this subtitle;

(B) for the sale, supply, or transfer to or from Iran of materials described in section 1255(c); or

(C) designated for the imposition of sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) in connection with—

(i) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction; or

(ii) Iran's support for international terrorism; or

(3) to or for any Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

(b) IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—An Iranian financial institution described in this subsection is an Iranian financial institution that has not been designated for the imposition of sanctions in connection with—

(1) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction;

(2) Iran's support for international terrorism; or

(3) Iran's abuses of human rights.

(c) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under subsection (a) for the provision of underwriting services or insurance or reinsurance for a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

(d) EXCEPTION FOR UNDERWRITERS AND INSURANCE PROVIDERS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under paragraph (1) or (3) or subparagraph (A) or (B) of paragraph (2) of subsection (a) with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not underwrite or enter into a contract to provide insurance or reinsurance for an activity described in paragraph (1) of that subsection or to or for any person described in paragraph (3) or subparagraph (A) or (B) of paragraph (2) of that subsection.

(e) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under subsection (a) for a period of not more than 120 days, and may renew

that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(f) APPLICATION OF CERTAIN PROVISIONS OF IRAN SANCTIONS ACT OF 1996.—The following provisions of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) shall apply with respect to the imposition of sanctions under subsection (a) to the same extent that such provisions apply with respect to the imposition of sanctions under section 5(a) of that Act:

(1) Subsections (c), (d), and (f) of section 5 (except for paragraphs (3) and (4)(C) of such subsection (f)).

(2) Sections 8, 11, and 12.

SEC. 1267. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT FACILITATE FINANCIAL TRANSACTIONS ON BEHALF OF SPECIALLY DESIGNATED NATIONALS.

(a) IN GENERAL.—Except as provided in this section, the President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines has, on or after the date that is 90 days after the date of the enactment of this Act, knowingly facilitated a significant financial transaction on behalf of any Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

(b) IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—An Iranian financial institution described in this subsection is an Iranian financial institution that has not been designated for the imposition of sanctions in connection with—

(1) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction;

(2) Iran's support for international terrorism; or

(3) Iran's abuses of human rights.

(c) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under subsection (a) with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

(d) APPLICABILITY OF SANCTIONS TO PETROLEUM AND PETROLEUM PRODUCTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsection (a) shall apply with respect to a financial transaction for the purchase of petroleum or petroleum products from Iran only if, at the time of the transaction, a determination of the President under section 1245(d)(4)(B) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(B)) that the price and supply of petroleum and petroleum products produced in countries other than Iran is sufficient to permit purchasers of petroleum and petroleum products from Iran to reduce significantly their purchases from Iran is in effect.

(2) EXCEPTION FOR CERTAIN COUNTRIES.—

(A) IN GENERAL.—Subsection (a) shall not apply with respect to a financial transaction described in subparagraph (B) conducted or facilitated by a foreign financial institution for if, at the time of the transaction, the exception under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) applies to the country with primary jurisdiction over the foreign financial institution.

(B) FINANCIAL TRANSACTIONS DESCRIBED.—A financial transaction conducted or facilitated by a foreign financial institution is described in this subparagraph if—

(i) the financial transaction is for the purchase of purchase of petroleum or petroleum products from Iran;

(ii) the financial transaction is only for trade in goods or services—

(I) not otherwise subject to sanctions under the law of the United States; and

(II) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(iii) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(e) APPLICABILITY OF SANCTIONS TO NATURAL GAS.—Subsection (a) shall apply to a foreign financial institution that conducts or facilitates a financial transaction for the sale, supply, or transfer to or from Iran of natural gas unless—

(1) the financial transaction is only for trade in goods or services—

(A) not otherwise subject to sanctions under the law of the United States; and

(B) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(2) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(f) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under subsection (a) for a period of not more than 120 days, and may renew

that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1268. INCLUSION OF THE ISLAMIC REPUBLIC OF IRAN BROADCASTING ON THE LIST OF HUMAN RIGHTS ABUSERS.

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

(1) The Islamic Republic of Iran Broadcasting has contributed to the infringement of individuals' human rights by broadcasting forced televised confession and show trials.

(2) In March 2012, the European Council imposed sanctions on the President of the Islamic Republic of Iran Broadcasting, Ezzatollah Zargami, for broadcasting forced confessions of detainees and a series of ''show trials'' in August 2009 and Decem-

ber 2011 that constituted a clear violation of international law with respect to the right to a fair trial and due process.

(b) INCLUSION OF THE ISLAMIC REPUBLIC OF IRAN BROADCASTING ON THE LIST OF HUMAN RIGHTS ABUSERS.—The President shall include the Islamic Republic of Iran Broadcasting and the President of the Islamic Republic of Iran Broadcasting, Ezzatollah Zargami, in the first update to the list of persons complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members submitted under section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514) after the date of the enactment of this Act.

SEC. 1269. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS ENGAGED IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.

(a) IN GENERAL.—Title I of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511 et seq.) is amended by inserting after section 105B the following:

"SEC. 105C. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS ENGAGED IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.

"(a) IN GENERAL.—The President shall impose sanctions described in section 105(c) with respect to each person on the list required by subsection (b).

"(b) LIST OF PERSONS WHO ENGAGE IN DIVERSION.—

"(1) IN GENERAL.—As relevant information becomes available, the President shall submit to the appropriate congressional committees a list of persons that the President determines have, on or after such date of enactment, engaged in corruption or other activities relating to—

"(A) the diversion of goods, including agricultural commodities, food, medicine, and medical devices, intended for the people of Iran; or

"(B) the misappropriation of proceeds from the sale or resale of such goods.

"(2) FORM OF REPORT; PUBLIC AVAILABILITY.—

"(A) FORM.—The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

"(B) PUBLIC AVAILABILITY.—The unclassified portion of the list required by paragraph

(1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.''.

(b) WAIVER.—Section 401(b)(1) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(b)(1)) is amended—

(1) by striking ''or 105B(a)'' and inserting ''105B(a), or 105C(a)''; and

(2) by striking ''or 105B(b)'' and inserting ''105B(b), or 105C(b)''.

(c) CLERICAL AMENDMENT.—The table of contents for the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 is amended by inserting after the item relating to section 105B the following:

''Sec. 105C. 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.

Section 1245(d)(5)(B) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(5)(B)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) by redesignating clause (ii) as clause (iii); and

(3) by inserting after clause (i) the following new clause:

"(ii) certifying that the country with primary jurisdiction over the foreign financial institution otherwise subject to the sanctions faced exceptional circumstances that prevented the country from being able to significantly reduce its volume of crude oil purchases; and".

SEC. 1271. STATUTE OF LIMITATIONS FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2335 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "4 years" and inserting "10 years"; and

(2) in subsection (b), by striking "4-year period" and inserting "10-year period".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) proceedings under section 2333 of title 18, United States Code, pending in any form on the date of the enactment of this Act;

(2) proceedings under such section commenced on or after the date of the enactment of this Act; and

(3) any civil action brought for recovery of damages under such section resulting from acts of international terrorism that occurred more than 10 years before the date of the enactment of this Act, provided that the action is filed not later than 6 years after the date of the enactment of this Act.

SEC. 1272. REPORT ON USE OF CERTAIN IRANIAN SEAPORTS BY FOREIGN VESSELS AND USE OF FOREIGN AIRPORTS BY SANCTIONED IRANIAN AIR CARRIERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report that contains—

(1) a list of vessels that have entered seaports in Iran controlled by the Tidewater Middle East Company during the period specified in subsection (b) and the owners and operators of those vessels; and

(2) a list of all airports at which aircraft owned or controlled by an Iranian air carrier on which sanctions have been imposed by the United States

have landed during the period specified in subsection (b).

(b) PERIOD SPECIFIED.—The period specified in this subsection is—

(1) in the case of the first report submitted under subsection (a), the 180-day period preceding the submission of the report; and

(2) in the case of any subsequent report submitted under that subsection, the year preceding the submission of the report.

(c) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1273. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this subtitle.

(b) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S. C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this subtitle or regulations prescribed under this subtitle to the same ex-

tent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

SEC. 1274. APPLICABILITY TO CERTAIN NATURAL GAS PROJECTS.

Nothing in this subtitle or the amendments made by this subtitle shall apply with respect to any activity relating to a project described in subsection (a) of section 603 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8783) to which the exception under that section applies at the time of the activity.

SEC. 1275. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to limit sanctions imposed with respect to Iran under any other provision of law or to limit the authority of the President to impose additional sanctions with respect to Iran.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of

the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2632 note).

(b) FISCAL YEAR 2013 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2013 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2013, 2014, and 2015.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $519,100,000 authorized to be appropriated to the Department of Defense for fiscal year 2013 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $68,300,000.

(2) For chemical weapons destruction, $14,600,000.

(3) For global nuclear security, $99,800,000.

(4) For cooperative biological engagement, $276,400,000.

(5) For proliferation prevention, $32,400,000.

(6) For threat reduction engagement, $2,400,000.

(7) For other assessments/administrative support, $25,200,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2013 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2013 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2013 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4501.

SEC. 1404. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Chemical Agents and Munitions

Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1405. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile

SEC. 1411. RELEASE OF MATERIALS NEEDED FOR NATIONAL DEFENSE PURPOSES FROM THE STRATEGIC AND CRITICAL MATERIALS STOCKPILE.

(a) AUTHORITY FOR PRESIDENT TO DELEGATE SPECIAL DISPOSAL AUTHORITY OF PRESIDENT FOR RELEASE FOR NATIONAL DEFENSE PURPOSES.—Section 7(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98f(a)) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) on the order of the Under Secretary of Defense for Acquisition, Technology, and Logistics, if the President has designated the Under Secretary to have authority to issue release orders under this subsection and, in the case of any such order, if the Under Secretary determines that the release of such materials is required for use, manufacture, or production for purposes of national defense.''.

(b) EXCLUSION FROM DELEGATION LIMITATION.—Section 16 of such Act (50 U.S.C. 98h–7) is amended by striking ''sections 7 and 13'' each place it appears and inserting ''sections 7(a)(1) and 13''.

Subtitle C—Chemical Demilitarization Matters

SEC. 1421. SUPPLEMENTAL CHEMICAL AGENT AND MUNITIONS DESTRUCTION TECHNOLOGIES AT PUEBLO CHEMICAL DEPOT, COLORADO, AND BLUE GRASS ARMY DEPOT, KENTUCKY.

(a) SUPPLEMENTAL DESTRUCTION TECHNOLOGIES.—Section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) is amended—

(1) by redesignating subsection (o) as subsection (p); and

(2) by inserting after subsection (n) the following new subsection (o):

''(o) SUPPLEMENTAL DESTRUCTION TECHNOLOGIES.—In determining the technologies to supplement the neutralization destruction of the stockpile of lethal chemical agents and munitions at Pueblo Chemical Depot, Colorado, and Blue Grass Army Depot, Kentucky, the Secretary of Defense may consider the following:

''(1) Explosive Destruction Technologies.

"(2) Any technologies developed for treatment and disposal of agent or energetic hydrolysates, if problems with the current on-site treatment of hydrolysates are encountered.".

(b) REPEAL OF SUPERSEDED PROVISION.—Section 151 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1645A–30) is repealed.

Subtitle D—Other Matters

SEC. 1431. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2013 from the Armed Forces Retirement Home Trust Fund the sum of $67,590,000 for the operation of the Armed Forces Retirement Home.

SEC. 1432. ADDITIONAL WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.

(a) IN GENERAL.—Section 1403 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2676; 10 U.S.C. 12310 note) is amended—

(1) by striking subsection (b);

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections (b) and (c):

"(b) ESTABLISHMENT OF FURTHER ADDITIONAL TEAMS.—The Secretary of Defense is authorized to have established two additional teams designated as Weapons of Mass Destruction Civil Support teams, beyond the 55 teams required in subsection (a), if—

"(1) the Secretary of Defense has made the certification provided for in section 12310(c)(5) of title 10, United States Code, with respect to each of such additional teams before December 31, 2011; and

"(2) the establishment of such additional teams does not require an increase in authorized personnel levels above the numbers authorized as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.

"(c) LIMITATION OF ESTABLISHMENT OF FURTHER TEAMS.—No Weapons of Mass Destruction Civil Support Team may be established beyond the number authorized by subsections (a) and (b) unless—

"(1) the Secretary submits to Congress a request for authority to establish such team, including a detailed justification for their establishment; and

"(2) the establishment of such team is specifically authorized by a law enacted after the date of

the enactment of the National Defense Authorization Act for Fiscal Year 2013.''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the Weapons of Mass Destruction Civil Support Teams. The report shall include the following:

(1) A detailed description of risk management criteria and considerations to be used in determining the optimal number and location of Weapons of Mass Destruction Civil Support Teams.

(2) A description of the operational and training activities conducted by the Weapons of Mass Destruction Civil Support Teams during each of fiscal years 2010, 2011, and 2012.

(3) An assessment of the optimal number and location of Weapons of Mass Destruction Civil Support Teams in light of the information under paragraphs (1) and (2).

(4) A comparative analysis of the cost of establishing Weapons of Mass Destruction Civil Support Teams in the reserve components of the Armed Forces (other than the National Guard) with the cost of establishing Weapons of Mass Destruction Civil Support Teams in the National Guard.

(5) A description of the portion of the costs of Weapons of Mass Destruction Civil Support Teams that is currently borne by the States.

SEC. 1433. POLICY OF THE UNITED STATES WITH RESPECT TO A DOMESTIC SUPPLY OF CRITICAL AND ESSENTIAL MINERALS.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to promote the development of an adequate, reliable, and stable supply of critical and essential minerals in the United States in order to strengthen and sustain the military readiness, national security, and critical infrastructure of the United States.

(b) COORDINATION OF DEVELOPMENT OF SUPPLY OF CRITICAL AND ESSENTIAL MINERALS.—To implement the policy described in subsection (a), the President shall, acting through the Executive Office of the President, coordinate the actions of the appropriate federal agencies to identify opportunities for and to facilitate the development of resources in the United States to meet the critical and essential mineral needs of the United States.

TITLE XV—AUTHORIZATION OF APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2013 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2013 between any such authorizations for that fiscal year

(or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $4,000,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations and Other Matters

SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF EXISTING LIMITATIONS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2013 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of

the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) AVAILABILITY FOR SUPPORT OF TRAINING OF AFGHAN PUBLIC PROTECTION FORCE.—Assistance provided during fiscal year 2013 utilizing funds in the Afghanistan Security Forces Fund may be used to increase the capacity of the Government of Afghanistan to recruit, vet, train, and manage the Afghan Public Protection Force within the Afghanistan Ministry of Interior, including activities in connection with the following:

(1) Expanding the capacity of the Force to train and qualify recruits for static security, convoy security, and personal detail security.

(2) Improving the infrastructure of the Afghan Public Protection Force Training Center or other facilities for training Force personnel.

(3) Increasing the capacity of the Afghanistan Ministry of Interior to manage the Force.

(4) Improving procedures for recruiting and vetting Force personnel.

(5) Establishing or implementing requirements for qualifications, training, and accountability consistent with the purposes of section 862 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note), to the extent feasible.

(c) PLAN FOR USE OF AFGHANISTAN SECURITY FORCES FUND THROUGH 2017.—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for using funds available to the Department of Defense to provide assistance to the security forces of Afghanistan through the Afghanistan Security Forces Fund through September 30, 2017.

SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2013.

(b) AVAILABILITY OF CERTAIN FISCAL YEAR 2013 FUNDS.—

(1) IN GENERAL.—Of the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year

2013, $15,000,000 may be available to the Secretary of Defense to provide training, equipment, supplies, and services to ministries and other entities of the Government of Pakistan that the Secretary has identified as critical for countering the flow of improvised explosive device precursor chemicals from Pakistan to locations in Afghanistan.

(2) PROVISION THROUGH OTHER US AGENCIES.—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer funds available under paragraph (1) to such department or agency for the provision of training, equipment, supplies, and services to ministries and other entities of the Government of Pakistan as described in that paragraph by such department or agency.

(3) NOTICE TO CONGRESS.—Funds may not be used under the authority in paragraph (1) until 15 days after the date on which the Secretary of Defense submits to the congressional defense committees a notice on the training, equipment, supplies, and services to be provided using such funds.

(c) EXPIRATION.—This section shall cease to be effective on December 31, 2013.

SEC. 1533. PLAN FOR TRANSITION IN FUNDING OF UNITED STATES SPECIAL OPERATIONS COMMAND FROM SUPPLEMENTAL FUNDING FOR OVERSEAS CONTINGENCY OPERATIONS TO RECURRING FUNDING UNDER THE FUTURE-YEARS DEFENSE PROGRAM.

The Secretary of Defense shall submit to the congressional defense committees, at the same time as the budget of the President for fiscal year 2014 is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, a plan for the transition of funding of the United States Special Operations Command from funds authorized to be appropriated for overseas contingency operations (commonly referred to as the ''overseas contingency operations budget'') to funds authorized to be appropriated for recurring operations of the Department of Defense in accordance with applicable future-years defense programs under section 221 of title 10, United States Code (commonly referred to as the ''base budget'').

SEC. 1534. EXTENSION OF AUTHORITY ON TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.

Section 1535(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4426), as amended by section 1534 of the National Defense Authorization Act for Fiscal Year 2012

(Public Law 112–81; 125 Stat. 1658), is further amended—

(1) in the second sentence of paragraph (4)—

(A) by striking ''The amount of funds used'' and inserting ''The amount of fund obligated'';

(B) by inserting ''and $93,000,000 for fiscal year 2013'' after ''fiscal year 2012''; and

(C) by inserting ''for fiscal year 2012'' after ''except that'';

(2) in paragraph (6), by striking ''October 31, 2011, and October 31, 2012'' and inserting ''October 31 of each of 2011, 2012, and 2013''; and

(3) in paragraph (7)—

(A) by striking ''provided in'' and inserting ''to obligate funds for projects under''; and

(B) by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

SEC. 1535. ASSESSMENTS OF TRAINING ACTIVITIES AND INTELLIGENCE ACTIVITIES OF THE JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT ORGANIZATION.

(a) TRAINING ACTIVITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Sec-

retary of Defense shall, in consultation with the Chairman of Joint Chiefs of Staff and the other chiefs of staff of the Armed Forces, submit to the congressional defense committees a report setting forth an assessment of the training-related activities of the Joint Improvised Explosive Device Defeat Organization (JIEDDO).

(2) ELEMENTS.—The assessment required by paragraph (1) shall—

(A) include all training programs and functions executed by the Joint Improvised Explosive Device Defeat Organization in support of the United States Armed Forces or coalition partners;

(B) identify any program or function which is duplicated elsewhere within the Department of Defense; and

(C) assess the value of maintaining such duplication.

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

(4) LIMITATION.—No training-related program may be initiated by the Joint Improvised Explosive Device Defeat Organization between the date of the

enactment of this Act and the date of the submittal of the report required by paragraph (1).

(b) INTELLIGENCE ACTIVITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to the congressional defense committees a report setting forth an assessment of the activities of the Counter-Improvised-Explosive-Device Operations Integration Center of the Joint Improvised Explosive Device Defeat Organization.

(2) ELEMENTS.—The assessment required by paragraph (1) shall—

(A) include all intelligence analysis programs and functions executed by the Counter-Improvised-Explosive-Device Operations Integration Center in support of the United States Government or coalition partners;

(B) identify any program or function which is duplicated elsewhere within the Department of Defense, including the intelligence components of the Department, or the intelligence community of the United States; and

(C) assess the value of maintaining such duplication.

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

SEC. 1536. SUBMITTAL TO CONGRESS OF RISK ASSESSMENTS ON CHANGES IN UNITED STATES TROOP LEVELS IN AFGHANISTAN.

(a) SUBMITTAL REQUIRED.—Not later than 30 days after a decision by the President to change the levels of United States Armed Forces deployed in Afghanistan, the Chairman of the Joint Chiefs of Staff shall, through the Secretary of Defense, submit to the congressional defense committees a detailed assessment of the risk to the United States mission and interests in Afghanistan as the change in levels is implemented.

(b) ELEMENTS.—The risk assessment under subsection (a) on a change in levels of United States Armed Forces in Afghanistan shall include the following:

(1) A description of the current security situation in Afghanistan.

(2) A description of any anticipated changes to United States military operations and objectives in Afghanistan associated with such change in levels.

(3) An identification and assessment of any changes in United States military capabilities, including manpower, logistics, intelligence, and mobility support, in Afghanistan associated with such change in levels.

(4) An identification and assessment of the risk associated with any changes in United States mission, military capabilities, operations, and objectives in Afghanistan associated with such change in levels.

(5) An identification and assessment of any capability gaps within the Afghanistan security forces that will impact their ability to conduct operations following such change in levels.

(6) An identification and assessment of the risk associated with the transition of combat responsibilities to the Afghanistan security forces following such change in levels.

(7) An assessment of the impact of such change in levels on coalition military contributions to the mission in Afghanistan.

(8) A description of the assumptions to be in force regarding the security situation in Afghanistan following such change in levels.

(9) Such other matters regarding such change in levels as the Chairman considers appropriate.

SEC. 1537. REPORT ON INSIDER ATTACKS IN AFGHANISTAN AND THEIR EFFECT ON THE UNITED STATES TRANSITION STRATEGY FOR AFGHANISTAN.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State and the Commander of North Atlantic Treaty Organization/International Security Assistance Force forces in Afghanistan, submit to Congress a report on the attacks and associated threats by Afghanistan National Security Forces personnel, Afghanistan National Security Forces impersonators, and private security contractors against United States, Afghanistan, and coalition military and civilian personnel (''insider attacks'') in Afghanistan, and the effect of these attacks on the overall transition strategy in Afghanistan.

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

(1) A description of the nature and proximate causes of the attacks described in subsection (a), including the following:

(A) An estimate of the number of such attacks on United States, Afghanistan, and coalition military personnel since January 1, 2007.

(B) An estimate of the number of United States, Afghanistan, and coalition personnel killed or wounded in such attacks.

(C) The circumstances or conditions that may have influenced such attacks.

(D) An assessment of the threat posed by infiltration, and a best assessment of the extent of infiltration by insurgents into the Afghanistan National Security Forces.

(E) A description of trends in the prevalence of such attacks, including where such attacks occur, the political and ethnic affiliation of attackers, and the targets of attackers.

(2) A description of the restrictions and other actions taken by the United States and North Atlantic Treaty Organization/International Security Assistance Force forces to protect military and civilian personnel from future insider attacks, including measures in predeployment training.

(3) A description of the actions taken by the Government of Afghanistan to prevent and respond to insider attacks, including improved vetting practices.

(4) A description of the insider threat-related factors that will influence the size and scope of the

1 post-2014 training mission for the Afghanistan Na-
2 tional Security Forces.
3 (5) An assessment of the impact of the insider
4 attacks in Afghanistan in 2012 on the overall transi-
5 tion strategy in Afghanistan and its prospects for
6 success, including an assessment how such insider
7 attacks impact—
8 (A) partner operations between North At-
9 lantic Treaty Organization/International Secu-
10 rity Assistance Force forces and Afghanistan
11 National Security Forces;
12 (B) training programs for the Afghanistan
13 National Security Forces, including proposed
14 training plans to be executed during the post-
15 2014 training mission for the Afghanistan Na-
16 tional Security Forces;
17 (C) United States Special Forces training
18 of the Afghan Local Police and its integration
19 into the Afghanistan National Security Forces;
20 and
21 (D) the willingness of North Atlantic Trea-
22 ty Organization/International Security Assist-
23 ance Force allies to maintain forces in Afghani-
24 stan or commit to the post-2014 training mis-

sion for the Afghanistan National Security Forces.

(6) An assessment of the impact that a reduction in training and partnering would have on the independent capabilities of the Afghanistan National Security Forces, and whether the training of the Afghanistan National Security Forces should remain a key component of the United States and North Atlantic Treaty Organization strategy in Afghanistan.

(c) UNCLASSIFIED EXECUTIVE SUMMARY.—The report submitted under subsection (b) shall include an executive summary of the contents of the report in unclassified form.

TITLE XVI—MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

SEC. 1601. SHORT TITLE.

This title may be cited as the ''Military Compensation and Retirement Modernization Commission Act of 2012''.

SEC. 1602. PURPOSE.

The purpose of this title is to establish a Commission to review and make recommendations to modernize the military compensation and retirement systems in order to—

(1) ensure the long-term viability of the All-Volunteer Force;

(2) enable the quality of life for members of the Armed Forces and the other uniformed services and their families in a manner that fosters successful recruitment, retention, and careers for members of the Armed Forces and the other uniformed services; and

(3) modernize and achieve fiscal sustainability for the compensation and retirements systems for the Armed Forces and the other uniformed services for the 21st century.

SEC. 1603. DEFINITIONS.

In this title:

(1) The term ''military compensation and retirement systems'' means the military compensation system and the military retirement system.

(2) The term ''military compensation system'' means provisions of law providing eligibility for and the computation of military compensation, including regular military compensation, special and incentive pays and allowances, medical and dental care, educational assistance and related benefits, and commissary and exchange benefits and related benefits and activities.

(3) The term ''military retirement system'' means retirement benefits, including retired pay based upon service in the uniformed services and survivor annuities based upon such service.

(4) The term ''Armed Forces'' has the meaning given the term ''armed forces'' in section 101(a)(4) of title 10, United States Code.

(5) The term ''uniformed services'' has the meaning given that term in section 101(a)(5) of title 10, United States Code.

(6) The term ''Secretary'' means the Secretary of Defense.

(7) The term ''Commission'' means the commission established under section 1604.

(8) The term ''Commission establishment date'' means the first day of the first month beginning on or after the date of the enactment of this Act.

(9) The terms ''veterans service organization'' and ''military-related advocacy group or association'' mean an organization the primary purpose of which is to advocate for veterans, military personnel, military retirees, or military families.

SEC. 1604. MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION.

(a) ESTABLISHMENT.—There is established in the executive branch an independent commission to be known as the Military Compensation and Retirement Modernization Commission. The Commission shall be considered an independent establishment of the Federal Government as defined by section 104 of title 5, United States Code, and a temporary organization under section 3161 of such title.

(b) APPOINTMENT.—

(1) IN GENERAL.—

(A) MEMBERS.—The Commission shall be composed of nine members appointed by the President, in consultation with—

(i) the Chairman and Ranking Member of the Committee on Armed Services of the Senate; and

(ii) the Chairman and Ranking Member of the Committee on Armed Services of the House of Representatives.

(B) DEADLINE FOR APPOINTMENT.—The President shall make appointments to the Commission not later than six months after the Commission establishment date.

(C) TERMINATION FOR LACK OF APPOINTMENT.—If the President does not make all ap-

pointments to the Commission on or before the date specified in subparagraph (B), the Commission shall be terminated.

(2) QUALIFICATIONS OF INDIVIDUALS APPOINTED.—In appointing individuals to the Commission, the President shall—

(A) ensure that—

(i) there are members with significant expertise in Federal compensation and retirement systems, including the military compensation and retirement systems, private sector compensation, retirement, or human resource systems, and actuarial science;

(ii) at least five members have active-duty military experience, including—

(I) at least one of whom has active-duty experience as an enlisted member; and

(II) at least one of whom has experience as a member of a reserve component; and

(iii) at least one member was the spouse of a member of the Armed Forces, or, in the sole determination of the Presi-

dent, has significant experience in military family matters; and

(B) select individuals who are knowledgeable and experienced with the uniformed services and military compensation and retirement issues.

(3) LIMITATION.—The President may not appoint to the Commission an individual who within the preceding year has been employed by a veterans service organization or military-related advocacy group or association.

(4) CHAIR.—At the time the President appoints the members of the Commission, the President shall designate one of the members to be Chair of the Commission. The individual designated as Chair of the Commission shall be a person who has expertise in the military compensation and retirement systems. The Chair, or the designee of the Chair, shall preside over meetings of the Commission and be responsible for establishing the agenda of Commission meetings and hearings.

(c) TERMS.—Members shall be appointed for the life of the Commission (subject to subsection (b)(3)). A vacancy in the Commission shall not affect its powers, and

shall be filled in the same manner as the original appointment was made.

(d) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding the requirements of section 2105 of title 5, United States Code, including the required supervision under subsection (a)(3) of such section, the members of the Commission shall be deemed Federal employees.

SEC. 1605. COMMISSION HEARINGS AND MEETINGS.

(a) IN GENERAL.—The Commission shall conduct hearings on the recommendations it is taking under consideration. Any such hearing, except a hearing in which classified information is to be considered, shall be open to the public. Any hearing open to the public shall be announced on a Federal website at least 14 days in advance. For all hearings open to the public, the Commission shall release an agenda and a listing of materials relevant to the topics to be discussed.

(b) MEETINGS.—

(1) INITIAL MEETING.—The Commission shall hold its initial meeting not later than 30 days after the date as of which all members have been appointed.

(2) SUBSEQUENT MEETINGS.—After its initial meeting, the Commission shall meet upon the call of the Chair or a majority of its members.

(3) PUBLIC MEETINGS.—Each meeting of the Commission shall be held in public unless any member objects.

(c) QUORUM.—Five members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(d) PUBLIC COMMENTS.—

(1) IN GENERAL.—The Commission shall seek written comments from the general public and interested parties on measures to modernize the military compensation and retirement systems. Comments shall be requested through a solicitation in the Federal Register and announcement on the Internet website of the Commission.

(2) PERIOD FOR SUBMITTAL.—The period for the submittal of comments pursuant to the solicitation under paragraph (1) shall end not earlier than 30 days after the date of the solicitation and shall end on or before the date on which the Secretary transmits the recommendations of the Secretary to the Commission under section 1606(b).

(3) USE BY COMMISSION.—The Commission shall consider the comments submitted under this subsection when developing its recommendations.

SEC. 1606. PRINCIPLES AND PROCEDURE FOR COMMISSION RECOMMENDATIONS.

(a) PRINCIPLES.—

(1) CONTEXT OF COMMISSION REVIEW.—The Commission shall conduct a review of the military compensation and retirement systems in the context of all elements of the current military compensation and retirement systems, force management objectives, and changes in life expectancy and the labor force.

(2) DEVELOPMENT OF COMMISSION RECOMMENDATIONS.—

(A) CONSISTENCY WITH PRESIDENTIAL PRINCIPLES.—The Commission shall develop recommendations for modernizing the military compensation and retirement systems that are consistent with principles established by the President under paragraph (3).

(B) GRANDFATHERING.—The recommendations of the Commission may not apply to any person who first becomes a member of a uniformed service before the date of the enactment of a military compensation and retirement modernization Act pursuant to this title (except that such recommendations may include provisions allowing for such a member to

make a voluntary election to be covered by some or all of the provisions of such recommendations).

(3) PRESIDENTIAL PRINCIPLES.—Not later than five months after the Commission establishment date, the President shall establish and transmit to the Commission and Congress principles for modernizing the military compensation and retirement systems. The principles established by the President shall address the following:

(A) Maintaining recruitment and retention of the best military personnel.

(B) Modernizing the active and reserve military compensation and retirement systems.

(C) Differentiating between active and reserve military service.

(D) Differentiating between service in the Armed Forces and service in the other uniformed services.

(E) Assisting with force management.

(F) Ensuring the fiscal sustainability of the military compensation and retirement systems.

(b) SECRETARY OF DEFENSE RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than nine months after the Commission establishment date, the Secretary shall transmit to the Commission the recommendations of the Secretary for military compensation and retirement modernization. The Secretary shall concurrently transmit the recommendations to Congress.

(2) DEVELOPMENT OF RECOMMENDATIONS.—The Secretary shall develop the recommendations of the Secretary under paragraph (1)—

(A) on the basis of the principles established by the President pursuant to subsection (a)(3);

(B) in consultation with the Secretary of Homeland Security, with respect to recommendations concerning members of the Coast Guard;

(C) in consultation with the Secretary of Health and Human Services, with respect to recommendations concerning members of the Public Health Service;

(D) in consultation with the Secretary of Commerce, with respect to recommendations concerning members of the National Oceanic and Atmospheric Administration; and

(E) in consultation with the Director of the Office of Management and Budget.

(3) JUSTIFICATION.—The Secretary shall include with the recommendations under paragraph (1) the justification of the Secretary for each recommendation.

(4) AVAILABILITY OF INFORMATION.—The Secretary shall make available to the Commission and to Congress the information used by the Secretary to prepare the recommendations of the Secretary under paragraph (1).

(c) COMMISSION HEARINGS ON RECOMMENDATIONS OF SECRETARY.—After receiving from the Secretary the recommendations of the Secretary for military compensation and retirement modernization pursuant to subsection (b), the Commission shall conduct public hearings on the recommendations.

(d) COMMISSION REPORT AND RECOMMENDATIONS.—

(1) REPORT.—Not later than 15 months after the Commission establishment date, the Commission shall transmit to the President a report containing the findings and conclusions of the Commission, together with the recommendations of the Commission for the modernization of the military compensation

and retirement systems. The Commission shall include in the report legislative language to implement the recommendations of the Commission. The findings and conclusions in the report shall be based on the review and analysis by the Commission of the recommendations of the Secretary.

(2) REQUIREMENT FOR APPROVAL.—The recommendations of the Commission must be approved by at least five members of the Commission before the recommendations may be transmitted to the President under paragraph (1).

(3) PROCEDURES FOR CHANGING RECOMMENDATIONS OF SECRETARY.—The Commission may make a change described in paragraph (4) in the recommendations made by the Secretary only if the Commission—

(A) determines that the change is consistent with the principles established by the President under subsection (a)(3);

(B) publishes a notice of the proposed change not less than 45 days before transmitting its recommendations to the President pursuant to paragraph (1); and

(C) conducts a public hearing on the proposed change.

(4) COVERED CHANGES.—Paragraph (3) applies to a change by the Commission in the recommendations of the Secretary that would—

(A) add a new recommendation;

(B) delete a recommendation; or

(C) substantially change a recommendation.

(5) EXPLANATION AND JUSTIFICATION FOR CHANGES.—The Commission shall explain and justify in its report submitted to the President under paragraph (1) any recommendation made by the Commission that is different from the recommendations made by the Secretary pursuant to subsection (b).

(6) TRANSMITTAL TO CONGRESS.—The Commission shall transmit a copy of its report to Congress on the same date on which it transmits its report to the President under paragraph (1).

SEC. 1607. CONSIDERATION OF COMMISSION RECOMMENDATIONS BY THE PRESIDENT AND CONGRESS.

(a) REVIEW BY THE PRESIDENT.—

(1) REPORT OF PRESIDENTIAL APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date on which the Commission transmits its report

to the President under section 1606(d), the President shall transmit to the Commission and to Congress a report containing the approval or disapproval by the President of the recommendations of the Commission in the report.

(2) PRESIDENTIAL APPROVAL.—If in the report under paragraph (1) the President approves all the recommendations of the Commission, the President shall include with the report the following:

(A) A copy of the recommendations of the Commission.

(B) The certification by the President of the approval of the President of each recommendation.

(C) The legislative language transmitted by the Commission to the President as part of the report of the Commission under section 1606(d)(1).

(3) PRESIDENTIAL DISAPPROVAL.—

(A) REASONS FOR DISAPPROVAL.—If in the report under paragraph (1) the President disapproves the recommendations of the Commission, in whole or in part, the President shall include in the report the reasons for that disapproval.

(B) REVISED RECOMMENDATIONS FROM COMMISSION.—The Commission shall then transmit to the President, not later one month after the date of the report of the President under paragraph (1), revised recommendations for the modernization of the military compensation and retirement systems, together with revised legislative language to implement the revised recommendations of the Commission.

(4) ACTION ON REVISED RECOMMENDATIONS.—If the President approves all of the revised recommendations of the Commission transmitted pursuant to paragraph (3)(B), the President shall transmit to Congress, not later than one month after receiving the revised recommendations, the following:

(A) A copy of the revised recommendations.

(B) The certification by the President of the approval of the President of each recommendation as so revised.

(C) The revised legislative language transmitted to the President under paragraph (3)(B).

(5) TERMINATION OF COMMISSION.—If the President does not transmit to Congress an approval

and certification described in paragraph (2) or (4) in accordance with the applicable deadline under such paragraph, the Commission shall be terminated not later than one month after the expiration of the period for transmittal of a report under paragraph (4).

(b) CONSIDERATION BY CONGRESS.—

(1) RULEMAKING.—The provisions of this subsection are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(2) MILITARY COMPENSATION AND RETIREMENT MODERNIZATION BILL.—For the purpose of

this subsection, the term ''military compensation and retirement modernization bill'' means only a bill consisting of the proposed legislative language recommended by the Commission and submitted to Congress by the President pursuant to subsection (a).

(3) INTRODUCTION OF LEGISLATIVE PROPOSAL IN HOUSE AND SENATE.—If the President transmits to Congress under subsection (a) a copy of the recommendations of the Commission (including the legislative language recommended by the Commission), together with a certification of the approval of the President of the recommendations, the proposed legislative language recommended by the Commission and submitted to Congress by the President pursuant to that subsection—

(A) shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the chairman of the Committee on Armed Services of the Senate; and

(B) shall be introduced in the House of Representatives (by request) on the next legislative day by the chair of the Committee on Armed Services of the House of Representatives.

(4) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(A) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which the military compensation and retirement modernization bill is referred shall report it to the House without amendment not later than the end of the 60-day period beginning on the date on which the bill is introduced. If a committee fails to report the bill to the House within that period, it shall be in order to move that the House discharge the committee from further consideration of the bill. Such a motion shall not be in order after the last committee authorized to consider the bill reports it to the House or after the House has disposed of a motion to discharge the bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the Commission bill in accordance with subparagraphs (B) and

(C). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(B) PROCEEDING TO CONSIDERATION.—After the last committee authorized to consider a military compensation and retirement modernization bill reports it to the House or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the military compensation and retirement modernization bill in the House. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to the military compensation and retirement modernization bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) CONSIDERATION.—The military compensation and retirement modernization bill shall be considered as read. All points of order against the bill and against its consideration are waived. The previous question shall be considered as ordered on the bill to its passage without intervening motion except 2 hours of

debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the bill shall not be in order.

(D) VOTE ON PASSAGE.—The vote on passage of the military compensation and retirement modernization bill shall occur not later than the end of the 90-day period beginning on the date on which the bill is introduced.

(5) EXPEDITED PROCEDURE IN THE SENATE.—

(A) COMMITTEE CONSIDERATION.—A military compensation and retirement modernization bill introduced in the Senate under subsection (a) shall be jointly referred to the committee or committees of jurisdiction, which committees shall report the bill without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than the end of the 60-day period beginning on the date on which the bill is introduced. If any committee fails to report the bill within that period, that committee shall be automatically discharged from consider-

ation of the bill, and the bill shall be placed on the appropriate calendar.

(B) MOTION TO PROCEED.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a military compensation and retirement modernization bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the military compensation and retirement modernization bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the military compensation and retirement modernization bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the military compensation and retirement modernization bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is

agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the military compensation and retirement modernization bill is agreed to, the military compensation and retirement modernization bill shall remain the unfinished business until disposed of.

(C) CONSIDERATION.—All points of order, other than budget points of order, against the military compensation and retirement modernization bill and against consideration of the bill are waived. Consideration of the bill and of all debatable motions and appeals in connection therewith shall not exceed a total of 10 hours which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate on the bill is in order, shall require an affirmative vote of three-fifths of the Members duly chosen and sworn, and is not debatable. Any debatable motion or appeal is debatable for not to exceed 1 hour, to be divided equally between those favoring and those opposing the motion or appeal. All time used for consideration of the bill, including time used for quorum calls and voting, shall be

counted against the total 10 hours of consideration.

(D) NO AMENDMENTS.—An amendment to the Commission bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the Commission bill, is not in order.

(E) VOTE ON PASSAGE.—If the Senate has voted to proceed to the military compensation and retirement modernization bill, the vote on passage of the bill shall occur immediately following the conclusion of the debate on a military compensation and retirement modernization bill, and a single quorum call at the conclusion of the debate if requested. The vote on passage of the bill shall occur not later the end of the 90-day period beginning on the date on which the bill is introduced.

(F) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a military compensation and retirement modernization bill shall be decided without debate.

(6) AMENDMENT.—The military compensation and retirement modernization bill shall not be subject to amendment in either the House of Representatives or the Senate.

(7) CONSIDERATION BY THE OTHER HOUSE.—If, before passing the military compensation and retirement modernization bill, one House receives from the other a military compensation and retirement modernization bill—

(A) the military compensation and retirement modernization bill of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no military compensation and retirement modernization bill had been received from the other House until the vote on passage, when the military compensation and retirement modernization bill received from the other House shall supplant the military compensation and retirement modernization bill of the receiving House.

SEC. 1608. PAY FOR MEMBERS OF THE COMMISSION.

(a) IN GENERAL.—Each member, other than the Chair, of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay pay-

able for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(b) CHAIR.—The Chair of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

SEC. 1609. EXECUTIVE DIRECTOR.

(a) APPOINTMENT.—The Commission shall appoint and fix the rate of basic pay for an Executive Director in accordance with section 3161 of title 5, United States Code.

(b) LIMITATIONS.—The Executive Director may not have served on active duty in the Armed Forces or as a civilian employee of the Department of Defense during the one-year period preceding the date of such appointment and may not have been employed by a veterans service organization or a military-related advocacy group or association during that one-year period.

SEC. 1610. STAFF.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Executive Director, with the approval of the Commission, may appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161 of title 5, United States Code.

(b) LIMITATIONS ON STAFF.—

(1) NUMBER OF DETAILEES FROM DEPARTMENT OF DEFENSE.—Not more than one-third of the personnel employed by or detailed to the Commission may be on detail from the Department of Defense.

(2) PRIOR DUTIES WITHIN DEPARTMENT OF DEFENSE.—A person may not be detailed from the Department of Defense to the Commission if, in the year before the detail is to begin, that person participated personally and substantially in any matter within the Department concerning the preparation of recommendations for military compensation and retirement modernization.

(3) NUMBER OF DETAILEES ELIGIBLE FOR MILITARY RETIRED PAY.—Not more than one-fourth of the personnel employed by or detailed to the Commission may be persons eligible for or receiving military retired pay.

(4) PRIOR EMPLOYMENT WITH CERTAIN ORGANIZATIONS.—A person may not be employed by or detailed to the Commission if, in the year before the employment or detail is to begin, that person was employed by a veterans service organization or a military-related advocacy group or association.

(c) LIMITATIONS ON PERFORMANCE REVIEWS.—No member of the Armed Forces, and no officer or employee of the Department of Defense, may—

(1) prepare any report concerning the effectiveness, fitness, or efficiency of the performance of the staff of the Commission or any person detailed from the Department to that staff;

(2) review the preparation of such a report; or

(3) approve or disapprove such a report.

SEC. 1611. CONTRACTING AUTHORITY.

The Commission may lease space and acquire personal property to the extent funds are available.

SEC. 1612. JUDICIAL REVIEW PRECLUDED.

The following shall not be subject to judicial review:

(1) Actions of the President, the Secretary, and the Commission under section 1606.

(2) Actions of the President under section 1607(a).

SEC. 1613. TERMINATION.

Except as otherwise provided in this title, the Commission shall terminate not later than 26 months after the Commission establishment date.

SEC. 1614. FUNDING.

Of the amounts authorized to be appropriated by this division for the Department of Defense for fiscal year 2013, up to $10,000,000 shall be available to the Commission to carry out its duties under this title. Funds available to the Commission under the preceding sentence shall remain available until expended.

TITLE XVII—NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE

SEC. 1701. SHORT TITLE.

This title may be cited as the ''National Commission on the Structure of the Air Force Act of 2012''.

SEC. 1702. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established the National Commission on the Structure of the Air Force (in this title referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of eight members, of whom—

(A) four shall be appointed by the President, of whom one shall be the Chairman of the Reserve Forces Policy Board;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) APPOINTMENT DATE.—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(3) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If one or more appointments under subparagraph (A) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of

members of the Commission shall be reduced by the number equal to the number of appointments so not made. If an appointment under subparagraph (B), (C), (D), or (E) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment under such subparagraph shall expire, and the number of members of the Commission shall be reduced by the number equal to the number otherwise appointable under such subparagraph.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) MEETINGS.—The Commission shall meet at the call of the Chair.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIR AND VICE CHAIRMAN.—The Commission shall select a Chair and Vice Chair from among its members.

SEC. 1703. DUTIES OF THE COMMISSION.

(a) STUDY.—

(1) IN GENERAL.—The Commission shall undertake a comprehensive study of the current structure of the Air Force to determine whether, and how, the structure should be modified to best fulfill current and anticipated mission requirements for the Air Force in a manner consistent with available resources.

(2) CONSIDERATIONS.—In considering an alternative structure for the Air Force, the Commission shall give particular consideration to identifying a structure that—

(A) meets current and anticipated requirements of the combatant commands;

(B) achieves an appropriate balance between the regular and reserve components of the Air Force, taking advantage of the unique strengths and capabilities of each;

(C) ensures that the reserve components of the Air Force have the capacity needed to support current and anticipated homeland defense

and disaster assistance missions in the United States;

(D) provides for sufficient numbers of regular members of the Air Force to provide a base of trained personnel from which the personnel of the reserve components of the Air Force could be recruited;

(E) maintains a peacetime rotation force to avoid exceeding operational tempo goals of 1:2 for regular members of the Air Forces and 1:5 for members of the reserve components of the Air Force; and

(F) maximizes achievable costs savings.

(b) REPORT.—Not later than March 31, 2014, the Commission shall submit to the President and the congressional defense committees a report which shall contain a detailed statement of the findings and conclusions of the Commission as a result of the study required by subsection (a), together with its recommendations for such legislation and administrative actions as it considers appropriate in light of the results of the study.

SEC. 1704. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such

testimony, and receive such evidence as the Commission considers advisable to carry out this title.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this title. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 1705. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees

of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) COMPENSATION.—The Chair of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other

personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chair of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 1706. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 1703.

SEC. 1707. FUNDING.

Amounts authorized to be appropriated for fiscal year 2013 and available for operation and maintenance for the Air Force as specified in the funding table in section 4301 may be available for the activities of the Commission under this title.

SEC. 1708. LIMITATION ON AVAILABILITY OF FUNDS FOR REDUCTIONS TO THE AIR NATIONAL GUARD AND THE AIR FORCE RESERVE.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used to divest, retire, or transfer, or prepare to divest, retire, or transfer, any aircraft of the Air Force assigned to units of the Air National Guard or Air Force Reserve as of May 31, 2012.

(b) EXCEPTION.—The Secretary of the Air Force may divest or retire, or prepare to divest or retire, C–5A aircraft if the Secretary replaces such aircraft through a transfer of C–5B, C–5M, or C–17 mobility aircraft so as to maintain all Air National Guard and Air Force Reserve units impacted by such divestment or retirement at current or higher assigned manpower levels to operate the aircraft so transferred.

SEC. 1709. FUNDING FOR MAINTENANCE OF FORCE STRUCTURE OF THE AIR FORCE PENDING COMMISSION RECOMMENDATIONS.

There is hereby authorized to be appropriated to the Department of Defense for fiscal year 2013, $1,400,000,000 for the force structure of the Air Force. The amount authorized to be appropriated by this section

is in addition to any other amounts authorized to be appropriated by this Act.

SEC. 1710. RETENTION OF CORE FUNCTIONS OF THE ELECTRONIC SYSTEMS CENTER AT HANSCOM AIR FORCE BASE PENDING FUTURE STRUCTURE STUDY.

The Secretary of the Air Force shall retain the current leadership rank and core functions of the Electronic Systems Center at Hanscom Air Force Base with the same integrated mission elements, responsibilities, and capabilities as existed as of November 1, 2011, until 180 days after the National Commission on the Structure of the Air Force submits to the congressional defense committees the report required under section 1703.

SEC. 1711. AIR FORCE ASSESSMENTS OF THE EFFECTS OF PROPOSED MOVEMENTS OF AIRFRAMES ON JOINT READINESS TRAINING.

The Secretary of the Air Force shall—

(1) undertake an assessment of the effects of currently-proposed movements of Air Force airframes on Green Flag East and Green Flag West joint readiness training; and

(2) if the Secretary determines it appropriate, submit to the congressional defense committees a report setting forth a proposal to make future replace-

ments of capabilities for purposes of augmenting training at the joint readiness training center (JRTC) or for such other purposes as the Secretary considers appropriate.

TITLE XVIII—FEDERAL ASSISTANCE TO FIRE DEPARTMENTS

Subtitle A—Fire Grants Reauthorization

SEC. 1801. SHORT TITLE.

This subtitle may be cited as the ''Fire Grants Reauthorization Act of 2012''.

SEC. 1802. AMENDMENTS TO DEFINITIONS.

(a) IN GENERAL.—Section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203) is amended—

(1) in paragraph (3), by inserting '', except as otherwise provided,'' after ''means'';

(2) in paragraph (4), by striking '' 'Director' means'' and all that follows through ''Agency;'' and inserting '' 'Administrator of FEMA' means the Administrator of the Federal Emergency Management Agency;'';

(3) in paragraph (5)—

(A) by inserting ''Indian tribe,'' after ''county,''; and

(B) by striking ''and 'firecontrol' '' and inserting ''and 'fire control' '';

(4) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively;

(5) by inserting after paragraph (5), the following:

''(6) 'Indian tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) and 'tribal' means of or pertaining to an Indian tribe;'';

(6) by redesignating paragraphs (9) and (10), as redesignated by paragraph (4), as paragraphs (10) and (11);

(7) by inserting after paragraph (8), as redesignated by paragraph (4), the following:

''(9) 'Secretary' means, except as otherwise provided, the Secretary of Homeland Security;''; and

(8) by amending paragraph (10), as redesignated by paragraph (6), to read as follows:

''(10) 'State' has the meaning given the term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).''.

(b) CONFORMING AMENDMENTS.—

(1) ADMINISTRATOR OF FEMA.—The Federal Fire Prevention and Control Act of 1974 (15 U.S.C.

2201 et seq.) is amended by striking ''Director'' each place it appears and inserting ''Administrator of FEMA''.

(2) ADMINISTRATOR OF FEMA'S AWARD.—Section 15 of such Act (15 U.S.C. 2214) is amended by striking ''Director's Award'' each place it appears and inserting ''Administrator's Award''.

SEC. 1803. ASSISTANCE TO FIREFIGHTERS GRANTS.

Section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended to read as follows:

''SEC. 33. FIREFIGHTER ASSISTANCE.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR OF FEMA.—The term 'Administrator of FEMA' means the Administrator of FEMA, acting through the Administrator.

''(2) AVAILABLE GRANT FUNDS.—The term 'available grant funds', with respect to a fiscal year, means those funds appropriated pursuant to the authorization of appropriations in subsection (q)(1) for such fiscal year less any funds used for administrative costs pursuant to subsection (q)(2) in such fiscal year.

''(3) CAREER FIRE DEPARTMENT.—The term 'career fire department' means a fire department

that has an all-paid force of firefighting personnel other than paid-on-call firefighters.

"(4) COMBINATION FIRE DEPARTMENT.—The term 'combination fire department' means a fire department that has—

"(A) paid firefighting personnel; and

"(B) volunteer firefighting personnel.

"(5) FIREFIGHTING PERSONNEL.—The term 'firefighting personnel' means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

"(6) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

"(7) NONAFFILIATED EMS ORGANIZATION.—The term 'nonaffiliated EMS organization' means a public or private nonprofit emergency medical services organization that is not affiliated with a hospital and does not serve a geographic area in which the Administrator of FEMA finds that emergency medical services are adequately provided by a fire department.

"(8) PAID-ON-CALL.—The term 'paid-on-call' with respect to firefighting personnel means firefighting personnel who are paid a stipend for each event to which they respond.

"(9) VOLUNTEER FIRE DEPARTMENT.—The term 'volunteer fire department' means a fire department that has an all-volunteer force of firefighting personnel.

"(b) ASSISTANCE PROGRAM.—

"(1) AUTHORITY.—In accordance with this section, the Administrator of FEMA may award—

"(A) assistance to firefighters grants under subsection (c); and

"(B) fire prevention and safety grants and other assistance under subsection (d).

"(2) ADMINISTRATIVE ASSISTANCE.—The Administrator of FEMA shall—

"(A) establish specific criteria for the selection of grant recipients under this section; and

"(B) provide assistance with application preparation to applicants for such grants.

"(c) ASSISTANCE TO FIREFIGHTERS GRANTS.—

"(1) IN GENERAL.—The Administrator of FEMA may, in consultation with the chief executives

of the States in which the recipients are located, award grants on a competitive basis directly to—

"(A) fire departments, for the purpose of protecting the health and safety of the public and firefighting personnel throughout the United States against fire, fire-related, and other hazards;

"(B) nonaffiliated EMS organizations to support the provision of emergency medical services; and

"(C) State fire training academies for the purposes described in subparagraphs (G), (H), and (I) of paragraph (3).

"(2) MAXIMUM GRANT AMOUNTS.—

"(A) POPULATION.—The Administrator of FEMA may not award a grant under this subsection in excess of amounts as follows:

"(i) In the case of a recipient that serves a jurisdiction with 100,000 people or fewer, the amount of the grant awarded to such recipient shall not exceed $1,000,000 in any fiscal year.

"(ii) In the case of a recipient that serves a jurisdiction with more than 100,000 people but not more than 500,000

people, the amount of the grant awarded to such recipient shall not exceed $2,000,000 in any fiscal year.

"(iii) In the case of a recipient that serves a jurisdiction with more than 500,000 but not more than 1,000,000 people, the amount of the grant awarded to such recipient shall not exceed $3,000,000 in any fiscal year.

"(iv) In the case of a recipient that serves a jurisdiction with more than 1,000,000 people but not more than 2,500,000 people, the amount of the grant awarded to such recipient shall not exceed $6,000,000 for any fiscal year.

"(v) In the case of a recipient that serves a jurisdiction with more than 2,500,000 people, the amount of the grant awarded to such recipient shall not exceed $9,000,000 in any fiscal year.

"(B) AGGREGATE.—

"(i) IN GENERAL.—Notwithstanding subparagraphs (A) and (B) and except as provided under clause (ii), the Administrator of FEMA may not award a grant

under this subsection in a fiscal year in an amount that exceeds the amount that is one percent of the available grant funds in such fiscal year.

"(ii) EXCEPTION.—The Administrator of FEMA may waive the limitation in clause (i) with respect to a grant recipient if the Administrator of FEMA determines that such recipient has an extraordinary need for a grant in an amount that exceeds the limit under clause (i).

"(3) USE OF GRANT FUNDS.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

"(A) To train firefighting personnel in—

"(i) firefighting;

"(ii) emergency medical services and other emergency response (including response to natural disasters, acts of terrorism, and other man-made disasters);

"(iii) arson prevention and detection;

"(iv) maritime firefighting; or

"(v) the handling of hazardous materials.

"(B) To train firefighting personnel to provide any of the training described under subparagraph (A).

"(C) To fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies.

"(D) To certify—

"(i) fire inspectors; and

"(ii) building inspectors—

"(I) whose responsibilities include fire safety inspections; and

"(II) who are employed by or serving as volunteers with a fire department.

"(E) To establish wellness and fitness programs for firefighting personnel to ensure that the firefighting personnel are able to carry out their duties as firefighters, including programs dedicated to raising awareness of, and prevention of, job-related mental health issues.

"(F) To fund emergency medical services provided by fire departments and nonaffiliated EMS organizations.

"(G) To acquire additional firefighting vehicles, including fire trucks and other apparatus.

"(H) To acquire additional firefighting equipment, including equipment for—

"(i) fighting fires with foam in remote areas without access to water; and

"(ii) communications, monitoring, and response to a natural disaster, act of terrorism, or other man-made disaster, including the use of a weapon of mass destruction.

"(I) To acquire personal protective equipment, including personal protective equipment—

"(i) prescribed for firefighting personnel by the Occupational Safety and Health Administration of the Department of Labor; or

"(ii) for responding to a natural disaster or act of terrorism or other man-made disaster, including the use of a weapon of mass destruction.

"(J) To modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel.

"(K) To educate the public about arson prevention and detection.

"(L) To provide incentives for the recruitment and retention of volunteer firefighting personnel for volunteer firefighting departments and other firefighting departments that utilize volunteers.

"(M) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

"(d) FIRE PREVENTION AND SAFETY GRANTS.—

"(1) IN GENERAL.—For the purpose of assisting fire prevention programs and supporting firefighter health and safety research and development, the Administrator of FEMA may, on a competitive basis—

"(A) award grants to fire departments;

"(B) award grants to, or enter into contracts or cooperative agreements with, national, State, local, tribal, or nonprofit organizations that are not fire departments and that are rec-

ognized for their experience and expertise with respect to fire prevention or fire safety programs and activities and firefighter research and development programs, for the purpose of carrying out—

"(i) fire prevention programs; and

"(ii) research to improve firefighter health and life safety; and

"(C) award grants to institutions of higher education, national fire service organizations, or national fire safety organizations to establish and operate fire safety research centers.

"(2) MAXIMUM GRANT AMOUNT.—A grant awarded under this subsection may not exceed $1,500,000 for a fiscal year.

"(3) USE OF GRANT FUNDS.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

"(A) To enforce fire codes and promote compliance with fire safety standards.

"(B) To fund fire prevention programs, including programs that educate the public about arson prevention and detection.

"(C) To fund wildland fire prevention programs, including education, awareness, and

mitigation programs that protect lives, property, and natural resources from fire in the wildland-urban interface.

"(D) In the case of a grant awarded under paragraph (1)(C), to fund the establishment or operation of a fire safety research center for the purpose of significantly reducing the number of fire-related deaths and injuries among firefighters and the general public through research, development, and technology transfer activities.

"(E) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

"(4) LIMITATION.—None of the funds made available under this subsection may be provided to the Association of Community Organizations for Reform Now (ACORN) or any of its affiliates, subsidiaries, or allied organizations.

"(e) APPLICATIONS FOR GRANTS.—

"(1) IN GENERAL.—An entity seeking a grant under this section shall submit to the Administrator of FEMA an application therefor in such form and

in such manner as the Administrator of FEMA determines appropriate.

"(2) ELEMENTS.—Each application submitted under paragraph (1) shall include the following:

"(A) A description of the financial need of the applicant for the grant.

"(B) An analysis of the costs and benefits, with respect to public safety, of the use for which a grant is requested.

"(C) An agreement to provide information to the national fire incident reporting system for the period covered by the grant.

"(D) A list of other sources of funding received by the applicant—

"(i) for the same purpose for which the application for a grant under this section was submitted; or

"(ii) from the Federal Government for other fire-related purposes.

"(E) Such other information as the Administrator of FEMA determines appropriate.

"(3) JOINT OR REGIONAL APPLICATIONS.—

"(A) IN GENERAL.—Two or more entities may submit an application under paragraph (1) for a grant under this section to fund a joint

program or initiative, including acquisition of shared equipment or vehicles.

"(B) NONEXCLUSIVITY.—Applications under this paragraph may be submitted instead of or in addition to any other application submitted under paragraph (1).

"(C) GUIDANCE.—The Administrator of FEMA shall—

"(i) publish guidance on applying for and administering grants awarded for joint programs and initiatives described in subparagraph (A); and

"(ii) encourage applicants to apply for grants for joint programs and initiatives described in subparagraph (A) as the Administrator of FEMA determines appropriate to achieve greater cost effectiveness and regional efficiency.

"(f) PEER REVIEW OF GRANT APPLICATIONS.—

"(1) IN GENERAL.—The Administrator of FEMA shall, after consultation with national fire service and emergency medical services organizations, appoint fire service personnel to conduct peer reviews of applications received under subsection (e)(1).

"(2) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out pursuant to this subsection.

"(g) PRIORITIZATION OF GRANT AWARDS.—In awarding grants under this section, the Administrator of FEMA shall consider the following:

"(1) The findings and recommendations of the peer reviews carried out under subsection (f).

"(2) The degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire-related and other hazards.

"(3) The extent of the need of an applicant for a grant under this section and the need to protect the United States as a whole.

"(4) The number of calls requesting or requiring a fire fighting or emergency medical response received by an applicant.

"(h) ALLOCATION OF GRANT AWARDS.—In awarding grants under this section, the Administrator of FEMA shall ensure that of the available grant funds in each fiscal year—

"(1) not less than 25 percent are awarded under subsection (c) to career fire departments;

"(2) not less than 25 percent are awarded under subsection (c) to volunteer fire departments;

"(3) not less than 25 percent are awarded under subsection (c) to combination fire departments and fire departments using paid-on-call firefighting personnel;

"(4) not less than 10 percent are available for open competition among career fire departments, volunteer fire departments, combination fire departments, and fire departments using paid-on-call firefighting personnel for grants awarded under subsection (c);

"(5) not less than 10 percent are awarded under subsection (d); and

"(6) not more than 2 percent are awarded under this section to nonaffiliated EMS organizations described in subsection (c)(1)(B).

"(i) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—

"(1) FUNDING FOR EMERGENCY MEDICAL SERVICES.—Not less than 3.5 percent of the available grant funds for a fiscal year shall be awarded under this section for purposes described in subsection (c)(3)(F).

"(2) STATE FIRE TRAINING ACADEMIES.—

"(A) MAXIMUM SHARE.—Not more than 3 percent of the available grant funds for a fiscal year may be awarded under subsection (c)(1)(C).

"(B) MAXIMUM GRANT AMOUNT.—The Administrator of FEMA may not award a grant under subsection (c)(1)(C) to a State fire training academy in an amount that exceeds $1,000,000 in any fiscal year.

"(3) AMOUNTS FOR PURCHASING FIREFIGHTING VEHICLES.—Not more than 25 percent of the available grant funds for a fiscal year may be used to assist grant recipients to purchase vehicles pursuant to subsection (c)(3)(G).

"(j) FURTHER CONSIDERATIONS.—

"(1) ASSISTANCE TO FIREFIGHTERS GRANTS TO FIRE DEPARTMENTS.—In considering applications for grants under subsection (c)(1)(A), the Administrator of FEMA shall consider—

"(A) the extent to which the grant would enhance the daily operations of the applicant and the impact of such a grant on the protection of lives and property; and

"(B) a broad range of factors important to the applicant's ability to respond to fires and related hazards, such as the following:

"(i) Population served.

"(ii) Geographic response area.

"(iii) Hazards vulnerability.

"(iv) Call volume.

"(v) Financial situation, including unemployment rate of the area being served.

"(vi) Need for training or equipment.

"(2) APPLICATIONS FROM NONAFFILIATED EMS ORGANIZATIONS.—In the case of an application submitted under subsection (e)(1) by a nonaffiliated EMS organization, the Administrator of FEMA shall consider the extent to which other sources of Federal funding are available to the applicant to provide the assistance requested in such application.

"(3) AWARDING FIRE PREVENTION AND SAFETY GRANTS TO CERTAIN ORGANIZATIONS THAT ARE NOT FIRE DEPARTMENTS.—In the case of applicants for grants under this section who are described in subsection (d)(1)(B), the Administrator of FEMA shall give priority to applicants who focus on—

"(A) prevention of injuries to high risk groups from fire; and

"(B) research programs that demonstrate a potential to improve firefighter safety.

"(4) AWARDING GRANTS FOR FIRE SAFETY RESEARCH CENTERS.—

"(A) CONSIDERATIONS.—In awarding grants under subsection (d)(1)(C), the Administrator of FEMA shall—

"(i) select each grant recipient on—

"(I) the demonstrated research and extension resources available to the recipient to carry out the research, development, and technology transfer activities;

"(II) the capability of the recipient to provide leadership in making national contributions to fire safety;

"(III) the recipient's ability to disseminate the results of fire safety research; and

"(IV) the strategic plan the recipient proposes to carry out under the grant;

"(ii) give special consideration in selecting recipients under subparagraph (A)

to an applicant for a grant that consists of a partnership between—

"(I) a national fire service organization or a national fire safety organization; and

"(II) an institution of higher education, including a minority-serving institution (as described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))); and

"(iii) consider the research needs identified and prioritized through the workshop required by subparagraph (B)(i).

"(B) RESEARCH NEEDS.—

"(i) IN GENERAL.—Not later than 90 days after the date of the enactment of the Fire Grants Reauthorization Act of 2012, the Administrator of FEMA shall convene a workshop of the fire safety research community, fire service organizations, and other appropriate stakeholders to identify and prioritize fire safety research needs.

"(ii) PUBLICATION.—The Administrator of FEMA shall ensure that the re-

sults of the workshop are made available to the public.

"(C) LIMITATIONS ON GRANTS FOR FIRE SAFETY RESEARCH CENTERS.—

"(i) IN GENERAL.—The Administrator of FEMA may award grants under subsection (d) to establish not more than 3 fire safety research centers.

"(ii) RECIPIENTS.—An institution of higher education, a national fire service organization, and a national fire safety organization may not directly receive a grant under subsection (d) for a fiscal year for more than 1 fire safety research center.

"(5) AVOIDING DUPLICATION.—The Administrator of FEMA shall review lists submitted by applicants pursuant to subsection (e)(2)(D) and take such actions as the Administrator of FEMA considers necessary to prevent unnecessary duplication of grant awards.

"(k) MATCHING AND MAINTENANCE OF EXPENDITURE REQUIREMENTS.—

"(1) MATCHING REQUIREMENT FOR ASSISTANCE TO FIREFIGHTERS GRANTS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), an applicant seeking a grant to carry out an activity under subsection (c) shall agree to make available non-Federal funds to carry out such activity in an amount equal to not less than 15 percent of the grant awarded to such applicant under such subsection.

"(B) EXCEPTION FOR ENTITIES SERVING SMALL COMMUNITIES.—In the case that an applicant seeking a grant to carry out an activity under subsection (c) serves a jurisdiction of—

"(i) more than 20,000 residents but not more than 1,000,000 residents, the application shall agree to make available non-Federal funds in an amount equal to not less than 10 percent of the grant awarded to such applicant under such subsection; and

"(ii) 20,000 residents or fewer, the applicant shall agree to make available non-Federal funds in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

"(2) MATCHING REQUIREMENT FOR FIRE PREVENTION AND SAFETY GRANTS.—

"(A) IN GENERAL.—An applicant seeking a grant to carry out an activity under subsection (d) shall agree to make available non-Federal funds to carry out such activity in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

"(B) MEANS OF MATCHING.—An applicant for a grant under subsection (d) may meet the matching requirement under subparagraph (A) through direct funding, funding of complementary activities, or the provision of staff, facilities, services, material, or equipment.

"(3) MAINTENANCE OF EXPENDITURES.—An applicant seeking a grant under subsection (c) or (d) shall agree to maintain during the term of the grant the applicant's aggregate expenditures relating to the uses described in subsections (c)(3) and (d)(3) at not less than 80 percent of the average amount of such expenditures in the 2 fiscal years preceding the fiscal year in which the grant amounts are received.

"(4) WAIVER.—

"(A) IN GENERAL.—Except as provided in subparagraph (C)(ii), the Administrator of FEMA may waive or reduce the requirements of paragraphs (1), (2), and (3) in cases of demonstrated economic hardship.

"(B) GUIDELINES.—

"(i) IN GENERAL.—The Administrator of FEMA shall establish and publish guidelines for determining what constitutes economic hardship for purposes of this paragraph.

"(ii) CONSULTATION.—In developing guidelines under clause (i), the Administrator of FEMA shall consult with individuals who are—

"(I) recognized for expertise in firefighting, emergency medical services provided by fire services, or the economic affairs of State and local governments; and

"(II) members of national fire service organizations or national organizations representing the interests of State and local governments.

"(iii) CONSIDERATIONS.—In developing guidelines under clause (i), the Administrator of FEMA shall consider, with respect to relevant communities, the following:

"(I) Changes in rates of unemployment from previous years.

"(II) Whether the rates of unemployment of the relevant communities are currently and have consistently exceeded the annual national average rates of unemployment.

"(III) Changes in percentages of individuals eligible to receive food stamps from previous years.

"(IV) Such other factors as the Administrator of FEMA considers appropriate.

"(C) CERTAIN APPLICANTS FOR FIRE PREVENTION AND SAFETY GRANTS.—The authority under subparagraph (A) shall not apply with respect to a nonprofit organization that—

"(i) is described in subsection (d)(1)(B); and

"(ii) is not a fire department or emergency medical services organization.

"(l) GRANT GUIDELINES.—

"(1) GUIDELINES.—For each fiscal year, prior to awarding any grants under this section, the Administrator of FEMA shall publish in the Federal Register—

"(A) guidelines that describe—

"(i) the process for applying for grants under this section; and

"(ii) the criteria that will be used for selecting grant recipients; and

"(B) an explanation of any differences between such guidelines and the recommendations obtained under paragraph (2).

"(2) ANNUAL MEETING TO OBTAIN RECOMMENDATIONS.—

"(A) IN GENERAL.—For each fiscal year, the Administrator of FEMA shall convene a meeting of qualified members of national fire service organizations and, at the discretion of the Administrator of FEMA, qualified members of emergency medical service organizations to obtain recommendations regarding the following:

"(i) Criteria for the awarding of grants under this section.

"(ii) Administrative changes to the assistance program established under subsection (b).

"(B) QUALIFIED MEMBERS.—For purposes of this paragraph, a qualified member of an organization is a member who—

"(i) is recognized for expertise in firefighting or emergency medical services;

"(ii) is not an employee of the Federal Government; and

"(iii) in the case of a member of an emergency medical service organization, is a member of an organization that represents—

"(I) providers of emergency medical services that are affiliated with fire departments; or

"(II) nonaffiliated EMS providers.

"(3) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out under this subsection.

1 "(m) ACCOUNTING DETERMINATION.—Notwith-
2 standing any other provision of law, for purposes of this
3 section, equipment costs shall include all costs attributable
4 to any design, purchase of components, assembly, manu-
5 facture, and transportation of equipment not otherwise
6 commercially available.

7 "(n) ELIGIBLE GRANTEE ON BEHALF OF ALASKA
8 NATIVE VILLAGES.—The Alaska Village Initiatives, a
9 non-profit organization incorporated in the State of Alas-
10 ka, shall be eligible to apply for and receive a grant or
11 other assistance under this section on behalf of Alaska Na-
12 tive villages.

13 "(o) TRAINING STANDARDS.—If an applicant for a
14 grant under this section is applying for such grant to pur-
15 chase training that does not meet or exceed any applicable
16 national voluntary consensus standards, including those
17 developed under section 647 of the Post-Katrina Emer-
18 gency Management Reform Act of 2006 (6 U.S.C. 747),
19 the applicant shall submit to the Administrator of FEMA
20 an explanation of the reasons that the training proposed
21 to be purchased will serve the needs of the applicant better
22 than training that meets or exceeds such standards.

23 "(p) ENSURING EFFECTIVE USE OF GRANTS.—

"(1) AUDITS.—The Administrator of FEMA may audit a recipient of a grant awarded under this section to ensure that—

"(A) the grant amounts are expended for the intended purposes; and

"(B) the grant recipient complies with the requirements of subsection (k).

"(2) PERFORMANCE ASSESSMENT.—

"(A) IN GENERAL.—The Administrator of FEMA shall develop and implement a performance assessment system, including quantifiable performance metrics, to evaluate the extent to which grants awarded under this section are furthering the purposes of this section, including protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards.

"(B) CONSULTATION.—The Administrator of FEMA shall consult with fire service representatives and with the Comptroller General of the United States in developing the assessment system required by subparagraph (A).

"(3) ANNUAL REPORTS TO ADMINISTRATOR OF FEMA.—Not less frequently than once each year during the term of a grant awarded under this sec-

tion, the recipient of the grant shall submit to the Administrator of FEMA an annual report describing how the recipient used the grant amounts.

"(4) ANNUAL REPORTS TO CONGRESS.—

"(A) IN GENERAL.—Not later than September 30, 2013, and each year thereafter through 2017, the Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report that provides—

"(i) information on the performance assessment system developed under paragraph (2); and

"(ii) using the performance metrics developed under such paragraph, an evaluation of the effectiveness of the grants awarded under this section.

"(B) ADDITIONAL INFORMATION.—The report due under subparagraph (A) on September 30, 2016, shall also include recommendations for legislative changes to improve grants under this section.

"(q) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this section—

"(A) $750,000,000 for fiscal year 2013; and

"(B) for each of fiscal years 2014 through 2017, an amount equal to the amount authorized for the previous fiscal year increased by the percentage by which—

"(i) the Consumer Price Index (all items, United States city average) for the previous fiscal year, exceeds

"(ii) the Consumer Price Index for the fiscal year preceding the fiscal year described in clause (i).

"(2) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated pursuant to paragraph (1) for a fiscal year, the Administrator of FEMA may use not more than 5 percent of such amounts for salaries and expenses and other administrative costs incurred by the Administrator of FEMA in the course of awarding grants and providing assistance under this section.

"(3) CONGRESSIONALLY DIRECTED SPENDING.—Consistent with the requirements in subsections (c)(1) and (d)(1) that grants under those

subsections be awarded on a competitive basis, none of the funds appropriated pursuant to this subsection may be used for any congressionally directed spending item (as defined under the rules of the Senate and the House of Representatives).

''(r) SUNSET OF AUTHORITIES.—The authority to award assistance and grants under this section shall expire on the date that is 5 years after the date of the enactment of the Fire Grants Reauthorization Act of 2012.''.

SEC. 1804. STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE.

(a) IMPROVEMENTS TO HIRING GRANTS.—

(1) TERM OF GRANTS.—Subparagraph (B) of section 34(a)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(a)(1)) is amended to read as follows:

''(B) Grants made under this paragraph shall be for 3 years and be used for programs to hire new, additional firefighters.''.

(2) LIMITATION OF PORTION OF COSTS OF HIRING FIREFIGHTERS.—Subparagraph (E) of such section is amended to read as follows:

''(E) The portion of the costs of hiring firefighters provided by a grant under this paragraph may not exceed—

"(i) 75 percent in the first year of the grant;

"(ii) 75 percent in the second year of the grant; and

"(iii) 35 percent in the third year of the grant.".

(b) CLARIFICATION REGARDING ELIGIBLE ENTITIES FOR RECRUITMENT AND RETENTION GRANTS.—The second sentence of section 34(a)(2) of such Act (15 U.S.C. 2229a(a)(2)) is amended by striking "organizations on a local or statewide basis" and inserting "national, State, local, or tribal organizations".

(c) MAXIMUM AMOUNT FOR HIRING A FIREFIGHTER.—Paragraph (4) of section 34(c) of such Act (15 U.S.C. 2229a(c)) is amended to read as follows:

"(4) The amount of funding provided under this section to a recipient fire department for hiring a firefighter in any fiscal year may not exceed—

"(A) in the first year of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted;

"(B) in the second year of the grant, 75 percent of the usual annual cost of a first-year fire-

fighter in that department at the time the grant application was submitted; and

"(C) in the third year of the grant, 35 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.".

(d) WAIVERS.—Section 34 of such Act (15 U.S.C. 2229a) is amended—

(1) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

(2) by inserting after subsection (c) the following:

"(d) WAIVERS.—

"(1) IN GENERAL.—In a case of demonstrated economic hardship, the Administrator of FEMA may—

"(A) waive the requirements of subsection (c)(1); or

"(B) waive or reduce the requirements in subsection (a)(1)(E) or subsection (c)(2).

"(2) GUIDELINES.—

"(A) IN GENERAL.—The Administrator of FEMA shall establish and publish guidelines for determining what constitutes economic hardship for purposes of paragraph (1).

"(B) CONSULTATION.—In developing guidelines under subparagraph (A), the Administrator of FEMA shall consult with individuals who are—

"(i) recognized for expertise in firefighting, emergency medical services provided by fire services, or the economic affairs of State and local governments; and

"(ii) members of national fire service organizations or national organizations representing the interests of State and local governments.

"(C) CONSIDERATIONS.—In developing guidelines under subparagraph (A), the Administrator of FEMA shall consider, with respect to relevant communities, the following:

"(i) Changes in rates of unemployment from previous years.

"(ii) Whether the rates of unemployment of the relevant communities are currently and have consistently exceeded the annual national average rates of unemployment.

"(iii) Changes in percentages of individuals eligible to receive food stamps from previous years.

"(iv) Such other factors as the Administrator of FEMA considers appropriate.".

(e) IMPROVEMENTS TO PERFORMANCE EVALUATION REQUIREMENTS.—Subsection (e) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended by inserting before the first sentence the following:

"(1) IN GENERAL.—The Administrator of FEMA shall establish a performance assessment system, including quantifiable performance metrics, to evaluate the extent to which grants awarded under this section are furthering the purposes of this section.

"(2) SUBMITTAL OF INFORMATION.—".

(f) REPORT.—

(1) IN GENERAL.—Subsection (f) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended by striking "The authority" and all that follows through "Congress concerning" and inserting the following: "Not later than September 30, 2014, the

Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on''.

(2) CONFORMING AMENDMENT.—The heading for subsection (f) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended by striking ''SUNSET AND REPORTS'' and inserting ''REPORT''.

(g) ADDITIONAL DEFINITIONS.—

(1) IN GENERAL.—Subsection (i) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended—

(A) in the matter before paragraph (1), by striking ''In this section, the term—'' and inserting ''In this section:'';

(B) in paragraph (1)—

(i) by inserting ''The term'' before '' 'firefighter' has''; and

(ii) by striking ''; and'' and inserting a period;

(C) by striking paragraph (2); and

(D) by inserting at the end the following:

"(2) The terms 'Administrator of FEMA', 'career fire department', 'combination fire department', and 'volunteer fire department' have the meanings given such terms in section 33(a).".

(2) CONFORMING AMENDMENT.—Section 34(a)(1)(A) of such Act (15 U.S.C. 2229a(a)(1)(A)) is amended by striking "career, volunteer, and combination fire departments" and inserting "career fire departments, combination fire departments, and volunteer fire departments".

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subsection (j) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended—

(A) in paragraph (6), by striking "and" at the end;

(B) in paragraph (7), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(8) $750,000,000 for fiscal year 2013; and

"(9) for each of fiscal years 2014 through 2017, an amount equal to the amount authorized for the previous fiscal year increased by the percentage by which—

"(A) the Consumer Price Index (all items, United States city average) for the previous fiscal year, exceeds

"(B) the Consumer Price Index for the fiscal year preceding the fiscal year described in subparagraph (A).".

(2) ADMINISTRATIVE EXPENSES.—Such subsection (j) is further amended—

(A) in paragraph (9), as added by paragraph (1) of this subsection, by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving the left margin of such clauses, as so redesignated, 2 ems to the right;

(B) by redesignating paragraphs (1) through (9) as subparagraphs (A) through (I), respectively, and moving the left margin of such subparagraphs, as so redesignated, 2 ems to the right;

(C) by striking "There are" and inserting the following:

"(1) IN GENERAL.—There are"; and

(D) by adding at the end the following:

"(2) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated pursuant to paragraph (1) for

a fiscal year, the Administrator of FEMA may use not more than 5 percent of such amounts to cover salaries and expenses and other administrative costs incurred by the Administrator of FEMA to make grants and provide assistance under this section.''.

(3) CONGRESSIONALLY DIRECTED SPENDING.—Such subsection (j) is further amended by adding at the end the following:

''(3) CONGRESSIONALLY DIRECTED SPENDING.—Consistent with the requirement in subsection (a) that grants under this section be awarded on a competitive basis, none of the funds appropriated pursuant to this subsection may be used for any congressionally direct spending item (as defined under the rules of the Senate and the House of Representatives).''.

(i) TECHNICAL AMENDMENT.—Section 34 of such Act (15 U.S.C. 2229a) is amended by striking ''Administrator'' each place it appears and inserting ''Administrator of FEMA''.

(j) CLERICAL AMENDMENT.—Such section is further amended in the heading by striking ''**EXPANSION OF PRE-SEPTEMBER 11, 2001, FIRE GRANT PROGRAM**'' and inserting the following: ''**STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE**''.

(k) SUNSET OF AUTHORITY TO AWARD HIRING GRANTS.—Such section is further amended by adding at the end the following:

''(k) SUNSET OF AUTHORITIES.—The authority to award assistance and grants under this section shall expire on the date that is 5 years after the date of the enactment of the Fire Grants Reauthorization Act of 2012.''.

SEC. 1805. SENSE OF CONGRESS ON VALUE AND FUNDING OF ASSISTANCE TO FIREFIGHTERS AND STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE PROGRAMS.

It is the sense of Congress that—

(1) the grants and assistance awarded under sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a) have proven equally valuable in protecting the health and safety of the public and firefighting personnel throughout the United States against fire and fire-related hazards; and

(2) providing parity in funding for the awarding of grants and assistance under both such sections will ensure that the grant and assistance programs under such sections can continue to serve their complementary purposes.

SEC. 1806. REPORT ON AMENDMENTS TO ASSISTANCE TO FIREFIGHTERS AND STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE PROGRAMS.

(a) IN GENERAL.—Not later than September 30, 2016, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on the effect of the amendments made by this title.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the effect of the amendments made by sections 1803 and 1804 on the effectiveness, relative allocation, accountability, and administration of the grants and assistance awarded under sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a) after the date of the enactment of this Act.

(2) An evaluation of the extent to which the amendments made by sections 1803 and 1804 have enabled recipients of grants and assistance awarded under such sections 33 and 34 after the date of the

enactment of this Act to mitigate fire and fire-related and other hazards more effectively.

SEC. 1807. STUDIES AND REPORTS ON THE STATE OF FIRE SERVICES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Fire Administration.

(2) CAREER FIRE DEPARTMENT, COMBINATION FIRE DEPARTMENT, VOLUNTEER FIRE DEPARTMENT.—The terms ''career fire department'', ''combination fire department'', and ''volunteer fire department'' have the meanings given such terms in section 33(a) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(a)), as amended by section 1803.

(3) FIRE SERVICE.—The term ''fire service'' has the meaning given such term in section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203).

(b) STUDY AND REPORT ON COMPLIANCE WITH STAFFING STANDARDS.—

(1) STUDY.—The Administrator shall conduct a study on the level of compliance with national voluntary consensus standards for staffing, training,

safe operations, personal protective equipment, and fitness among the fire services of the United States.

(2) SURVEY.—

(A) IN GENERAL.—In carrying out the study required by paragraph (1), the Administrator shall carry out a survey of fire services to assess the level of compliance of such fire services with the standards described in such paragraph.

(B) ELEMENTS.—The survey required by subparagraph (A) shall—

(i) include career fire departments, volunteer fire departments, combination fire departments, and fire departments serving communities of different sizes, and such other distinguishing factors as the Administrator considers relevant;

(ii) employ methods to ensure that the survey accurately reflects the actual rate of compliance with the standards described in paragraph (1) among fire services; and

(iii) determine the extent of barriers and challenges to achieving compliance with the standards described in paragraph (1) among fire services.

(C) AUTHORITY TO CARRY OUT SURVEY WITH NONPROFIT.—If the Administrator determines that it will reduce the costs incurred by the United States Fire Administration in carrying out the survey required by subparagraph (A), the Administrator may carry out such survey in conjunction with a nonprofit organization that has substantial expertise and experience in the following areas:

(i) The fire services.

(ii) National voluntary consensus standards.

(iii) Contemporary survey methods.

(3) REPORT ON FINDINGS OF STUDY.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the findings of the Administrator with respect to the study required by paragraph (1).

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) An accurate description, based on the results of the survey required by paragraph (2)(A), of the rate of compliance with the standards described in paragraph

(1) among United States fire services, including a comparison of the rates of compliance among career fire departments, volunteer fire departments, combination fire departments, and fire departments serving communities of different sizes, and such other comparisons as Administrator considers relevant.

(ii) A description of the challenges faced by different types of fire departments and different types of communities in complying with the standards described in paragraph (1).

(c) TASK FORCE TO ENHANCE FIREFIGHTER SAFETY.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish a task force to be known as the ''Task Force to Enhance Firefighter Safety'' (in this subsection referred to as the ''Task Force'').

(2) MEMBERSHIP.—

(A) IN GENERAL.—Members of the Task Force shall be appointed by the Secretary from

among the general public and shall include the following:

(i) Representatives of national organizations representing firefighters and fire chiefs.

(ii) Individuals representing standards-setting and accrediting organizations, including representatives from the voluntary consensus codes and standards development community.

(iii) Such other individuals as the Secretary considers appropriate.

(B) REPRESENTATIVES OF OTHER DEPARTMENTS AND AGENCIES.—The Secretary may invite representatives of other Federal departments and agencies that have an interest in fire services to participate in the meetings and other activities of the Task Force.

(C) NUMBER; TERMS OF SERVICE; PAY AND ALLOWANCES.—The Secretary shall determine the number, terms of service, and pay and allowances of members of the Task Force appointed by the Secretary, except that a term of service of any such member may not exceed 2 years.

(3) RESPONSIBILITIES.—The Task Force shall—

(A) consult with the Secretary in the conduct of the study required by subsection (b)(1); and

(B) develop a plan to enhance firefighter safety by increasing fire service compliance with the standards described in subsection (b)(1), including by—

(i) reviewing and evaluating the report required by subsection (b)(3)(A) to determine the extent of and barriers to achieving compliance with the standards described in subsection (b)(1) among fire services; and

(ii) considering ways in which the Federal Government, States, and local governments can promote or encourage fire services to comply with such standards.

(4) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary submits the report required by subsection (b)(3)(A), the Task Force shall submit to Con-

gress and the Secretary a report on the activities and findings of the Task Force.

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) The findings and recommendations of the Task Force with respect to the study carried out under subsection (b)(1).

(ii) The plan developed under paragraph (3)(B).

(d) STUDY AND REPORT ON THE NEEDS OF FIRE SERVICES.—

(1) STUDY.—The Administrator shall conduct a study—

(A) to define the current roles and activities associated with fire services on a national, State, regional, and local level;

(B) to identify the equipment, staffing, and training required to fulfill the roles and activities defined under subparagraph (A);

(C) to conduct an assessment to identify gaps between what fire services currently possess and what they require to meet the equipment, staffing, and training needs identified under subparagraph (B) on a national and State-by-State basis; and

(D) to measure the impact of the grant and assistance program under section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) in meeting the needs of fire services and filling the gaps identified under subparagraph (C).

(2) REPORT.—Not later than 2 years after the date of the enactment of this title, the Administrator shall submit to Congress a report on the findings of the Administrator with respect to the study conducted under paragraph (1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator to carry out this section—

(1) $600,000 for fiscal year 2013; and

(2) $600,000 for fiscal year 2014.

Subtitle B—Reauthorization of United States Fire Administration

SEC. 1811. SHORT TITLE.

This subtitle may be cited as the ''United States Fire Administration Reauthorization Act of 2012''.

SEC. 1812. CLARIFICATION OF RELATIONSHIP BETWEEN UNITED STATES FIRE ADMINISTRATION AND FEDERAL EMERGENCY MANAGEMENT AGENCY.

Section 5(c) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2204) is amended to read as follows:

''(c) DEPUTY ADMINISTRATOR.—The Administrator may appoint a Deputy Administrator, who shall—

''(1) perform such functions as the Administrator shall from time to time assign or delegate; and

''(2) act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.''.

SEC. 1813. MODIFICATION OF AUTHORITY OF ADMINISTRATOR TO EDUCATE PUBLIC ABOUT FIRE AND FIRE PREVENTION.

Section 6 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2205) is amended by striking ''to take all steps'' and all that follows through ''fire and fire prevention.'' and inserting ''to take such steps as the Administrator considers appropriate to educate the public and overcome public indifference as to fire, fire prevention, and individual preparedness.''.

SEC. 1814. AUTHORIZATION OF APPROPRIATIONS.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

(1) in subparagraph (G), by striking ''and'' at the end;

(2) in subparagraph (H), by striking the period at the end and inserting a semicolon;

(3) by adding after subparagraph (H) the following:

''(I) $76,490,890 for fiscal year 2013, of which $2,753,672 shall be used to carry out section 8(f);

''(J) $76,490,890 for fiscal year 2014, of which $2,753,672 shall be used to carry out section 8(f);

''(K) $76,490,890 for fiscal year 2015, of which $2,753,672 shall be used to carry out section 8(f);

''(L) $76,490,890 for fiscal year 2016, of which $2,753,672 shall be used to carry out section 8(f); and

''(M) $76,490,890 for fiscal year 2017, of which $2,753,672 shall be used to carry out section 8(f).''; and

(4) in subparagraphs (E) through (H), by moving each margin 2 ems to the left.

SEC. 1815. REMOVAL OF LIMITATION.

Section 9(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2208(d)) is amended—

(1) by striking ''UPDATE.—'' and all that follows through ''The Administrator'' and inserting ''UPDATE.—The Administrator''; and

(2) by striking paragraph (2).

TITLE XIX—MEMORIAL TO SLAVES AND FREE BLACK PERSONS WHO SERVED IN THE AMERICAN REVOLUTION

SEC. 1901. FINDING.

Congress finds that the contributions of free persons and slaves who fought during the American Revolution were of preeminent historical and lasting significance to the United States, as required by section 8908(b)(1) of title 40, United States Code.

SEC. 1902. DEFINITIONS.

In this title:

(1) FEDERAL LAND.—

(A) IN GENERAL.—The term ''Federal land'' means the parcel of land—

(i) identified as ''Area I''; and

(ii) depicted on the map numbered 869/86501B and dated June 24, 2003.

(B) EXCLUSION.—The term ''Federal land'' does not include the Reserve (as defined

in section 8902(a) of title 40, United States Code).

(2) MEMORIAL.—The term ''memorial'' means the memorial authorized to be established under section 3(a).

SEC. 1903. MEMORIAL AUTHORIZATION.

(a) AUTHORIZATION.—In accordance with subsections (b) and (c), National Mall Liberty Fund D.C. may establish a memorial on Federal land in the District of Columbia to honor the more than 5,000 courageous slaves and free Black persons who served as soldiers and sailors or provided civilian assistance during the American Revolution.

(b) PROHIBITION ON USE OF FEDERAL FUNDS.—National Mall Liberty Fund D.C. may not use Federal funds to establish the memorial.

(c) APPLICABLE LAW.—National Mall Liberty Fund D.C. shall establish the memorial in accordance with chapter 89 of title 40, United States Code.

SEC. 1904. REPEAL OF JOINT RESOLUTIONS.

Public Law 99–558 (110 Stat. 3144) and Public Law 100–265 (102 Stat. 39) are repealed.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2013''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2015; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Se-

curity Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2015; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2016 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	$10,400,000
	Joint Base Elmendorf-Richardson	$7,900,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
California	Concord	$8,900,000
Colorado	Fort Carson	$18,000,000
	Fort McNair	$7,200,000
Georgia	Fort Benning	$16,000,000
	Fort Gordon	$23,300,000
	Fort Stewart	$49,650,000
Hawaii	Pohakuloa Training Area	$29,000,000
	Schofield Barracks	$96,000,000
	Wheeler Army Air Field	$85,000,000
Kansas	Fort Riley	$12,200,000
Kentucky	Fort Campbell	$81,800,000
	Fort Knox	$6,000,000
Missouri	Fort Leonard Wood	$123,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$47,000,000
	Picatinny Arsenal	$10,200,000
New York	Fort Drum	$95,000,000
North Carolina	Fort Bragg	$68,000,000
Oklahoma	Fort Sill	$4,900,000
South Carolina	Fort Jackson	$24,000,000
Texas	Corpus Christi	$37,200,000
	Fort Bliss	$7,200,000
	Fort Hood	$51,200,000
	Joint Base San Antonio	$21,000,000
Virginia	Fort Belvoir	$94,000,000
	Fort Lee	$81,000,000
Washington	Joint Base Lewis McChord	$164,000,000
	Yakima	$5,100,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Italy	Camp Ederle	$36,000,000
	Vicenza	$32,000,000
Japan	Okinawa	$78,000,000
	Sagami	$18,000,000
Korea	Camp Humphreys	$45,000,000

SEC. 2102. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,641,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Army, as specified in the funding table in section 4601.

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2628) for Fort Belvoir, Virginia, for construction of a Road and Access Control Point at the installation, the Secretary of the Army may construct a standard design Access Control Point consistent with the Army's construction guidelines for Access Control Points.

SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (122 Stat. 4659), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Alabama	Anniston Army Depot	Lake Yard Interchange	$1,400,000
New Jersey	Picatinny Arsenal	Ballistic evaluation Facility Phase I	$9,900,000

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (123 Stat. 2628), shall remain in effect until October 1, 2013, or the

date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2010 Project Authorizations

State/Country	Installation or Location	Project	Amount
Louisiana	Fort Polk	Land Purchases and Condemnation.	$17,000,000
New Jersey	Picatinny Arsenal	Ballistic Evaluation Facility, Ph2.	$10,200,000
Virginia	Fort Belvoir	Road and Access Control Point.	$9,500,000
Washington	Fort Lewis	Fort Lewis-McCord AFB Joint Access.	$9,000,000
Kuwait	Kuwait	APS Warehouses	$82,000,000

SEC. 2107. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

(a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a cadet barracks at the U.S. Military Academy, New York, in the amount of $192,000,000.

(b) USE OF UNOBLIGATED PRIOR-YEAR MILITARY CONSTRUCTION FUNDS.—The Secretary of the Army shall use available, unobligated military construction funds appropriated for a fiscal year before fiscal year 2013 for the project described in subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes nec-

essary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the 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

Inside the United States—Continued

State	Installation or Location	Amount
	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

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2204 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 Navy
6 may acquire real property and carry out military construc-
7 tion projects for the installation or location outside the
8 United States, and in the amounts, set forth in the fol-
9 lowing table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	SW Asia	$51,348,000
Diego Garcia	Diego Garcia	$1,691,000
Djibouti	Camp Lemonier	$99,420,000
Greece	Souda Bay	$25,123,000
Japan	Iwakuni	$13,138,000
	Okinawa	$8,206,000
Romania	Deveselu	$45,205,000
Spain	Rota	$17,215,000
Worldwide Unspecified	Unspecified Worldwide Locations	$34,048,000

10 **SEC. 2202. FAMILY HOUSING.**

11 Using amounts appropriated pursuant to the author-
12 ization of appropriations in section 2204 and available for
13 military family housing functions as specified in the fund-
14 ing table in section 4601, the Secretary of the Navy may
15 carry out architectural and engineering services and con-
16 struction design activities with respect to the construction

or improvement of family housing units in an amount not to exceed $4,527,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $97,655,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in 4601, including incremental funding for the construction of increment 2 of explosives handling wharf 2 at Kitsap, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), $254,241,000.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), for Kitsap (Bangor) Washington, for construction of Explosives Handling Wharf #2 at that location, the Secretary of the Navy may acquire fee or lesser real property interests to accomplish required environmental mitigation for the project using appropriations authorized for the project.

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (122 Stat 4670) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1668), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2009 Project Authorization

State/Country	Installation or Location	Project	Amount
California	Marine Corps Base, Camp Pendleton	Operations Access Points, Red Beach	$11,970,000
	Marine Corps Air Station, 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
4 the Military Construction Authorization Act for Fiscal
5 Year 2010 (division B of Public Law 111–84; 123 Stat.
6 2627), the authorization set forth in the table in sub-
7 section (b), as provided in section 2201 of that Act (123
8 Stat. 2632), shall remain in effect until October 1, 2013,
9 or the date of an Act authorizing funds for military con-
10 struction for fiscal year 2014, whichever is later.

11 (b) TABLE.—The table referred to in subsection (a)
12 is as follows:

Navy: Extension of 2010 Project Authorization

State/Country	Installation or Location	Project	Amount
California	Mountain Warfare Training Center, Bridgeport	Mountain Warfare Training, Commissary	$6,830,000
Maine	Portsmouth Naval Shipyard	Gate 2 Security Improvements	$7,090,000
Djibouti	Camp Lemonier	Security Fencing	$8,109,000
		Ammo Supply Point	$21,689,000
		Interior Paved Roads	$7,275,000

SEC. 2208. REALIGNMENT OF MARINES IN THE ASIA-PACIFIC REGION.

(a) RESTRICTION ON USE OF FUNDS.—Except as provided in subsection (c), none of the funds authorized to be appropriated under this Act, and none of the amounts provided by the Government of Japan for construction activities on land under the jurisdiction of the Department of Defense, may be obligated or expended to implement the realignment of Marine Corps forces from Okinawa to other locations until—

(1) the Commander of the United States Pacific Command provides to the congressional defense committees an assessment of the strategic and logistical resources needed to ensure the distributed lay-down of members of the United States Marine Corps in the United States Pacific Command Area of Responsibility meets the contingency operations plans;

(2) the Secretary of Defense submits to the congressional defense committees master plans for the construction of facilities and infrastructure to execute the Marine Corps distributed lay-down on Guam, Australia, and Hawaii, including a detailed description of costs and the schedule for such construction;

(3) the Secretary of the Navy submits a plan to the congressional defense committees detailing the proposed investments and schedules required to restore facilities and infrastructure at Marine Corps Air Station Futenma; and

(4) a plan coordinated by all pertinent Federal agencies is provided to the congressional defense committees detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the non-military utilities, facilities, and infrastructure, if any, on Guam affected by the realignment of forces.

(b) DEVELOPMENT OF PUBLIC INFRASTRUCTURE.—

(1) AUTHORIZATION REQUIRED.—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available in fiscal year 2012 or fiscal year 2013 under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant,

transfer cooperative agreement, or supplemental funding unless specifically authorized by law.

(2) PUBLIC INFRASTRUCTURE DEFINED.—In this section, the term ''public infrastructure'' means any utility, method of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

(c) EXCEPTION TO RESTRICTION ON USE OF FUNDS.—The Secretary of Defense may use funds described in subsection (a) to carry out additional analysis or studies required the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for proposed actions on Guam or Hawaii.

(d) DISTRIBUTED LAY-DOWN DEFINED.—For purposes of this section, the term ''distributed lay-down'' refers to the planned distribution of Marines in Okinawa, Guam, Hawaii, Australia, and possibly elsewhere that is contemplated in support of the joint statement of the U.S. – Japan Security Consultative Committee dated April 27, 2012.

(e) REPEAL.—Section 2207 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1668) is repealed.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Arkansas	Little Rock AFB	$30,178,000
Florida	Tyndall AFB	$14,750,000
Georgia	Fort Stewart	$7,250,000
	Moody AFB	$8,500,000
New Mexico	Holloman AFB	$25,000,000
North Dakota	Minot AFB	$4,600,000
Texas	Joint Base San Antonio	$18,000,000
Utah	Hill AFB	$13,530,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations out-

side the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

State	Installation or Location	Amount
Greenland	Thule AB	$24,500,000
Italy	Aviano AB	$9,400,000
Worldwide Unspecified	Unspecified Worldwide Locations	$34,657,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,253,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $79,571,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601, including incremental funding for the construction of increment 2 of the U.S. Strategic Command Replacement Facility at Offutt Air Force Base, Nebraska, authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1670), $111,000,000.

SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (123 Stat. 2636), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2010 Project Authorizations

State	Installation or Location	Project	Amount
Missouri	Whiteman AFB	Land Acquisition North & South Boundary	$5,500,000
Montana	Malmstrom AFB	Weapons Storage Area (WSA), Phase 2	$10,600,000

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Subtitle A—Defense Agency Authorizations

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$1,300,000
California	Coronado	$55,259,000
	DEF Fuel Support Point - San Diego	$91,563,000
	Edwards Air Force Base	$27,500,000
	Twentynine Palms	$27,400,000
Colorado	Buckley Air Force Base	$30,000,000
	Fort Carson	$56,673,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
	Pikes Peak	$3,600,000
CONUS Classified	Classified Location	$6,477,000
Delaware	Dover AFB	$2,000,000
Florida	Eglin AFB	$41,695,000
	Hurlburt Field	$16,000,000
	MacDill AFB	$34,409,000
Hawaii	Joint Base Pearl Harbor-Hickam	$24,289,000
Illinois	Great Lakes	$28,700,000
	Scott AFB	$86,711,000
Indiana	Grissom ARB	$26,800,000
Kentucky	Fort Campbell	$71,639,000
Louisiana	Barksdale AFB	$11,700,000
Maryland	Annapolis	$66,500,000
	Bethesda Naval Hospital	$62,200,000
	Fort Meade	$128,600,000
Missouri	Fort Leonard Wood	$18,100,000
New Mexico	Cannon AFB	$93,085,000
New York	Fort Drum	$43,200,000
North Carolina	Camp Lejeune	$80,064,000
	Fort Bragg	$130,422,000
	Seymour Johnson AFB	$55,450,000
Pennsylvania	DEF Distribution Depot New Cumberland	$17,400,000
South Carolina	Shaw AFB	$57,200,000
Texas	Red River Army Depot	$16,715,000
Virginia	Joint Expeditionary Base Little Creek - Story	$11,132,000
	Norfolk	$8,500,000
Washington	Fort Lewis	$50,520,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium	Brussels	$26,969,000
Germany	Stuttgart-Patch Barracks	$2,413,000
	Vogelweh	$61,415,000
	Weisbaden	$52,178,000

Defense Agencies: Outside the United States—Continued

Country	Installation or Location	Amount
Guantanamo Bay, Cuba	Guantanamo Bay	$40,200,000
Japan	Camp Zama	$13,273,000
	Kadena AB	$143,545,000
	Sasebo	$35,733,000
	Zukeran	$79,036,000
Korea	Kunsan AB	$13,000,000
	Osan AB	$77,292,000
Romania	Deveselu	$157,900,000
United Kingdom	Menwith Hill Station	$50,283,000
	RAF Feltwell	$30,811,000
	RAF Mildenhall	$6,490,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects as specified in the funding table in 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount of $150,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in 4601, including incremental funding for the following projects in the following amounts:

(1) For the construction of increment 7 of the Army Medical Research Institute of Infectious Diseases Stage I at Fort Detrick, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2457), $19,000,000.

(2) For the construction of increment 4 of a National Security Agency data center at Camp Williams, Utah, authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1888), $191,414,000.

(3) For the construction of increment 4 of the hospital at Fort Bliss, Texas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2642), $107,400,000.

(4) For the construction of increment 2 of the high performance computing center at Fort Meade, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2405(a) of this Act, $225,521,000.

(5) For the construction of increment 2 of the ambulatory care center phase 3 at Joint Base San Antonio, Texas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), $80,700,000.

(6) For the construction of increment 2 of the medical center replacement at Rhine Ordnance Barracks, Germany, authorized by section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673), $127,000,000.

SEC. 2404. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2401(a) of that Act (123 Stat. 2640), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later:

(b) TABLE.—The table referred to in subsection (a) is as follows:

Washington Headquarters Services: Extension of 2010 Project Authorization

State	Installation or Location	Project	Amount
Virginia	Pentagon Reservation	Pentagon electrical upgrade	$19,272,000

1 **SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2012 PROJECT.**

3 The table in section 2401(a) of the Military Construc-
4 tion Authorization Act for Fiscal Year 2012 (division B
5 of Public Law 112–81; 125 Stat. 1672), is amended in
6 the item relating to Fort Meade, Maryland, by striking
7 ''$29,640,000'' in the amount column and inserting
8 ''$792,200,000''.

9 **SEC. 2406. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
10 **TAIN FISCAL YEAR 2013 PROJECT.**

11 (a) PROJECT AUTHORIZATION.—The Secretary of
12 Defense may carry out a military construction project to
13 construct an Upgrade Fuel Pipeline at Andersen Air
14 Force Base, Guam, in the amount of $67,500,000.

15 (b) LIMITATION.—No funds may be obligated or ex-
16 pended for the project described in subsection (a) until
17 the Commander of the United States Pacific Command
18 provides to the congressional defense committees a report,
19 with classified annex if necessary, detailing the strategic
20 and operational requirements satisfied by the construction
21 of this project and a certification that this project is a

bona fide need for meeting national security objectives for fiscal year 2013.

(c) USE OF UNOBLIGATED PRIOR-YEAR MILITARY CONSTRUCTION FUNDS.—The Secretary of Defense shall use available, unobligated military construction funds appropriated for a fiscal year before fiscal year 2013 for the project described in subsection (a).

(d) CONGRESSIONAL NOTIFICATION.—The Secretary of Defense shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

Subtitle B—Chemical Demilitarization Authorizations

SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction and land acquisition for chemical demilitarization, as specified in the funding table in section

4601, including incremental funding for the following projects in the following amounts:

(1) For the construction of phase 14 of a chemical munitions demilitarization facility at Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), $36,000,000.

(2) For the construction of phase 13 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115

Stat. 1298), section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), section 2414 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), and section 2412 of the Military Construction Authorization Act for Fiscal Year 2011 (division B Public Law 111–383; 124 Stat. 4450), $115,000,000.

SEC. 2412. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.

(a) MODIFICATIONS.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2699), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), is amended—

(1) under the agency heading relating to Chemical Demilitarization Program, in the item relating to Pueblo Army Depot, Colorado, by striking

"$484,000,000" in the amount column and inserting "$520,000,000"; and

(2) by striking the amount identified as the total in the amount column and inserting "$866,454,000".

(b) CONFORMING AMENDMENT.—Section 2406(b)(2) of the Military Construction Authorization Act for Fiscal Year 1997 (110 Stat. 2779), as so amended, is further amended by striking "$484,000,000" and inserting "$520,000,000".

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501, as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Fort McClellan	$5,400,000
Arkansas	Searcy	$6,800,000
California	Fort Irwin	$25,000,000
Connecticut	Camp Hartell	$32,000,000
Delaware	Bethany Beach	$5,500,000
Florida	Camp Blanding	$9,000,000
	Miramar	$20,000,000
Hawaii	Kapolei	$28,000,000
Idaho	Orchard Training Area	$40,000,000
Indiana	South Bend	$21,000,000
	Terre Haute	$9,000,000
Iowa	Camp Dodge	$3,000,000
Kansas	Topeka	$9,500,000
Kentucky	Frankfort	$32,000,000
Massachusetts	Camp Edwards	$22,000,000
Minnesota	Camp Ripley	$17,000,000
	St. Paul	$17,000,000
Missouri	Fort Leonard Wood	$18,000,000
	Kansas City	$1,900,000
	Monett	$820,000
	Perryville	$700,000
Montana	Miles City	$11,000,000
New Jersey	Sea Girt	$34,000,000
New York	Stormville	$24,000,000
Ohio	Chillicothe	$3,100,000
	Delaware	$12,000,000
Oklahoma	Camp Gruber	$25,000,000
Utah	Camp Williams	$36,000,000
Washington	Fort Lewis	$35,000,000
West Virginia	Logan	$14,200,000
Wisconsin	Wausau	$10,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations outside the United States, and in the amounts, set forth in the following table:

Army National Guard: Outside the United States

Country	Installation	Amount
Guam	Barrigada	$8,500,000
Puerto Rico	Camp Santiago	$3,800,000
	Ceiba	$2,200,000
	Guaynabo	$15,000,000

Army National Guard: Outside the United States—Continued

Country	Installation	Amount
	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 fund-
6 ing table in section 4601, the Secretary of the Army may
7 acquire 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
10 table:

Army Reserve

State	Location	Amount
California	Fort Hunter Liggett	$68,300,000
	Tustin	$27,000,000
Illinois	Fort Sheridan	$28,000,000
Maryland	Aberdeen Proving Ground	$21,000,000
	Baltimore	$10,000,000
Massachusetts	Devens Reserve Forces Training Area	$8,500,000
Nevada	Las Vegas	$21,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$7,400,000
Washington	Joint Base Lewis-McChord	$40,000,000
Wisconsin	Fort McCoy	$47,800,000

11 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
12 **CORPS RESERVE CONSTRUCTION AND LAND**
13 **ACQUISITION PROJECTS.**

14 Using amounts appropriated pursuant to the author-
15 ization of appropriations in section 2606 and available for
16 the National Guard and Reserve as specified in the fund-
17 ing table in section 4601, the Secretary of the Navy may

1 acquire real property and carry out military construction
2 projects for the Navy Reserve and Marine Corps Reserve
3 locations inside the United States, and in the amounts,
4 set forth in the following table:

Navy Reserve Marine Corps Reserve

State	Location	Amount
Arizona	Yuma	$5,379,000
Iowa	Fort Des Moines	$19,162,000
Louisiana	New Orleans	$7,187,000
New York	Brooklyn	$4,430,000
Texas	Fort Worth	$11,256,000

5 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
6 **TION AND LAND ACQUISITION PROJECTS.**

7 Using amounts appropriated pursuant to the author-
8 ization of appropriations in section 2606 and available for
9 the National Guard and Reserve as specified in the fund-
10 ing table in section 4601, the Secretary of the Air Force
11 may acquire real property and carry out military construc-
12 tion projects for the Air National Guard locations inside
13 the United States, and in the amounts, set forth in the
14 following table:

Air National Guard

State	Location	Amount
California	Fresno Yosemite IAP ANG	$11,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	$6,500,000
New Mexico	Kirtland AFB	$8,500,000
Wyoming	Cheyenne MAP	$6,486,000

15 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
16 **TION AND LAND ACQUISITION PROJECTS.**

17 Using amounts appropriated pursuant to the author-
18 ization 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 Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
New York	Niagara Falls IAP	$6,100,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2611. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2009 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), the authorization set forth in the table in sub-

1 section (b), as provided in section 2604 of that Act (122
2 Stat. 4706), shall remain in effect until October 1, 2013,
3 or the date of the enactment of an Act authorizing funds
4 for military construction for fiscal year 2014, whichever
5 is later.

6 (b) TABLE.—The table referred to in subsection (a)
7 is as follows:

Air National Guard: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Airport	Relocate Munitions Complex	$3,400,000

8 **SEC. 2612. EXTENSION OF AUTHORIZATION OF CERTAIN**
9 **FISCAL YEAR 2010 PROJECTS.**

10 (a) EXTENSION.—Notwithstanding section 2002 of
11 the Military Construction Authorization Act for Fiscal
12 Year 2010 (division B of Public Law 111–84; 123 Stat.
13 2627), the authorizations set forth in the tables in sub-
14 section (b), as provided in sections 2602 and 2604 of that
15 Act (123 Stat. 2649, 2651), shall remain in effect until
16 October 1, 2013, or the date of the enactment of an Act
17 authorizing funds for military construction for fiscal year
18 2014, whichever is later.

19 (b) TABLE.—The tables referred to in subsection (a)
20 are as follows:

Army Reserve: Extension of 2010 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Pendleton	Army Reserve Center	$19,500,000

Army Reserve: Extension of 2010 Project Authorizations—
Continued

State	Installation or Location	Project	Amount
Connecticut	Bridgeport	Army Reserve Center/Land	$18,500,000

Air National Guard: Extension of 2010 Project Authorization

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Airport	Relocate Base Entrance	$6,500,000

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 In-
10 telligence Group and Remotely Piloted Aircraft Remote
11 Split Operations Group missions, consistent with the Air
12 National Guard's construction guidelines for these mis-
13 sions.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, as specified in the funding table in section 4601.

SEC. 2702. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as author-

ized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, as specified in the funding table in section 4601.

SEC. 2703. TECHNICAL AMENDMENTS TO SECTION 2702 OF FISCAL YEAR 2012 ACT.

(a) CORRECTION.—Section 2702 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1681) is amended by striking ''Using amounts'' and all that follows through ''may carry out'' and inserting ''Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for''.

(b) CONFORMING AMENDMENT.—The heading of such section is amended by striking ''**AUTHORIZED**'' and inserting ''**AUTHORIZATION OF APPROPRIATIONS FOR**''.

SEC. 2704. CRITERIA FOR DECISIONS INVOLVING CERTAIN BASE CLOSURE AND REALIGNMENT ACTIVITIES.

(a) CRITERIA.—Not later than March 31, 2013, the Comptroller General of the United States shall submit to the congressional defense committees a report including

objective criteria to be used by the Department of Defense to make decisions relating to realignments of units employed at military installations that are not covered by the requirements of section 2687 of title 10, United States Code, and closures of military installations that are not covered by such requirements.

(b) ONE-YEAR MORATORIUM ON CERTAIN ACTIONS RESULTING IN PERSONNEL REDUCTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no action may be taken before October 1, 2013, that would result in a military installation covered under paragraph (1) of section 2687(a) of title 10, United States Code, to no longer be covered by such paragraph.

(2) NATIONAL SECURITY WAIVER.—The Secretary of Defense may waive the prohibition under paragraph (1) if the Secretary certifies to the congressional defense committees that is in the national security interests of the United States.

SEC. 2705. MODIFICATION OF NOTICE REQUIREMENTS IN ADVANCE OF PERMANENT REDUCTION OF SIZABLE NUMBERS OF MEMBERS OF THE ARMED FORCES AT MILITARY INSTALLATIONS.

(a) CALCULATION OF NUMBER OF AFFECTED MEMBERS.—Subsection (a) of section 993 of title 10, United States Code, is amended by adding at the end the following new sentence: ''In calculating the number of members to be reduced, the Secretary shall take into consideration both direct reductions and indirect reductions.''.

(b) NOTICE REQUIREMENTS.—Subsection (b) of such section is amended by striking paragraphs (1) through (3) and inserting the following new paragraphs:

''(1) the Secretary of Defense or the Secretary of the military department concerned—

''(A) submits to Congress a notice of the proposed reduction and the number of military and civilian personnel assignments affected, including reductions in base operations support services and personnel to occur because of the proposed reduction; and

''(B) includes in the notice a justification for the reduction and an evaluation of the costs and benefits of the reduction and of the local

economic, strategic, and operational consequences of the reduction; and

''(2) a period of 90 days expires following the day on which the notice is submitted to Congress.''.

(c) DEFINITIONS.—Such section is further amended by adding at the end the following new subsection:

''(d) DEFINITIONS.—In this section:

''(1) The term 'direct reduction' means a reduction involving one or more members of a unit.

''(2) The term 'indirect reduction' means subsequent planned reductions or relocations in base operations support services and personnel able to occur due to the direct reductions.

''(3) The term 'military installation' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

"(4) The term 'unit' means a unit of the armed forces at the battalion, squadron, or an equivalent level (or a higher level).".

SEC. 2706. REPORT ON REORGANIZATION OF AIR FORCE MATERIEL COMMAND ORGANIZATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the reorganization of Air Force Materiel Command organizations.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) An assessment of the efficiencies and effectiveness associated with the reorganization of Air Force Materiel Command organizations.

(2) An assessment of the organizational construct to determine how institutional synergies that were previously available in a collocated center can be replicated in the new Air Force Materiel Command Center reorganization, including an assessment of the following Air Force Materiel Command capabilities:

(A) Science and Technology, Acquisition.

(B) Developmental Test and Evaluation.

(3) An assessment of synergistic efficiencies associated with capabilities of collocated organizations of other commands, including an assessment of the impact of the Air Force Materiel Command's reorganization on other commands' responsibilities for—

(A) Operational Test and Evaluation; and

(B) Follow-on Operational Test and Evaluation.

(4) An assessment of how the Air Force reorganization of Air Force Materiel Command is in adherence with section 2687 of title 10, United States Code.

(5) An analysis of the extent to which the proposed changes in the Air Force management structure were coordinated with the Office of the Secretary of Defense and the Director, Test Resource Management Center and the degree to which their concerns, if any, were addressed in the approach selected by the Air Force.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. AUTHORIZED COST AND SCOPE VARIATIONS.

Section 2853 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''was approved originally'' and inserting ''was authorized'';

(2) in subsection (b)—

(A) in paragraph (1), by adding at the end the following: ''Any reduction in scope of work for a military construction project shall not result in a facility or item of infrastructure that is not complete and useable or does not fully meet the mission requirement contained in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.''; and

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

''(3) In this subsection, the term 'scope of work' refers to the function, size, or quantity of the primary facil-

ity, any associated facility, or item of complete and useable infrastructure contained in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.'';

(3) in subsection (c)(1)(A), by striking ''and the reasons therefor, including a description'' and inserting '', the reasons therefor, a certification that the mission requirement identified in the justification data provided to Congress can be still be met with the reduced scope, and a description''; and

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

''(e) Notwithstanding the authority under subsections (a) through (d), the Secretary concerned shall ensure compliance of contracts for military construction projects and for the construction, improvement, and acquisition of military family housing projects with section 1341 of title 31, United States Code (commonly referred to as the 'Anti-Deficiency Act').''.

SEC. 2802. COMPTROLLER GENERAL REPORT ON IN-KIND PAYMENTS.

(a) REPORTS REQUIRED.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall sub-

mit to the congressional defense committees a report on the construction or renovation of Department of Defense facilities with in-kind payments. The report shall cover construction or renovation projects begun during the preceding two years.

(2) UPDATES.—Not later than one year after submitting the report required under paragraph (1), and annually thereafter for 3 years, the Comptroller General shall submit to the congressional defense committees a report covering projects begun since the most recent report.

(b) CONTENT.—Each report required under subsection (a) shall include the following elements:

(1) A listing of each facility constructed or renovated for the Department of Defense as payment in kind.

(2) The value in United States dollars of that construction or renovation.

(3) The source of the in-kind payment.

(4) The agreement pursuant to which the in-kind payment was made.

(5) A description of the purpose and need for the construction or renovation.

SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.

Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1685), is further amended—

(1) in subsection (c)—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2), as so redesignated, by striking the second sentence; and

(2) in subsection (h)—

(A) in paragraph (1), by striking ''September 30, 2012'' and inserting ''September 30, 2013''; and

(B) in paragraph (2), by striking ''fiscal year 2013'' and inserting ''fiscal year 2014''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. AUTHORITY TO ACCEPT AS CONSIDERATION FOR LEASES OF NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES REAL PROPERTY INTERESTS AND NATURAL RESOURCE MANAGEMENT SERVICES RELATED TO AGREEMENTS TO LIMIT ENCROACHMENT.

Section 2667 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by adding at the end the following new subparagraph:

''(G) Provision of interests in real property for the purposes specified in section 2684a of this title and provision of natural resource management services on such real property.''; and

(B) in paragraph (2), by striking ''accepted at any property or facilities'' and inserting ''accepted at or for the benefit of any property or facilities''; and

(2) in subsection (e)(1)(C), by adding at the end the following new clause:

"(vi) Provision of funds pursuant to an agreement under section 2684a of this title.".

SEC. 2812. CLARIFICATION OF PARTIES WITH WHOM DEPARTMENT OF DEFENSE MAY CONDUCT EXCHANGES OF REAL PROPERTY AT MILITARY INSTALLATIONS.

Section 2869(a)(1) of title 10, United States Code is amended—

(1) by striking "eligible"; and

(2) by striking "entity" both places it appears and inserting "person".

Subtitle C—Energy Security

SEC. 2821. GUIDANCE ON FINANCING FOR RENEWABLE ENERGY PROJECTS.

(a) GUIDANCE ON USE OF AVAILABLE FINANCING APPROACHES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Deputy Under Secretary of Defense for Installations and Environment, shall issue guidance about the use of available financing approaches for financing renewable energy projects and direct the Secretaries of the military departments to update their guidance accordingly. The guidance should describe the requirements and restrictions applica-

ble to the underlying authorities and any Department of Defense-specific guidelines for using appropriated funds and alternative-financing approaches for renewable energy projects.

(b) GUIDANCE ON USE OF BUSINESS CASE ANALYSES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Deputy Under Secretary of Defense for Installations and Environment, and the Secretaries of the military departments, shall issue guidance that establishes and clearly describes the processes used by the military departments to select financing approaches for renewable energy projects to ensure that business case analyses are completed to maximize benefits and mitigate drawbacks and risks associated with different financing approaches.

(c) INFORMATION SHARING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Deputy Under Secretary of Defense for Installations and Environment, shall develop a formalized communications process, such as a shared Internet website, that will enable officials at military installations

to have timely access on an ongoing basis to information related to financing renewable energy projects on other installations, including best practices and lessons that officials at other installations have learned from their experiences in financing renewable energy projects.

SEC. 2822. CONTINUATION OF LIMITATION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR PLATINUM CERTIFICATION.

Section 2830(b)(1) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1695) is amended—

(1) by striking ''authorized to be appropriated by this Act'' and inserting ''authorized to be appropriated''; and

(2) by inserting before the period at the end the following: ''until the date that is six months after the date of the submittal to the congressional defense committees of the report required by subsection (a)''.

Subtitle D—Land Conveyances

SEC. 2831. LAND CONVEYANCE, LOCAL TRAINING AREA FOR BROWNING ARMY RESERVE CENTER, UTAH.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the De-

partment of Veterans Affairs (in this section referred to as the ''Department'') all right, title, and interest of the United States in and to a parcel of unimproved real property consisting of approximately 5 acres of the Local Training Area for the Browning Army Reserve Center, Utah, for the purpose of constructing and operating a Community Based Outpatient Clinic adjacent to the George E. Wahlen Veterans Home in Ogden, Utah.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the Department to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Department.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Department. Amounts so credited shall be merged with

amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2832. USE OF PROCEEDS, LAND CONVEYANCE, TYNDALL AIR FORCE BASE, FLORIDA.

Section 2862(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 868) is amended—

(1) by striking ''and to improve'' and inserting '', to improve''; and

(2) by inserting before the period at the end the following: '', or for other purposes, subject to the limitations described in section 2667(e) of title 10, United States Code''.

Subtitle E—Other Matters

SEC. 2841. CLARIFICATION OF AUTHORITY OF SECRETARY TO ASSIST WITH DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH THE ESTABLISHMENT OR EXPANSION OF A MILITARY INSTALLATION.

Section 2391 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(2) by inserting after subsection (c) the following new subsection:

''(d) AUTHORIZATION REQUIREMENT.—If the Secretary of Defense determines that any grant, cooperative agreement, or supplement of funds available under Federal programs administered by agencies other than the Department of Defense provided under this section will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, or construction) of public infrastructure, such grant, cooperative agreement, or supplemental funding shall be specifically authorized by law.''; and

(3) in subsection (e), as redesignated by paragraph (1), by adding at the end the following new paragraph:

"(4) The term 'public infrastructure' means any utility, road, method of transportation, or facility under the control of a State or local government or a private entity that is used by, or constructed for the benefit of, the general public.".

SEC. 2842. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of Petersburg National Battlefield is modified to include the properties as generally depicted on the map titled "Petersburg National Battlefield Boundary Expansion", numbered 325/80,080, and dated June 2007. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

(b) ACQUISITION OF PROPERTIES.—The Secretary of the Interior (referred to in this section as the "Secretary") is authorized to acquire the lands or interests in land, described in subsection (a), from willing sellers only by donation, purchase with donated or appropriated funds, exchange, or transfer.

(c) ADMINISTRATION.—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) IN GENERAL.—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as ''Area to be transferred to Fort Lee Military Reservation'' on the map described in paragraph (2)(A); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as ''Area to be transferred to Petersburg National Battlefield'' on the map described in paragraph (2)(A).

(2) MAP.—

(A) IN GENERAL.—The land to be transferred under paragraph (1) is depicted on the map entitled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/081A, and dated May 2011.

(B) AVAILABILITY.—The map described in subparagraph (A) shall be available for public inspection in the appropriate offices of the National Park Service.

(3) CONDITIONS OF TRANSFER.—The transfer of administrative jurisdiction authorized in paragraph (1) shall be subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer shall occur without reimbursement or consideration.

(B) MANAGEMENT.—The land conveyed to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of the park in accordance with applicable laws and regulations.

SEC. 2843. CONGRESSIONAL NOTIFICATION WITH RESPECT TO OVERSIGHT AND MAINTENANCE OF BASE CEMETERIES FOLLOWING CLOSURE OF OVERSEAS MILITARY INSTALLATIONS.

(a) NOTIFICATION REQUIREMENT.—Not later than 30 days after closure of a United States military installation overseas, the Secretary of Defense shall submit to the appropriate congressional committees a report that details a plan to ensure the oversight and continued maintenance of the cemetery located on the military installation. The plan shall clearly detail which Federal agency or private entity will assume responsibility for the operation and

maintenance of the cemetery following the closure of the installation and what information with regard to the cemetery has been provided to the responsible agency or private entity.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committees on Armed Services of the Senate and the House of Representatives.

SEC. 2844. ADDITIONAL EXEMPTIONS FROM CERTAIN REQUIREMENTS APPLICABLE TO FUNDING FOR DATA SERVERS AND CENTERS.

Section 2867(c) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1706; 10 U.S.C. 2223a note) is amended—

(1) by striking ''EXCEPTION.—The Chief'' and inserting the following: ''EXCEPTIONS.—

''(1) EXEMPTION AUTHORITY.—The Chief''; and

(2) by inserting at the end the following new paragraph:

''(2) The Chief Information Officer of the Department may exempt from the applicability of this section research, development, test, and evaluation programs that use authorization or appropriations

for the High Performance Computing Modernization Program (Program Element 0603461A), if the Chief Information Officer determines that the exemption is in the best interest of national security.''.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4601.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy

may carry out the following new plant projects for the National Nuclear Security Administration:

Project 13–D–301, Electrical Infrastructure Upgrades, Lawrence Livermore National Laboratory/Los Alamos National Laboratory, $23,000,000.

Project 13–D–903, Kesselring Site Prototype Staff Building, Kesselring Site, West Milton, New York, $14,000,000.

Project 13–D–904, Kesselring Site Radiological Work and Storage Building, Kesselring Site, West Milton, New York, $2,000,000.

Project 13–D–905, Remote-Handled Low-Level Waste Disposal Project, Idaho National Laboratory, Idaho, $8,900,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4601.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for other defense activities in carrying out programs as specified in the funding table in section 4601.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. REPLACEMENT PROJECT FOR CHEMISTRY AND METALLURGY RESEARCH BUILDING, LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

(a) PROJECT REQUIRED.—

(1) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

"SEC. 4215. REPLACEMENT PROJECT FOR CHEMISTRY AND METALLURGY RESEARCH BUILDING, LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

"(a) REPLACEMENT BUILDING REQUIRED.—The Secretary of Energy shall construct at Los Alamos National Laboratory, New Mexico a building to replace the functions of the existing Chemistry and Metallurgy Research building at Los Alamos National Laboratory associated with Department of Energy Hazard Category 2 special nuclear material operations.

"(b) LIMITATION ON COST.—The cost of the building constructed under subsection (a) may not exceed $3,700,000,000.

"(c) PROJECT BASIS.—The construction authorized by subsection (a) shall use as it basis the facility project in the Department of Energy Readiness and Technical Base designated 04–D–125 (chemistry and metallurgy facility replacement project at Los Alamos National Laboratory).

"(d) DEADLINE FOR COMMENCEMENT OF OPERATIONS.—The building constructed under subsection (a) shall commence operations not later than December 31, 2024.".

(2) CLERICAL AND TECHNICAL AMENDMENT.—The table of contents in section 4001(b) of such Act is amended by inserting after the item relating to 4213 the following new items:

"Sec. 4214. Plan for transformation of National Nuclear Security Administration nuclear weapons complex.
"Sec. 4215. Replacement project for Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.".

(b) FUNDING.—

(1) FISCAL YEAR 2013 FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), of the amounts authorized to be appropriated by this division for fiscal year 2013 for the National Nuclear Security Administration, $150,000,000 shall be available for the construction of the building authorized by

section 4215 of the Atomic Energy Defense Act (as added by subsection (a)).

(B) EXCEPTION.—The following amounts authorized to be appropriated by this division for fiscal year 2013 for the National Nuclear Security Administration shall not be available for the construction of the building:

(i) Amounts available for Directed Stockpile Work.

(ii) Amounts available for Naval Reactors.

(iii) Amounts available for the facility project in the Department of Energy Readiness and Technical Base designated 06–D–141.

(2) PRIOR FISCAL YEAR FUNDS.—Amounts authorized to be appropriated for the Department of Energy for a fiscal year before fiscal year 2013 and available for the facility project in the Department of Energy Readiness and Technical Base designated 04–D–125 (chemistry and metallurgy facility replacement project at Los Alamos National Laboratory, New Mexico) shall be available for the construction of the building authorized by section 4215 of the Atomic Energy Defense Act (as so added).

SEC. 3112. SUBMITTAL TO CONGRESS OF SELECTED ACQUISITION REPORTS AND INDEPENDENT COST ESTIMATES ON NUCLEAR WEAPON SYSTEMS UNDERGOING LIFE EXTENSION.

(a) SUBMITTAL REQUIRED.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as amended by section 3111 of this Act, is further amended by adding at the end the following new section:

"SEC. 4216. SELECTED ACQUISITION REPORTS AND INDEPENDENT COST ESTIMATES ON NUCLEAR WEAPON SYSTEMS UNDERGOING LIFE EXTENSION.

''(a) SELECTED ACQUISITION REPORTS.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to the congressional defense committees at the end of each fiscal-year quarter a report on each nuclear weapon system undergoing life extension. The reports shall be known as Selected Acquisition Reports for the weapon system concerned.

''(2) The information contained in the Selected Acquisition Report for a fiscal-year quarter for a nuclear weapon system shall be the information contained in the Selected Acquisition Report for such fiscal-year quarter for a major defense acquisition program under section

2432 of title 10, United States Code, expressed in terms of the nuclear weapon system.

"(b) INDEPENDENT COST ESTIMATES.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to the congressional defense committees a cost estimate on each nuclear weapon system undergoing life extension at the times in production as follows:

"(A) At the completion of phase 6.2A, relating to design definition and cost study.

"(B) Before initiation of phase 6.5, relating to first production.

"(2) A cost estimate for purposes of this subsection may not be prepared by the Department of Energy or the National Nuclear Security Administration.".

(b) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act, as so amended, is further amended by inserting after the item relating to 4215 the following new item:

"Sec. 4216. Selected Acquisition Reports and independent cost estimates on nuclear weapon systems undergoing life extension.".

SEC. 3113. TWO-YEAR EXTENSION OF SCHEDULE FOR DISPOSITION OF WEAPONS-USABLE PLUTONIUM AT SAVANNAH RIVER SITE, AIKEN, SOUTH CAROLINA.

Section 4306 of the Atomic Energy Defense Act (50 U.S.C. 2566) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (C), by striking ''2012'' and inserting ''2014''; and

(B) in subparagraph (D), by striking ''2017'' and inserting ''2019'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''by January 1, 2012''; and

(B) in paragraph (5), by striking ''2012'' and inserting ''2014'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''2012'' and inserting ''2014'';

(B) in paragraph (1), by striking ''2014'' and inserting ''2016''; and

(C) in paragraph (2), by striking ''2020'' each place it appears and inserting ''2022'';

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''2014'' and inserting ''2016''; and

(ii) by striking ''2019'' and inserting ''2021''; and

(B) in paragraph (2)(A), by striking ''2020'' each place it appears and inserting ''2022''; and

(5) in subsection (e), by striking ''2023'' and inserting ''2025''.

SEC. 3114. PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2562 et seq.) is amended by adding at the end the following new section:

''SEC. 4309. PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.

''(a) PROGRAM REQUIRED.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, carry out a program on scientific engagement in countries selected by the Secretary for purposes of the program in order to advance global nonproliferation and nuclear security efforts.

"(2) The program required by this section shall be a distinct program from the Global Initiatives for Proliferation Prevention program.

"(b) ELEMENTS.—The program shall include the elements as follows:

"(1) Training and capacity-building to strengthen nonproliferation and security best practices.

"(2) Engagement of United States scientists with foreign counterparts to advance nonproliferation goals.

"(c) REPORT ON COMMENCEMENT OF PROGRAM.—Funds may not be expended under the program required by this section until the Administrator submits to the appropriate congressional committees a report setting forth the following:

"(1) For each country selected for the program as of the date of such report—

"(A) a proliferation threat assessment prepared by the Director of National Intelligence; and

"(B) metrics for evaluating the success of the program.

"(2) Accounting standards for the conduct of the program approved by the Comptroller General of the United States.

"(d) REPORTS ON MODIFICATION OF PROGRAM.—Before making any modification in the program (whether selecting a new country for the program, ceasing the selection of a country for the program, or modifying an element of the program), the Administrator shall submit to the appropriate congressional committees a report on the modification. If the modification consists of the selection for the program of a country not previously selected for the program, the report shall include the matters specified in subsection (c)(1) for the country.

"(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

"(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

"(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.".

(2) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act (division D of Public Law 107–314) is amended by inserting after the item relating to section 4308 the following new item:

"Sec. 4309. Program on scientific engagement for nonproliferation.".

(b) REPORT ON COORDINATION WITH OTHER UNITED STATES NONPROLIFERATION PROGRAMS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Nuclear Security Administration shall submit to the appropriate congressional committees a report describing the manner in which the program on scientific engagement for nonproliferation under section 4309 of the Atomic Energy Defense Act (as added by subsection (a)) coordinates with and complements, but does not duplicate, other nonproliferation programs of the United States Government.

(c) COMPTROLLER GENERAL OF THE UNITED STATES REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the program on scientific engagement for nonproliferation under section 4309 of the Atomic Energy Defense Act (as so added). The report shall include an assessment by the Comptroller General of the success of the program, as determined in accord-

ance with the metrics for evaluating the success of the program under subsection (c)(1)(B) of such section 4309, and such other matters on the program as the Comptroller General considers appropriate.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 3115. REPEAL OF REQUIREMENT FOR ANNUAL UPDATE OF DEPARTMENT OF ENERGY DEFENSE NUCLEAR FACILITIES WORKFORCE RESTRUCTURING PLAN.

Section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704) is amended—

(1) in subsection (b)(1), by striking ''and any updates of the plan under subsection (e)'';

(2) by striking subsection (e);

(3) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively; and

(4) in subsection (e), as redesignated by paragraph (3)—

(A) by striking ''(1)'' before ''The Secretary''; and

(B) by striking paragraph (2).

SEC. 3116. QUARTERLY REPORTS TO CONGRESS ON FINANCIAL BALANCES FOR ATOMIC ENERGY DEFENSE ACTIVITIES.

(a) REPORTS REQUIRED.—Subtitle C of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2771 et seq.) is amended by adding at the end the following new section:

''SEC. 4732. QUARTERLY REPORTS ON FINANCIAL BALANCES FOR ATOMIC ENERGY DEFENSE ACTIVITIES.

''(a) REPORTS REQUIRED.—Not later than 15 days after the end of each fiscal year quarter, the Secretary of Energy shall submit to the congressional defense committees a report on the financial balances for each atomic energy defense program at the budget control levels used in the report accompanying the most current Act appropriating funds for energy and water development.

"(b) ELEMENTS.—Each report under subsection (a) shall set forth, for each program covered by such report, the following as of the end of the fiscal year quarter covered by such report:

"(1) The total amount authorized to be appropriated, including amounts authorized to be appropriated in the current fiscal year and amounts authorized to be appropriated for prior fiscal years.

"(2) The amount unobligated.

"(3) The amount unobligated but committed.

"(4) The amount obligated, but uncosted.

"(c) PRESENTATION.—Each report under subsection (a) shall present information as follows:

"(1) For each program, in summary form and by fiscal year.

"(2) With financial balances in connection with funding under recurring DoE national security authorizations (as that term is defined in section 4701(1)) presented separately from balances in connection with funding under any other provisions of law.".

(b) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act is amended by inserting after the item relating to section 4731 the following new item:

"Sec. 4732. Quarterly reports on financial balances for atomic energy defense activities.".

SEC. 3117. TRANSPARENCY IN CONTRACTOR PERFORMANCE EVALUATIONS BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION LEADING TO AWARD FEES.

(a) PUBLICATION REQUIRED.—

(1) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following new section:

"SEC. 4805. PUBLICATION OF CONTRACTOR PERFORMANCE EVALUATIONS BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION LEADING TO AWARD FEES.

"(a) IN GENERAL.—The Administrator of the National Nuclear Security Administration shall take appropriate actions to make available, to the maximum extent practicable, to the public each contractor performance evaluation conducted by the Administration of a national laboratory, production plant, or single user facility under the management responsibility of the Administration that results in the award of an award fee to the contractor concerned.

"(b) FORMAT.—Performance evaluations shall be made public under this section in a common format that

facilitates comparisons of performance evaluations between and among similar management contracts.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of that Act is amended by inserting after the item relating to section 4804 the following new item:

''Sec. 4805. Publication of contractor performance evaluations by the National Nuclear Security Administration leading to award fees.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to contractor performance evaluations conducted by the National Nuclear Security Administration on or after that date.

SEC. 3118. EXPANSION OF AUTHORITY TO ESTABLISH CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.

(a) NUMBER OF POSITIONS.—Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking ''300'' and inserting ''700''.

(b) EXTENSION TO CONTRACTING POSITIONS.—Such section is further amended by inserting ''contracting,'' before ''scientific''.

(c) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

"SEC. 3241. AUTHORITY TO ESTABLISH CERTAIN CONTRACTING, SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.".

(d) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3241 and inserting the following new item:

"Sec. 3241. Authority to establish certain contracting, scientific, engineering, and technical positions.".

SEC. 3119. MODIFICATION AND EXTENSION OF AUTHORITY ON ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OF REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.

(a) PROGRAMS FOR WHICH FUNDS MAY BE ACCEPTED.—Paragraph (2) of section 3132(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)) is amended to read as follows:

"(2) PROGRAMS COVERED.—The programs described in this paragraph are any programs within the Office of Defense Nuclear Nonproliferation of the National Nuclear Security Administration.".

(b) EXTENSION.—Paragraph (7) of such section is amended by striking ''December 31, 2013'' and inserting ''December 31, 2018''.

SEC. 3120. COST CONTAINMENT FOR Y–12 URANIUM PROCESSING FACILITY, Y–12 NATIONAL SECURITY COMPLEX, OAK RIDGE, TENNESSEE.

(a) EXECUTION PHASES FOR PROJECT.—Project 06–D–141 for the Y–12 Uranium Processing Facility, Y–12 National Security Complex, Oak Ridge, Tennessee, shall be broken into separate execution phases as follows

(1) Phase I, which shall consist of processes associated with building 9212, including uranium casting and uranium chemical processing.

(2) Phase II, which shall consist of processes associated with buildings 9215 and 9998, including uranium metal working, machining, and inspection.

(3) Phase III, which shall consist of processes associated with building 9204–2E. including radiography, assembly, disassembly, quality evaluation, and production certification operations of nuclear weapon secondaries.

(b) BUDGETING AND AUTHORIZATION FOR EACH PHASE.—

(1) BUDGETING FOR EACH PHASE REQUIRED.—The Secretary of Energy shall budget separately for

each phase under subsection (a) of the project referred to in that subsection.

(2) FUNDING PURSUANT TO SEPARATE AUTHORIZATIONS OF APPROPRIATIONS.—The Secretary may not proceed with a phase under subsection (a) of the project referred to in that subsection except with funds expressly authorized to be appropriated for that phase by law.

(c) COMPLIANCE OF PHASES WITH DOE ORDER ON PROGRAM AND PROJECT MANAGEMENT.—Each phase under subsection (a) of the project referred to in that subsection shall comply with Department of Energy Order 413.3, relating to Program Management and Project Management for the Acquisition of Capital Assets.

(d) LIMITATION ON COST OF PHASE I.—The total cost of Phase I under subsection (a) of the project referred to in that subsection may not exceed $4,200,000,000.

SEC. 3121. AUTHORITY TO RESTORE CERTAIN FORMERLY RESTRICTED DATA TO THE RESTRICTED DATA CATEGORY.

(a) IN GENERAL.—Section 142 of the Atomic Energy Act of 1954 (42 U.S.C. 2162) is amended—

(1) in subsection d.—

(A) by inserting ''(1)'' before ''The Commission''; and

(B) by adding at the end the following new paragraphs:

''(2) The Commission may restore to the Restricted Data category any information related to the design of nuclear weapons removed under paragraph (1) if the Commission and the Department of Defense jointly determine that—

''(A) the programmatic requirements that caused the information to be removed from the Restricted Data category are no longer applicable or have diminished;

''(B) the information would be more appropriately protected as Restricted Data; and

''(C) restoring the information to the Restricted Data category is in the interest of national security.

''(3) Information related to the design of nuclear weapons shall be restored to the Restricted Data category under paragraph (2) in accordance with regulations prescribed by the Commission for purposes of that paragraph.''; and

(2) in subsection e.—

(A) by inserting ''(1)'' before ''The Commission''; and

(B) by adding at the end the following new paragraphs:

"(2) The Commission may restore to the Restricted Data category any information concerning atomic energy programs of other nations removed under paragraph (1) if the Commission and the Director of National Intelligence jointly determine that—

"(A) the programmatic requirements that caused the information to be removed from the Restricted Data category are no longer applicable or have diminished;

"(B) the information would be more appropriately protected as Restricted Data; and

"(C) restoring the information to the Restricted Data category is in the interest of national security.

"(3) Information concerning atomic energy programs of other nations shall be restored to the Restricted Data category under paragraph (2) in accordance with regulations prescribed by the Commission for purposes of that paragraph.".

(b) TECHNICAL AMENDMENT.—Paragraph (1) of subsection (e) of such section, as designated by subsection (a)(2)(A) of this section, is further amended by striking "Director of Central Intelligence" and inserting "Director of National Intelligence".

SEC. 3122. RENEWABLE ENERGY.

Section 203(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)(2)) is amended by striking ''geothermal,'' and inserting ''geothermal (including geothermal heat pumps),''.

Subtitle C—Reports

SEC. 3131. REPORT ON ACTIONS REQUIRED FOR TRANSITION OF REGULATION OF NON-NUCLEAR ACTIVITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO OTHER FEDERAL AGENCIES.

Not later than February 28, 2013, the Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to Congress a report on the actions required to transition, to the maximum extent practicable, the regulation of the non-nuclear activities of the National Nuclear Security Administration to other appropriate agencies of the Federal Government by not later than October 1, 2017.

SEC. 3132. REPORT ON CONSOLIDATION OF FACILITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Nuclear Weapons Council shall submit to the congressional defense committees a report setting forth the assessment of the

Council as to the feasibility of consolidating facilities and functions of the National Nuclear Security Administration in order to reduce costs.

(b) PROCESS FOR CONSOLIDATION.—If the assessment of the Council in the report under subsection (a) is that excess facilities exist and the consolidation of facilities and functions of the Administration is feasible and would reduce cost, the report shall include recommendations for a process to determine the manner in which the consolidation should be accomplished, including an estimate of the time to be required to complete the process.

(c) LIMITATION ON AVAILABILITY OF CERTAIN FUNDS PENDING REPORT.—Amounts authorized to be appropriated by this title and available for the facility projects in the Department of Energy Readiness and Technical Base designated 04–D–125 and 06–D–141 may not be obligated or expended for CD–3, Start of Construction (as found in Department of Energy Order 413.3 B Program and Project Management for the Acquisition of Capital Assets,) until the submittal under subsection (a) of the report required by that subsection.

SEC. 3133. REGIONAL RADIOLOGICAL SECURITY ZONES.

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

(1) A terrorist attack using high-activity radiological materials, such as in a dirty bomb, could inflict billions of dollars of economic costs and considerable societal and economic dislocation, with effects and costs possibly lasting for years.

(2) It may be easier for terrorists to obtain the materials for, and to fabricate, a dirty bomb than an improvised nuclear device.

(3) Radiological materials are in widespread use worldwide, with estimates of the number of radiological sources ranging from 100,000 to millions.

(4) Many nations have a security and regulatory regime for their radiological sources that is much less developed than that of the United States.

(5) Radiological materials are used at many civilian sites including hospitals, industrial sites, and other locations that have little security, placing these materials at risk of theft.

(6) Many radiological materials have become lost, disused, unwanted, or abandoned, with the Global Threat Reduction Initiative of the National Nuclear Security Administration having recovered more than 30,000 radioactive sources in the United States, repatriated more than 2,400 United States-origin sources from other countries, and helped re-

cover more than 13,000 radioactive sources and radioisotope thermoelectric generators in other countries.

(7) High-activity radiological materials can be used in a dirty bomb.

(b) SENSE OF CONGRESS.—It is the sense of Congress that United States and global nonproliferation efforts should place a high priority on programs to secure high-activity radiological sources to reduce the threat of radiological terrorism.

(c) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Nuclear Security Administration shall submit to the appropriate committees of Congress a study in accordance with paragraph (3).

(2) CONSULTATION.—The Administrator may, in conducting the study required under paragraph (1), consult with the Secretary of Homeland Security, the Secretary of State, the Nuclear Regulatory Commission, and such other departments and agencies of the United States Government as the Administrator considers appropriate.

(3) MATTERS INCLUDED.—The study under paragraph (1) shall include the following:

(A) An assessment of the radioactive isotopes and associated activity levels that present the greatest risk to national and international security.

(B) A review of current United States Government efforts to secure radiological materials abroad, including coordination with foreign governments, the European Union, the International Atomic Energy Agency, other international programs, and nongovernmental organizations that identify, register, secure, remove, and provide for the disposition of high-risk radiological materials worldwide.

(C) A review of current United States Government efforts to secure radiological materials domestically at civilian sites, including hospitals, industrial sites, and other locations.

(D) A definition of regional radiological security zones, including the subset of the materials of concern to be the immediate focus and the security best practices required to achieve that goal.

(E) An assessment of the feasibility, cost, desirability, and added benefit of establishing regional radiological security zones in high priority areas worldwide in order to facilitate regional collaboration in—

(i) identifying and inventorying high-activity radiological sources at high-risk sites;

(ii) reviewing national level regulations, inspections, transportation security, and security upgrade options; and

(iii) assessing opportunities for the harmonization of regulations and security practices among the nations of the region.

(F) An assessment of the feasibility, cost, desirability, and added benefit of establishing remote regional monitoring centers that would receive real-time data from radiological security sites, would be staffed by trained personnel from the countries in the region, and would alert local law enforcement in the event of a potential or actual terrorist incident or other emergency.

(G) A list and assessment of the best practices used in the United States that are most

critical in enhancing domestic radiological material security and could be used to enhance radiological security worldwide.

(H) An assessment of the United States entity or entities that would be best suited to lead efforts to establish a radiological security zone program.

(I) An estimate of the costs associated with the implementation of a radiological security zone program.

(J) An assessment of the known locations outside the United States housing high-risk radiological materials in excess of 1,000 curies.

(4) FORM.—The study required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Homeland Security, and the Com-

mittee on Foreign Affairs of the House of Representatives.

SEC. 3134. REPORT ON LEGACY URANIUM MINES.

(a) REPORT.—

(1) IN GENERAL.—The Secretary of Energy shall undertake a review of, and prepare a report on, abandoned uranium mines at which uranium ore was mined for the weapons program of the United States (hereinafter referred to as ''legacy uranium mines'').

(2) MATTERS TO BE ADDRESSED.—The report shall describe and analyze—

(A) the location of the legacy uranium mines on Federal, State, tribal, and private land, taking into account any existing inventories undertaken by Federal agencies, States, and Indian tribes, and any additional information available to the Secretary;

(B) the extent to which the legacy uranium mines—

(i) may pose a potential and significant radiation health hazard to the public;

(ii) may pose some other threat to public health and safety hazard;

(iii) have caused, or may cause, degradation of water quality; and

(iv) have caused, or may cause, environmental degradation;

(C) a ranking of priority by category for the remediation and reclamation of the legacy uranium mines;

(D) the potential cost and feasibility of remediating and reclaiming, in accordance with applicable Federal law, each category of legacy uranium mines; and

(E) the status of any efforts to remediate and reclaim legacy uranium mines.

(b) RECOMMENDATIONS.—The report shall—

(1) make recommendations as to how to ensure most feasibly and effectively and expeditiously that the public health and safety, water resources, and the environment will be protected from the adverse effects of legacy uranium mines; and

(2) make recommendations on changes, if any, to Federal law to address the remediation and reclamation of legacy uranium mines.

(c) CONSULTATION.—In preparing the report, the Secretary of Energy shall consult with any other relevant Federal agencies, affected States and Indian tribes, and interested members of the public.

(d) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate and the appropriate Committees of the House of Representatives—

(1) the report; and

(2) the plan and timeframe of the Secretary of Energy for implementing those recommendations of the report that do not require legislation.

SEC. 3135. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PROJECTS CARRIED OUT BY OFFICE OF ENVIRONMENTAL MANAGEMENT OF THE DEPARTMENT OF ENERGY PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''The Comptroller General shall conduct a review during the period described in paragraph (2), of the following:'' and inserting ''Beginning on the date of the submittal of the report required

under subsection (b)(2), the Comptroller General shall conduct a review of the following:'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as redesignated by subparagraph (C), by striking ''the end of the period described in paragraph (2)'' and inserting ''August 30, 2012''; and

(2) in subsection (d)—

(A) in paragraph (1), by striking ''Beginning on the date on which the Comptroller General submits the last report required under subsection (c)(3), the Comptroller General shall conduct a review of the following:'' and inserting ''Following the submittal of the final report required under subsection (c)(2), the Comptroller General shall conduct a review of the following:''; and

(B) in paragraph (2), by striking ''Not later than 90 days after submitting the last report required under subsection (c)(3)'' and inserting ''Within seven months after receiving notification that all American Recovery and Re-

investment Act funds have been expended, but not later than April 30, 2016''.

Subtitle D—Other Matters

SEC. 3141. SENSE OF CONGRESS ON OVERSIGHT OF THE NUCLEAR SECURITY ENTERPRISE.

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

(1) In 2000, the National Nuclear Security Administration was established as an independent entity within the Department of Energy to manage and secure the nuclear weapons stockpile of the United States and to manage nuclear nonproliferation and naval reactor programs.

(2) Serious security and health incidents continue to occur at sites of the National Nuclear Security Administration.

(3) In September 2012, an official of the Government Accountability Office testified to Congress that lax laboratory attitudes toward safety procedures, laboratory inadequacies in identifying and addressing safety problems with appropriate corrective actions, and inadequate oversight by site offices of the National Nuclear Security Administration were responsible for nearly 100 safety incidents since 2000.

(4) On July 28, 2012, three unarmed individuals compromised security at the Y–12 National Security Complex in Oak Ridge, Tennessee, and according to the Government Accountability Office, ''gained access to the protected security area directly adjacent to one of the nation's most critically important nuclear weapons-related facilities''.

(5) In June 2006, hackers attacked an unclassified computer system at the National Nuclear Security Administration's Service Center in Albuquerque, New Mexico, and gained access to a file containing the names and social security numbers of more than 1,500 employees of the National Nuclear Security Administration.

(6) As early as February 2005, the Inspector General of the Department of Energy identified problems with the retrieval of badges from terminated employees at Los Alamos National Laboratory and other sites of the National Nuclear Security Administration.

(7) In 2004, a pattern of safety and security incidents that occurred over the course of a year prompted the stand-down of Los Alamos National Laboratory.

(8) The National Nuclear Security Administration, independent of the safety and security reform efforts of the Department of Energy, has launched an overhaul of its contracting oversight, placing an emphasis on contractor self-policing through an untested ''contractor assurance'' approach.

(9) The Government Accountability Office has given the contractor administration and project management capabilities of the National Nuclear Security Administration a ''high risk'' designation and found there to be insufficient qualified Federal acquisition professionals to ''plan, direct, and oversee project execution''.

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

(1) there is a need for strong, independent oversight of the United States nuclear security enterprise;

(2) any attempt to reform oversight of the nuclear security enterprise that transfers oversight from the Department of Energy to the National Nuclear Security Administration, reduces protections for worker health and safety at facilities of the National Nuclear Security Administration to levels below the standards of the Department of Energy,

or transfers construction appropriations for the nuclear security enterprise from the Department of Energy appropriation account to the military construction appropriation account, should be carefully evaluated;

(3) the Office of Health, Safety, and Security of the Department of Energy, which reports to the Secretary of Energy but is also accountable for routinely reporting to Congress on the performance with respect to safety and security of the Department, including the National Nuclear Security Administration, and the role of that Office in overseeing safety and security at the National Nuclear Security Administration, should not be diminished but should be routinely evaluated;

(4) any future modifications to the management or structure of the nuclear security enterprise should be done in a way that maintains or increases oversight of critical construction, security, and acquisition capabilities;

(5) to the extent possible, oversight of programs of the National Nuclear Security Administration by the Department of Defense should increase to ensure current and future warfighting requirements are met; and

(6) the Nuclear Weapons Council should provide proper oversight in the execution of its responsibilities under section 179 of title 10, United States Code.

Subtitle E—American Medical Isotopes Production

SEC. 3151. SHORT TITLE.

This subtitle may be cited as the ''American Medical Isotopes Production Act of 2012''.

SEC. 3152. DEFINITIONS.

In this subtitle:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) HIGHLY ENRICHED URANIUM.—The term ''highly enriched uranium'' means uranium enriched to 20 percent or greater in the isotope U–235.

(3) LOW ENRICHED URANIUM.—The term ''low enriched uranium'' means uranium enriched to less than 20 percent in the isotope U–235.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 3153. IMPROVING THE RELIABILITY OF DOMESTIC MEDICAL ISOTOPE SUPPLY.

(a) MEDICAL ISOTOPE DEVELOPMENT PROJECTS.—

(1) IN GENERAL.—The Secretary shall carry out a technology-neutral program—

(A) to evaluate and support projects for the production in the United States, without the use of highly enriched uranium, of significant quantities of molybdenum-99 for medical uses;

(B) to be carried out in cooperation with non-Federal entities; and

(C) the costs of which shall be shared in accordance with section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

(2) CRITERIA.—Projects shall be judged against the following primary criteria:

(A) The length of time necessary for the proposed project to begin production of molybdenum-99 for medical uses within the United States.

(B) The capability of the proposed project to produce a significant percentage of United States demand for molybdenum-99 for medical uses.

(C) The cost of the proposed project.

(3) EXEMPTION.—An existing reactor in the United States fueled with highly enriched uranium

shall not be disqualified from the program if the Secretary determines that—

(A) there is no alternative nuclear reactor fuel, enriched in the isotope U–235 to less than 20 percent, that can be used in that reactor;

(B) the reactor operator has provided assurances that, whenever an alternative nuclear reactor fuel, enriched in the isotope U–235 to less than 20 percent, can be used in that reactor, it will use that alternative in lieu of highly enriched uranium; and

(C) the reactor operator has provided a current report on the status of its efforts to convert the reactor to an alternative nuclear reactor fuel enriched in the isotope U–235 to less than 20 percent, and an anticipated schedule for completion of conversion.

(4) PUBLIC PARTICIPATION AND REVIEW.—The Secretary shall—

(A) develop a program plan and annually update the program plan through public workshops; and

(B) use the Nuclear Science Advisory Committee to conduct annual reviews of the progress made in achieving the program goals.

(b) DEVELOPMENT ASSISTANCE.—The Secretary shall carry out a program to provide assistance for—

(1) the development of fuels, targets, and processes for domestic molybdenum-99 production that do not use highly enriched uranium; and

(2) commercial operations using the fuels, targets, and processes described in paragraph (1).

(c) URANIUM LEASE AND TAKE-BACK.—

(1) IN GENERAL.—The Secretary shall establish a program to make low-enriched uranium available, through lease contracts, for irradiation for the production of molybdenum-99 for medical uses.

(2) TITLE.—The lease contracts shall provide for the producers of the molybdenum-99 to take title to and be responsible for the molybdenum-99 created by the irradiation, processing, or purification of uranium leased under this section.

(3) DUTIES.—

(A) SECRETARY.—The lease contracts shall require the Secretary—

(i) to retain responsibility for the final disposition of spent nuclear fuel created by the irradiation, processing, or purification of uranium leased under this section for the production of medical isotopes; and

(ii) to take title to and be responsible for the final disposition of radioactive waste created by the irradiation, processing, or purification of uranium leased under this section for which the Secretary determines the producer does not have access to a disposal path.

(B) PRODUCER.—The producer of the spent nuclear fuel and radioactive waste shall accurately characterize, appropriately package, and transport the spent nuclear fuel and radioactive waste prior to acceptance by the Department.

(4) COMPENSATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the lease contracts shall provide for compensation in cash amounts equivalent to prevailing market rates for the sale of comparable uranium products and for compensation in cash amounts equivalent to the net present value of the cost to the Federal Government for—

(i) the final disposition of spent nuclear fuel and radioactive waste for which

the Department is responsible under paragraph (3); and

(ii) other costs associated with carrying out the uranium lease and take-back program authorized by this subsection.

(B) DISCOUNT RATE.—The discount rate used to determine the net present value of costs described in subparagraph (A)(ii) shall be not greater than the average interest rate on marketable Treasury securities.

(5) AUTHORIZED USE OF FUNDS.—The Secretary may obligate and expend funds received under leases entered into under this subsection, which shall remain available until expended, for the purpose of carrying out the activities authorized by this subtitle, including activities related to the final disposition of spent nuclear fuel and radioactive waste for which the Department is responsible under paragraph (3).

(6) EXCHANGE OF URANIUM FOR SERVICES.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for—

(A) services related to the final disposition of the spent nuclear fuel and radioactive waste

for which the Department is responsible under paragraph (3); or

(B) any other services associated with carrying out the uranium lease and take-back program authorized by this subsection.

(d) COORDINATION OF ENVIRONMENTAL REVIEWS.—The Department and the Nuclear Regulatory Commission shall ensure to the maximum extent practicable that environmental reviews for the production of the medical isotopes shall complement and not duplicate each review.

(e) OPERATIONAL DATE.—The Secretary shall establish a program as described in subsection (c)(3) not later than 3 years after the date of enactment of this Act.

(f) RADIOACTIVE WASTE.—Notwithstanding section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101), radioactive material resulting from the production of medical isotopes that has been permanently removed from a reactor or subcritical assembly and for which there is no further use shall be considered low-level radioactive waste if the material is acceptable under Federal requirements for disposal as low-level radioactive waste.

SEC. 3154. EXPORTS.

Section 134 of the Atomic Energy Act of 1954 (42 U.S.C. 2160d) is amended by striking subsection c. and inserting the following:

''c. Effective 7 years after the date of enactment of the American Medical Isotopes Production Act of 2012, the Commission may not issue a license for the export of highly enriched uranium from the United States for the purposes of medical isotope production.

''d. The period referred to in subsection b. may be extended for no more than 6 years if, no earlier than 6 years after the date of enactment of the American Medical Isotopes Production Act of 2012, the Secretary of Energy certifies to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate that—

''(1) there is insufficient global supply of molybdenum-99 produced without the use of highly enriched uranium available to satisfy the domestic United States market; and

''(2) the export of United States-origin highly enriched uranium for the purposes of medical isotope production is the most effective temporary means to increase the supply of molybdenum-99 to the domestic United States market.

"e. To ensure public review and comment, the development of the certification described in subsection c. shall be carried out through announcement in the Federal Register.

"f. At any time after the restriction of export licenses provided for in subsection b. becomes effective, if there is a critical shortage in the supply of molybdenum-99 available to satisfy the domestic United States medical isotope needs, the restriction of export licenses may be suspended for a period of no more than 12 months, if—

"(1) the Secretary of Energy certifies to the Congress that the export of United States-origin highly enriched uranium for the purposes of medical isotope production is the only effective temporary means to increase the supply of molybdenum-99 necessary to meet United States medical isotope needs during that period; and

"(2) the Congress enacts a Joint Resolution approving the temporary suspension of the restriction of export licenses.

"g. As used in this section—

"(1) the term 'alternative nuclear reactor fuel or target' means a nuclear reactor fuel or target which is enriched to less than 20 percent in the isotope U–235;

"(2) the term 'highly enriched uranium' means uranium enriched to 20 percent or more in the isotope U–235;

"(3) a fuel or target 'can be used' in a nuclear research or test reactor if—

"(A) the fuel or target has been qualified by the Reduced Enrichment Research and Test Reactor Program of the Department of Energy; and

"(B) use of the fuel or target will permit the large majority of ongoing and planned experiments and medical isotope production to be conducted in the reactor without a large percentage increase in the total cost of operating the reactor; and

"(4) the term 'medical isotope' includes molybdenum-99, iodine-131, xenon-133, and other radioactive materials used to produce a radiopharmaceutical for diagnostic or therapeutic procedures or for research and development.".

SEC. 3155. REPORT ON DISPOSITION OF EXPORTS.

Not later than 1 year after the date of the enactment of this Act, the Chairman of the Nuclear Regulatory Commission, after consulting with other relevant agencies, shall submit to the Congress a report detailing the current

disposition of previous United States exports of highly enriched uranium used as fuel or targets in a nuclear research or test reactor, including—

(1) their location;

(2) whether they are irradiated;

(3) whether they have been used for the purpose stated in their export license;

(4) whether they have been used for an alternative purpose and, if so, whether such alternative purpose has been explicitly approved by the Commission;

(5) the year of export, and reimportation, if applicable;

(6) their current physical and chemical forms; and

(7) whether they are being stored in a manner which adequately protects against theft and unauthorized access.

SEC. 3156. DOMESTIC MEDICAL ISOTOPE PRODUCTION.

(a) IN GENERAL.—Chapter 10 of the Atomic Energy Act of 1954 (42 U.S.C. 2131 et seq.) is amended by adding at the end the following:

"SEC. 112. DOMESTIC MEDICAL ISOTOPE PRODUCTION.—

"a. The Commission may issue a license, or grant an amendment to an existing license, for the use in the United States of highly enriched uranium as a target for medical isotope production in a nuclear reactor, only if, in addition to any other requirement of this Act—

"(1) the Commission determines that—

"(A) there is no alternative medical isotope production target, enriched in the isotope U–235 to less than 20 percent, that can be used in that reactor; and

"(B) the proposed recipient of the medical isotope production target has provided assurances that, whenever an alternative medical isotope production target can be used in that reactor, it will use that alternative in lieu of highly enriched uranium; and

"(2) the Secretary of Energy has certified that the United States Government is actively supporting the development of an alternative medical isotope production target that can be used in that reactor.

"b. As used in this section—

"(1) the term 'alternative medical isotope production target' means a nuclear reactor target which is enriched to less than 20 percent of the isotope U–235;

"(2) a target 'can be used' in a nuclear research or test reactor if—

"(A) the target has been qualified by the Reduced Enrichment Research and Test Reactor Program of the Department of Energy; and

"(B) use of the target will permit the large majority of ongoing and planned experiments and medical isotope production to be conducted in the reactor without a large percentage increase in the total cost of operating the reactor;

"(3) the term 'highly enriched uranium' means uranium enriched to 20 percent or more in the isotope U–235; and

"(4) the term 'medical isotope' includes molybdenum-99, iodine-131, xenon-133, and other radioactive materials used to produce a radiopharmaceutical for diagnostic or therapeutic procedures or for research and development.".

(b) TABLE OF CONTENTS.—The table of contents for the Atomic Energy Act of 1954 is amended by inserting the following new item at the end of the items relating to chapter 10 of title I:

"Sec. 112. Domestic medical isotope production.".

SEC. 3157. ANNUAL DEPARTMENT REPORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for

5 years, the Secretary shall report to Congress on Department actions to support the production in the United States, without the use of highly enriched uranium, of molybdenum-99 for medical uses.

(b) CONTENTS.—The reports shall include the following:

(1) For medical isotope development projects—

(A) the names of any recipients of Department support under section 3143;

(B) the amount of Department funding committed to each project;

(C) the milestones expected to be reached for each project during the year for which support is provided;

(D) how each project is expected to support the increased production of molybdenum-99 for medical uses;

(E) the findings of the evaluation of projects under section 3143(a)(2); and

(F) the ultimate use of any Department funds used to support projects under section 3143.

(2) A description of actions taken in the previous year by the Secretary to ensure the safe disposition of spent nuclear fuel and radioactive waste

for which the Department is responsible under section 3143(c).

SEC. 3158. NATIONAL ACADEMY OF SCIENCES REPORT.

(a) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences to conduct a study of the state of molybdenum-99 production and utilization, to be provided to Congress not later than 5 years after the date of enactment of this Act.

(b) CONTENTS.—The report shall include the following:

(1) For molybdenum-99 production—

(A) a list of all facilities in the world producing molybdenum-99 for medical uses, including an indication of whether these facilities use highly enriched uranium in any way;

(B) a review of international production of molybdenum-99 over the previous 5 years, including—

(i) whether any new production was brought online;

(ii) whether any facilities halted production unexpectedly; and

(iii) whether any facilities used for production were decommissioned or other-

wise permanently removed from service; and

(C) an assessment of progress made in the previous 5 years toward establishing domestic production of molybdenum-99 for medical uses, including the extent to which other medical isotopes that have been produced with molybdenum-99, such as iodine-131 and xenon-133, are being used for medical purposes.

(2) An assessment of the progress made by the Department and others to eliminate all worldwide use of highly enriched uranium in reactor fuel, reactor targets, and medical isotope production facilities.

SEC. 3159. REPEAL.

The Nuclear Safety Research, Development, and Demonstration Act of 1980 (42 U.S.C. 9701 et seq.) is repealed.

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.

(a) ESTABLISHMENT.—There is established a congressional advisory panel (in this section referred to as

the ''advisory panel'') to assess the feasibility and advisability of, and make recommendations with respect to, revising the governance structure of the National Nuclear Security Administration (in this section referred to as the ''Administration'') to permit the Administration to operate more effectively.

(b) COMPOSITION.—

(1) MEMBERSHIP.—The advisory panel shall be composed of 12 members appointed as follows:

(A) Three by the Speaker of the House of Representatives.

(B) Three by the Minority Leader of the House of Representatives.

(C) Three by the Majority Leader of the Senate.

(D) Three by the Minority Leader of the Senate.

(2) CHAIRMAN; VICE CHAIRMAN.—

(A) CHAIRMAN.—The Speaker of the House of Representatives and the Majority Leader of the Senate shall jointly designate one member of the advisory panel to serve as chairman of the advisory panel.

(B) VICE CHAIRMAN.—The Minority Leader of the House of Representatives and the Mi-

nority Leader of the Senate shall jointly designate one member of the advisory panel to serve as vice chairman of the advisory panel.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Each member of the advisory panel shall be appointed for a term of one year and may be reappointed for an additional period lasting until the termination of the advisory panel in accordance with subsection (f). Any vacancy in the advisory panel shall be filled in the same manner as the original appointment.

(c) COOPERATION FROM FEDERAL AGENCIES.—

(1) COOPERATION.—The advisory panel shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of Energy, and any other Federal official in providing the advisory panel with analyses, briefings, and other information necessary for the advisory panel to carry out its duties under this section.

(2) ACCESS TO INFORMATION.—Members of the advisory panel shall have access to all information, including classified information, necessary to carry out the duties of the advisory panel under this section. The security clearance process shall be expedited for members and staff of the advisory panel to

the extent necessary to permit the advisory panel to carry out its duties under this section.

(3) LIAISON.—The Secretary of Defense, the Secretary of State, and the Secretary of Energy shall each designate at least one officer or employee of the Department of Defense, Department of State, and the Department of Energy, respectively, to serve as a liaison officer between the department and the advisory panel.

(d) REPORT REQUIRED.—Not later than 120 days after the date that each of the members of the advisory panel has been appointed, the advisory panel shall submit to the President, the Secretary of Defense, the Secretary of Energy, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives an interim report on the feasibility and advisability of revising the governance structure of the Administration to permit the Administration to operate more effectively, to be followed by a final report prior to the termination of the advisory panel in accordance with subsection (f). The reports shall include the following:

(1) Recommendations with respect to the following:

(A) The organization and structure of the Administration, including the roles, responsibil-

ities, and authorities of the Administration and mechanisms for holding the Administration accountable.

(B) The allocation of roles and responsibilities with respect to the safety and security of the nuclear weapons complex.

(C) The relationship of the Administration to the National Security Council, the Nuclear Weapons Council, the Department of Energy, the Department of Defense, and other Federal agencies, as well as the national security laboratories, as appropriate.

(D) The role of the Administration in the interagency process for planning, programming, and budgeting with respect to the nuclear weapons complex.

(E) Legislative changes necessary for revising the governance structure of the Administration.

(F) The appropriate structure for oversight of the Administration by congressional committees.

(G) The length of the term of the Administrator for Nuclear Security.

(H) The authority of the Administrator to appoint senior members of the Administrator's staff.

(I) Whether the nonproliferation activities of the Administration on the day before the date of the enactment of this Act should remain with the Administration or be transferred to another agency.

(J) Infrastructure, rules, and standards that will better protect the safety and health of nuclear workers, while also permitting those workers the appropriate freedom to efficiently and safely carry out their mission.

(K) Legislative or regulatory changes required to improve contracting best practices in order to reduce the cost of programs without eroding mission requirements.

(L) Whether the Administration should operate more independently of the Department of Energy while reporting to the President through Secretary of Energy.

(2) An assessment of how revisions to the governance structure of the Administration will lead to a more mission-focused management structure capa-

ble of keeping programs on schedule and within cost estimates.

(3) An assessment of the disadvantages and benefits of each organizational structure for the Administration considered by the advisory panel.

(4) An assessment of how the national security laboratories can expand basic science in support of ancillary national security missions in a manner that mutually reinforces the stockpile stewardship mission of the Administration and encourages the retention of top performers.

(5) An assessment of how to better retain and recruit personnel, including recommendations for creating an improved professional culture that emphasizes the scientific, engineering, and national security objectives of the United States.

(6) Any other information or recommendations relating to revising the governance structure of the Administration that the advisory panel considers appropriate.

(e) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2013 and made available to the Department of Defense pursuant to this Act, not more than $1,000,000 shall be made available to the advisory panel to carry out this section.

(f) SUNSET.—The advisory panel established by subsection (a) of this section shall be terminated on the date that is 365 days after the date that each of the twelve members of the advisory panel has first been appointed.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2013, $29,415,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Maritime Administration Authorization Act for Fiscal Year 2013''.

SEC. 3502. CONTAINER-ON-BARGE TRANSPORTATION.

(a) ASSESSMENT.—The Administrator of the Maritime Administration shall assess the potential for using container-on-barge transportation in short sea transportation (as such term is defined in section 55605 of title 46, United States Code).

(b) FACTORS.—In conducting the assessment under subsection (a), the Administrator shall consider—

(1) the environmental benefits of increasing container-on-barge movements in short sea transportation;

(2) the regional differences in the use of short sea transportation;

(3) the existing programs established at coastal and Great Lakes ports for establishing awareness of deep sea shipping operations;

(4) the mechanisms necessary to ensure that implementation of a plan under subsection (c) will not be inconsistent with antitrust laws; and

(5) the potential frequency of container-on-barge service at short sea transportation ports.

(c) RECOMMENDATIONS.—The assessment under subsection (a) may include recommendations for a plan to increase awareness of the potential for use of container-on-barge transportation.

(d) DEADLINE.—Not later than 180 days after the date of enactment of this title, the Administrator shall submit the assessment required under this section to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 3503. SHORT SEA TRANSPORTATION.

(a) PURPOSE.—Section 55601 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''landside congestion.'' and inserting ''landside congestion or to promote short sea transportation.'';

(2) in subsection (c), by striking ''coastal corridors'' and inserting ''coastal corridors or to promote short sea transportation'';

(3) in subsection (d), by striking ''that the project may'' and all that follows through the end of the subsection and inserting ''that the project uses documented vessels and—

''(1) mitigates landside congestion; or

''(2) promotes short sea transportation.''; and

(4) in subsection (f), by striking ''shall'' each place it appears and inserting ''may''.

(b) DOCUMENTATION.—Section 55605 of title 46, United States Code, is amended in the matter preceding paragraph (1) by striking ''by vessel'' and inserting ''by a documented vessel''.

SEC. 3504. MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE.

(a) IN GENERAL.—Chapter 503 of title 46, United States Code, is amended by adding at the end the following:

"§ 50307. Maritime environmental and technical assistance

''(a) IN GENERAL.—The Secretary of Transportation may engage in the environmental study, research, development, assessment, and deployment of emerging marine technologies and practices related to the marine transportation system through the use of public vessels under the control of the Maritime Administration or private vessels under Untied States registry, and through partnerships and cooperative efforts with academic, public, private, and non-governmental entities and facilities.

''(b) REQUIREMENTS.—The Secretary of Transportation may—

''(1) identify, study, evaluate, test, demonstrate, or improve emerging marine technologies and practices that are likely to achieve environmental improvements by—

''(A) reducing air emissions, water emissions, or other ship discharges;

''(B) increasing fuel economy or the use of alternative fuels and alternative energy (including the use of shore power); or

''(C) controlling aquatic invasive species; and

''(2) coordinate with the Environmental Protection Agency, the United States Coast Guard, and

other Federal, State, local, or tribal agencies, as appropriate.

''(c) COORDINATION.—Coordination under subsection (b)(2) may include—

''(1) activities that are associated with the development or approval of validation and testing regimes; and

''(2) certification or validation of emerging technologies or practices that demonstrate significant environmental benefits.

''(d) ASSISTANCE.—The Secretary of Transportation may accept gifts, or enter into cooperative agreements, contracts, or other agreements with academic, public, private, and non-governmental entities to carry out the activities authorized under subsection (a).''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 503 of title 46, United States Code, is amended by inserting after the item relating to section 50306 the following:

''50307. Maritime environmental and technical assistance.''.

SEC. 3505. IDENTIFICATION OF ACTIONS TO ENABLE QUALIFIED UNITED STATES FLAG CAPACITY TO MEET NATIONAL DEFENSE REQUIREMENTS.

Section 501(b) of title 46, United States Code, is amended—

(1) by striking ''When the head'' and inserting the following:

''(1) IN GENERAL.—When the head''; and

(2) by adding at the end the following:

''(2) DETERMINATIONS.—The Maritime Administrator shall—

''(A) for each determination referred to in paragraph (1), identify any actions that could be taken to enable qualified United States flag capacity to meet national defense requirements;

''(B) provide notice of each such determination to the Secretary of Transportation and the head of the agency referred to in paragraph (1) for which the determination is made; and

''(C) publish each such determination on the Internet Web site of the Department of Transportation not later than 48 hours after notice of the determination is provided to the Secretary of Transportation.

''(3) NOTICE TO CONGRESS.—

''(A) IN GENERAL.—The head of an agency referred to in paragraph (1) shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the

Committee on Commerce, Science, and Transportation of the Senate—

"(i) of any request for a waiver of the navigation or vessel-inspection laws under this section not later than 48 hours after receiving such a request; and

"(ii) of the issuance of any such waiver not later than 48 hours after such issuance.

"(B) CONTENTS.—Such head of an agency shall include in each notification under subparagraph (A)(ii) an explanation of—

"(i) the reasons the waiver is necessary; and

"(ii) the reasons actions referred to in paragraph (2)(A) are not feasible.".

SEC. 3506. MARITIME WORKFORCE STUDY.

(a) TRAINING STUDY.—The Comptroller General of the United States shall conduct a study on the training needs of the maritime workforce.

(b) STUDY COMPONENTS.—The study shall—

(1) analyze the impact of maritime training requirements imposed by domestic and international regulations and conventions, companies, and government agencies that charter or operate vessels;

(2) evaluate the ability of the United States maritime training infrastructure to meet the needs of the maritime industry;

(3) identify trends in maritime training;

(4) compare the training needs of United States mariners with the vocational training and educational assistance programs available from Federal agencies to evaluate the ability of Federal programs to meet the training needs of United States mariners;

(5) include recommendations to enhance the capabilities of the United States maritime training infrastructure; and

(6) include recommendations to assist United States mariners and those entering the maritime profession to achieve the required training.

(c) FINAL REPORT.—Not later than 1 year after the date of enactment of this title, the Comptroller General shall submit a report on the results of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 3507. MARITIME ADMINISTRATION VESSEL RECYCLING CONTRACT AWARD PRACTICES.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this title, the Comptroller General of the Government Accountability Office shall conduct an assessment of the source selection procedures and practices used to award the Maritime Administration's National Defense Reserve Fleet vessel recycling contracts. The Comptroller General shall assess the process, procedures, and practices used for the Maritime Administration's qualification of vessel recycling facilities. The Comptroller General shall report the findings to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives.

(b) ASSESSMENT.—The assessment under subsection (a) shall include a review of whether the Maritime Administration's contract source selection procedures and practices are consistent with law, the Federal Acquisition Regulations (FAR), and Federal best practices associated with making source selection decisions.

(c) CONSIDERATIONS.—In making the assessment under subsection (a), the Comptroller General may consider any other aspect of the Maritime Administration's

vessel recycling process that the Comptroller General deems appropriate to review.

SEC. 3508. REQUIREMENT FOR BARGE DESIGN.

Not later than 270 days after the date of enactment of this title, the Administrator of the Maritime Administration shall complete the design for a containerized, articulated barge, as identified in the dual-use vessel study carried out by the Administrator and the Secretary of Defense, that is able to utilize roll-on/roll-off or load-on/load-off technology in marine highway maritime commerce.

SEC. 3509. ELIGIBILITY TO RECEIVE SURPLUS TRAINING EQUIPMENT.

Section 51103(b)(2)(C) of title 46, United States Code, is amended by inserting ''or a training institution that is an instrumentality of a State, Territory, or Commonwealth of the United States or District of Columbia or a unit of local government thereof'' after ''a non-profit training institution''.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activ-

ity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—Decisions by agency heads to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall be based on authorized, transparent, statutory criteria, or merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, and other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supercede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	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	FIST VEHICLE (MOD)	57,257	57,257
005	BRADLEY PROGRAM (MOD)	148,193	148,193
006	HOWITZER, MED SP FT 155MM M109A6 (MOD)	10,341	10,341
007	PALADIN PIM MOD IN SERVICE	206,101	206,101
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	107,909	230,909
	Increased production		[123,000]
009	ASSAULT BREACHER VEHICLE	50,039	50,039
010	M88 FOV MODS	29,930	29,930
011	M1 ABRAMS TANK (MOD)	129,090	129,090
012	ABRAMS UPGRADE PROGRAM	74,433	74,433
012A	ADVANCE PROCUREMENT (CY)		91,000
	Advanced procurement Abrams upgrade program		[91,000]
	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		

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(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
	Excalibur I-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	GRENADES, 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

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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 EXPEDITIARY 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: LHMBC 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

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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 ECU'S	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 MISSON 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

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(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
	Transfer to PE 0604641A at Army request		[–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
	Transfer to OCO		[–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	F/A–18E/F (FIGHTER) HORNET	2,035,131	2,035,131
004	ADVANCE PROCUREMENT (CY)	30,296	90,296
	Retain option for additional FY 14 aircraft		[60,000]
005	JOINT STRIKE FIGHTER CV	1,007,632	1,007,632
006	ADVANCE PROCUREMENT (CY)	65,180	65,180
007	JSF 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–40A	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	STUASL0 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

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(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

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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	RADIAC	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	C4ISR 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 COMM/ELEC 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	USAFA 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	STUASL0	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-engining 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 mobiilty 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	INDUSTR'L PREPAREDNS/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 GAPFILLER 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

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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

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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	STUASL0	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

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Line	Item	FY 2013 Request	Senate Authorized
	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
	Funding ahead of need		[–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
	Transfer from OMA OCO at SOUTHCOM request		[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
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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 C4I 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 COMM/ELEC 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)

Line	Item	FY 2013 Request	Senate Authorized
	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**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
		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 TECHNOLOGY	4,157	4,157
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	9,856	9,856
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,661	50,661
037	0603009A	TRACTOR HIKE	9,126	9,126
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,257	17,257
039	0603020A	TRACTOR ROSE	9,925	9,925
040	0603105A	MILITARY HIV RESEARCH	6,984	6,984
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	9,716	9,716
042	0603130A	TRACTOR NAIL	3,487	3,487
043	0603131A	TRACTOR EGGS	2,323	2,323
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY	21,683	21,683
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	71,111	71,111
046	0603322A	TRACTOR CAGE	10,902	10,902
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	180,582	180,582
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	27,204	27,204
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	6,095	6,095

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	37,217	37,217
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	13,626	13,626
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	28,458	28,458
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	25,226	25,226
		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 (JCTI-G)/TECHNOLOGY DEV	0	0
075	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2)	76,039	76,039
076	0604775A	DEFENSE RAPID INNOVATION PROGRAM	0	0
077	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	4,043	4,043
078	0305205A	ENDURANCE UAVS	26,196	26,196
		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

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Line	Program Element	Item	FY 2013 Request	Senate Authorized
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	104,983	104,983
114	0604814A	ARTILLERY MUNITIONS—EMD	4,346	4,346
115	0604817A	COMBAT IDENTIFICATION	0	0
116	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	77,223	77,223
117	0604820A	RADAR DEVELOPMENT	3,486	3,486
118	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	9,963	27,163
		GFEBS realignment per Army request		[17,200]
119	0604823A	FIREFINDER	20,517	20,517
120	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	51,851	51,851
121	0604854A	ARTILLERY SYSTEMS—EMD	167,797	167,797
122	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	400,861	0
		No funds authorized		[–400,861]
123	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,922	7,922
124	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	51,463	51,463
125	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	158,646	158,646
126	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	10,000	10,000
127	0605455A	SLAMRAAM	0	0
128	0605456A	PAC–3/MSE MISSILE	69,029	69,029
129	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	277,374	277,374
130	0605625A	MANNED GROUND VEHICLE	639,874	639,874
131	0605626A	AERIAL COMMON SENSOR	47,426	47,426
132	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	72,295	72,295
133	0303032A	TROJAN—RH12	4,232	4,232
134	0304270A	ELECTRONIC WARFARE DEVELOPMENT	13,942	13,942
		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 (FBCB2)	0	0
171	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	20,733	20,733
172	0203808A	TRACTOR CARD	63,243	63,243
173	0208053A	JOINT TACTICAL GROUND SYSTEM	31,738	31,738
174	0208058A	JOINT HIGH SPEED VESSEL (JHSV)	35	35
176	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	7,591	7,591

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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
183	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	40,876	40,876
184	0305219A	MQ–1 SKY WARRIOR A UAV	74,618	74,618
185	0305232A	RQ–11 UAV	4,039	4,039
186	0305233A	RQ–7 UAV	31,158	31,158
187	0305235A	VERTICAL UAS	2,387	2,387
188	0307665A	BIOMETRICS ENABLED INTELLIGENCE	15,248	15,248
189	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,908	59,908
189A	9999999999	CLASSIFIED PROGRAMS	4,628	4,628
		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

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048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	249,748	249,748
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	29,897	29,897
050	0603576N	CHALK EAGLE	509,988	509,988
051	0603581N	LITTORAL COMBAT SHIP (LCS)	429,420	429,420
052	0603582N	COMBAT SYSTEM INTEGRATION	56,551	56,551
053	0603609N	CONVENTIONAL MUNITIONS	7,342	7,342
054	0603611M	MARINE CORPS ASSAULT VEHICLES	95,182	95,182
055	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	10,496	10,496
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	52,331	52,331
057	0603658N	COOPERATIVE ENGAGEMENT	56,512	56,512
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	7,029	7,029
059	0603721N	ENVIRONMENTAL PROTECTION	21,080	21,080
060	0603724N	NAVY ENERGY PROGRAM	55,324	55,324
061	0603725N	FACILITIES IMPROVEMENT	3,401	3,401
062	0603734N	CHALK CORAL	45,966	45,966
063	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,811	3,811
064	0603746N	RETRACT MAPLE	341,305	341,305
065	0603748N	LINK PLUMERIA	181,220	181,220
066	0603751N	RETRACT ELM	174,014	174,014
067	0603755N	SHIP SELF DEFENSE—DEM/VAL	0	0
068	0603764N	LINK EVERGREEN	68,654	68,654
069	0603787N	SPECIAL PROCESSES	44,487	44,487
070	0603790N	NATO RESEARCH AND DEVELOPMENT	9,389	9,389
071	0603795N	LAND ATTACK TECHNOLOGY	16,132	16,132
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING	44,994	44,994
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	137,369	137,369
074	0603889N	COUNTERDRUG RDT&E PROJECTS	0	0
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	0	0
076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	73,934	73,934
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION	711	711
078	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	71,300	71,300
079	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	5,654	5,654
080	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	31,549	31,549
081	0604775N	DEFENSE RAPID INNOVATION PROGRAM	0	0
082	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	86,801	86,801
083	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	44,500	44,500
084	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	13,172	13,172
085	0303562N	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP	0	0
086	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	643	643
		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–22A	54,412	54,412
099	0604264N	AIR CREW SYSTEMS DEVELOPMENT	2,717	2,717
100	0604269N	EA–18	13,009	13,009
101	0604270N	ELECTRONIC WARFARE DEVELOPMENT	51,304	51,304
102	0604273N	VH–71A EXECUTIVE HELO DEVELOPMENT	61,163	61,163
103	0604274N	NEXT GENERATION JAMMER (NGJ)	187,024	187,024
104	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	337,480	337,480
105	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	260,616	260,616
106	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	824	824
107	0604329N	SMALL DIAMETER BOMB (SDB)	31,064	31,064
108	0604366N	STANDARD MISSILE IMPROVEMENTS	63,891	63,891
109	0604373N	AIRBORNE MCM	73,246	73,246
110	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION	10,568	10,568
111	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	39,974	39,974
112	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM	122,481	122,481

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Line	Program Element	Item	FY 2013 Request	Senate Authorized
113	0604501N	ADVANCED ABOVE WATER SENSORS	255,516	255,516
114	0604503N	SSN–688 AND TRIDENT MODERNIZATION	82,620	82,620
115	0604504N	AIR CONTROL	5,633	5,633
116	0604512N	SHIPBOARD AVIATION SYSTEMS	55,826	55,826
117	0604518N	COMBAT INFORMATION CENTER CONVERSION	918	918
118	0604558N	NEW DESIGN SSN	165,230	165,230
119	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	49,141	49,141
120	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	196,737	196,737
121	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,889	3,889
122	0604601N	MINE DEVELOPMENT	8,335	8,335
123	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	49,818	49,818
124	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,099	10,099
125	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,348	7,348
126	0604727N	JOINT STANDOFF WEAPON SYSTEMS	5,518	5,518
127	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	87,662	87,662
128	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	64,079	64,079
129	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	151,489	151,489
130	0604761N	INTELLIGENCE ENGINEERING	0	0
131	0604771N	MEDICAL DEVELOPMENT	12,707	12,707
132	0604777N	NAVIGATION/ID SYSTEM	47,764	47,764
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 COMPONENT AND PROTOTYPE DEVELOPMENT	142,282	142,282
168	0604717M	MARINE CORPS COMBAT SERVICES SUPPORT	0	0
169	0604766M	MARINE CORPS DATA SYSTEMS	0	0
170	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	105,892	105,892
171	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	34,729	34,729
172	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	1,434	1,434
173	0101402N	NAVY STRATEGIC COMMUNICATIONS	19,208	19,208
174	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	25,566	25,566
175	0204136N	F/A–18 SQUADRONS	188,299	188,299
176	0204152N	E–2 SQUADRONS	8,610	8,610
177	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	15,695	15,695
178	0204228N	SURFACE SUPPORT	4,171	4,171
179	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	11,265	11,265
180	0204311N	INTEGRATED SURVEILLANCE SYSTEM	45,922	45,922
181	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	8,435	8,435

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182	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	75,088	75,088
183	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	20,229	20,229
184	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,756	1,756
185	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	19,843	19,843
186	0205601N	HARM IMPROVEMENT	11,477	11,477
187	0205604N	TACTICAL DATA LINKS	118,818	118,818
188	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	27,342	27,342
189	0205632N	MK–48 ADCAP	28,717	28,717
190	0205633N	AVIATION IMPROVEMENTS	89,157	89,157
191	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM	3,450	3,450
192	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	86,435	86,435
193	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	219,054	219,054
194	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	181,693	181,693
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	58,393	58,393
196	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	22,966	22,966
197	0207161N	TACTICAL AIM MISSILES	21,107	21,107
198	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,857	2,857
199	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	1,932	1,932
204	0303109N	SATELLITE COMMUNICATIONS (SPACE)	188,482	188,482
205	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	16,749	16,749
206	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	26,307	26,307
207	0303150M	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 (STUASL0)	0	0
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	9,734	9,734
224	0305237N	MEDIUM RANGE MARITIME UAS	0	0
225	0305239M	RQ–21A	22,343	22,343
226	0308601N	MODELING AND SIMULATION SUPPORT	5,908	5,908
227	0702207N	DEPOT MAINTENANCE (NON-IF)	27,391	27,391
228	0702239N	AVIONICS COMPONENT IMPROVEMENT PROGRAM	0	0
229	0708011N	INDUSTRIAL PREPAREDNESS	54,879	54,879
230	0708730N	MARITIME TECHNOLOGY (MARITECH)	5,000	5,000
230A	9999999999	CLASSIFIED PROGRAMS	1,151,159	1,151,159
		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		

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014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	47,890	47,890
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	6,565	6,565
016	0603203F	ADVANCED AEROSPACE SENSORS	37,657	37,657
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	81,376	81,376
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	151,152	151,152
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,941	32,941
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	64,557	64,557
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	29,256	29,256
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	21,523	21,523
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	36,352	36,352
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	19,004	19,004
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	37,045	37,045
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	31,419	31,419
027	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	0	0
		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
		Excess funding		[–1,500]
031	0603432F	POLAR MILSATCOM (SPACE)	120,676	120,676
032	0603438F	SPACE CONTROL TECHNOLOGY	25,144	23,144
		Excess funding		[–2,000]
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	32,243	32,243
034	0603790F	NATO RESEARCH AND DEVELOPMENT	4,507	4,507
035	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	652	652
036	0603830F	SPACE PROTECTION PROGRAM (SPP)	10,429	10,429
037	0603850F	INTEGRATED BROADCAST SERVICE—DEM/VAL	19,938	19,938
038	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	71,181	71,181
039	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,027	12,027
040	0603859F	POLLUTION PREVENTION—DEM/VAL	2,054	2,054
041	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	57,975	57,975
042	0604015F	LONG RANGE STRIKE	291,742	291,742
043	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	114,417	114,417
044	0604317F	TECHNOLOGY TRANSFER	2,576	2,576
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	16,711	16,711
046	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE	0	0
047	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	16,343	16,343
048	0604422F	WEATHER SATELLITE FOLLOW-ON	2,000	2,000
049	0604436F	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT	0	0
050	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	9,423	9,423
051	0604775F	DEFENSE RAPID INNOVATION PROGRAM	0	0
052	0604796F	ALTERNATIVE FUELS	0	0
053	0604830F	AUTOMATED AIR-TO-AIR REFUELING	0	0
054	0604857F	OPERATIONALLY RESPONSIVE SPACE	0	45,000
		Restore Operationally Responsive Space		[45,000]
055	0604858F	TECH TRANSITION PROGRAM	37,558	34,558
		Excess funding		[–3,000]
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	96,840	96,840
057	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS)	0	0
		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
		Excess funding		[–20,000]
068	0604429F	AIRBORNE ELECTRONIC ATTACK	4,118	4,118
069	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	448,594	446,594
		Excess funding		[–2,000]
070	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,951	9,951

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071	0604604F	SUBMUNITIONS	2,567	2,567
072	0604617F	AGILE COMBAT SUPPORT	13,059	13,059
073	0604706F	LIFE SUPPORT SYSTEMS	9,720	9,720
074	0604735F	COMBAT TRAINING RANGES	9,222	9,222
075	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	0	0
076	0604750F	INTELLIGENCE EQUIPMENT	803	803
077	0604800F	F–35—EMD	1,210,306	1,210,306
078	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD	135,437	135,437
079	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	7,980	7,980
080	0604932F	LONG RANGE STANDOFF WEAPON	2,004	2,004
081	0604933F	ICBM FUZE MODERNIZATION	73,512	73,512
082	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	140,100	140,100
083	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	1,815,588	1,728,458
		Excess prior year funds		[–87,130]
084	0605229F	CSAR HH–60 RECAPITALIZATION	123,210	123,210
085	0605278F	HC/MC–130 RECAP RDT&E	19,039	19,039
086	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	281,056	281,056
087	0101125F	NUCLEAR WEAPONS MODERNIZATION	80,200	80,200
088	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS	0	0
089	0207604F	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE	310	310
090	0207701F	FULL COMBAT MISSION TRAINING	14,861	14,861
091	0305230F	MC–12	19,949	19,949
092	0401138F	C–27J AIRLIFT SQUADRONS	0	0
093	0401318F	CV–22	28,027	28,027
094	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	1,960	1,960
		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

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133	0207138F	F–22A SQUADRONS	371,667	371,667
134	0207142F	F–35 SQUADRONS	8,117	8,117
135	0207161F	TACTICAL AIM MISSILES	8,234	8,234
136	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	87,041	87,041
137	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,472	1,472
138	0207224F	COMBAT RESCUE AND RECOVERY	2,095	2,095
139	0207227F	COMBAT RESCUE—PARARESCUE	1,119	1,119
140	0207247F	AF TENCAP	63,853	63,853
141	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,063	1,063
142	0207253F	COMPASS CALL	12,094	12,094
143	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	187,984	187,984
144	0207277F	ISR INNOVATIONS	0	0
145	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	7,950	7,950
146	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	76,315	76,315
147	0207412F	CONTROL AND REPORTING CENTER (CRC)	8,653	8,653
148	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	65,200	65,200
149	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	5,767	5,767
150	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	0	0
152	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,756	5,756
153	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	0	0
154	0207444F	TACTICAL AIR CONTROL PARTY-MOD	16,226	16,226
155	0207445F	FIGHTER TACTICAL DATA LINK	0	0
156	0207448F	C2ISR TACTICAL DATA LINK	1,633	1,633
157	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	18,086	18,086
158	0207452F	DCAPES	15,690	15,690
159	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS)	24,241	24,241
160	0207590F	SEEK EAGLE	22,654	22,654
161	0207601F	USAF MODELING AND SIMULATION	15,501	15,501
162	0207605F	WARGAMING AND SIMULATION CENTERS	5,699	5,699
163	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,425	4,425
164	0208006F	MISSION PLANNING SYSTEMS	69,377	69,377
165	0208021F	INFORMATION WARFARE SUPPORT	7,159	7,159
166	0208059F	CYBER COMMAND ACTIVITIES	66,888	66,888
174	0301400F	SPACE SUPERIORITY INTELLIGENCE	12,056	12,056
175	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	4,159	4,159
176	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	20,124	20,124
177	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	69,133	69,133
178	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	6,512	6,512
179	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM	4,316	4,316
180	0303601F	MILSATCOM TERMINALS	107,237	107,237
182	0304260F	AIRBORNE SIGINT ENTERPRISE	129,106	129,106
185	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,461	4,461
186	0305103F	CYBER SECURITY INITIATIVE	2,055	2,055
187	0305105F	DOD CYBER CRIME CENTER	285	285
188	0305110F	SATELLITE CONTROL NETWORK (SPACE)	33,773	33,773
189	0305111F	WEATHER SERVICE	29,048	29,048
190	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	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

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Line	Program Element	Item	FY 2013 Request	Senate Authorized
221	0305940F	SPACE SITUATION AWARENESS OPERATIONS	19,586	19,586
222	0307141F	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT	0	0
223	0308699F	SHARED EARLY WARNING (SEW)	1,175	1,175
224	0401115F	C–130 AIRLIFT SQUADRON	5,000	5,000
225	0401119F	C–5 AIRLIFT SQUADRONS (IF)	35,115	35,115
226	0401130F	C–17 AIRCRAFT (IF)	99,225	99,225
227	0401132F	C–130J PROGRAM	30,652	30,652
228	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	7,758	7,758
229	0401139F	LIGHT MOBILITY AIRCRAFT (LIMA)	100	100
230	0401218F	KC–135S	0	0
231	0401219F	KC–10S	24,022	24,022
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	7,471	7,471
233	0401315F	C-STOL AIRCRAFT	0	0
234	0408011F	SPECIAL TACTICS / COMBAT CONTROL	4,984	4,984
235	0702207F	DEPOT MAINTENANCE (NON-IF)	1,588	1,588
236	0708012F	LOGISTICS SUPPORT ACTIVITIES	577	577
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	119,327	119,327
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	15,873	15,873
239	0801711F	RECRUITING ACTIVITIES	0	0
240	0804743F	OTHER FLIGHT TRAINING	349	349
241	0804757F	JOINT NATIONAL TRAINING CENTER	0	0
242	0808716F	OTHER PERSONNEL ACTIVITIES	117	117
243	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,018	2,018
244	0901218F	CIVILIAN COMPENSATION PROGRAM	1,561	1,561
245	0901220F	PERSONNEL ADMINISTRATION	7,634	7,634
246	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,175	1,175
247	0901279F	FACILITIES OPERATION—ADMINISTRATIVE	3,491	3,491
248	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	100,160	100,160
249	0902998F	MANAGEMENT HQ—ADP SUPPORT (AF)	0	0
249A	9999999999	CLASSIFIED PROGRAMS	11,172,183	11,149,583
		Classified reduction		[–4,600]
		Classified reduction		[–18,000]
		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

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026	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	26,324	26,324
027	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,144	65,844
		Reduction due to duplication of effort		[–11,300]
028	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	275,022	275,022
029	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	79,975	79,975
030	0603200D8Z	JOINT ADVANCED CONCEPTS	0	0
031	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	20,032	20,032
032	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	3,892	3,892
033	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	36,685	36,685
034	0603286E	ADVANCED AEROSPACE SYSTEMS	174,316	174,316
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY	159,704	159,704
036	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	234,280	234,280
037	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	6,983	6,983
038	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	158,263	158,263
039	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	25,393	25,393
040	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT	13,754	13,754
041	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY	0	0
042	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	19,935	19,935
043	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT	8,235	8,235
044	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	21,966	51,966
		Industrial Base Innovation Fund		[30,000]
045	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	24,662	24,662
046	0603711D8Z	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	0	0
047	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	24,605	24,605
048	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	30,678	30,678
049	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,282	65,282
050	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	72,234	69,234
		DMEA upgrade reduction		[–3,000]
051	0603727D8Z	JOINT WARFIGHTING PROGRAM	8,403	8,403
052	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	111,008	111,008
053	0603755D8Z	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	0	0
054	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	237,859	237,859
055	0603765E	CLASSIFIED DARPA PROGRAMS	3,000	3,000
056	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	236,883	236,883
057	0603767E	SENSOR TECHNOLOGY	299,438	299,438
058	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	12,195	12,195
059	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	30,036	30,036
060	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	107,002	107,002
061	0603828D8Z	JOINT EXPERIMENTATION	0	0
062	0603828J	JOINT EXPERIMENTATION	21,230	21,230
063	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	47,433	47,433
064	0603901C	DIRECTED ENERGY RESEARCH	46,944	46,944
065	0603902C	NEXT GENERATION AEGIS MISSILE	224,077	224,077
066	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	92,602	92,602
067	0603942D8Z	TECHNOLOGY TRANSFER	0	0
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	26,244	26,244
069	0303310D8Z	CWMD SYSTEMS	53,946	53,946
070	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	45,317	45,317
071	1160422BB	AVIATION ENGINEERING ANALYSIS	861	861
072	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY	4,959	4,959
		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
		Reverse cuts to testing		[2,000]
078	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	75,941	75,941
079	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	316,929	316,929
080	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	903,172	903,172

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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
		Arrow Weapon System improvements		[20,000]
		Arrow–3 interceptor		[20,000]
		David's Sling short-range BMD		[60,000]
		Iron Dome short-range rocket defense		[210,000]
095	0603914C	BALLISTIC MISSILE DEFENSE TEST	454,400	454,400
096	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	435,747	435,747
097	0603920D8Z	HUMANITARIAN DEMINING	13,231	13,231
098	0603923D8Z	COALITION WARFARE	11,398	11,398
099	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,283	24,083
		Increase for requirements shortfall		[20,800]
100	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	12,368	12,368
101	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING	5,131	5,131
102	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM	0	200,000
		Rapid Innovation Program		[200,000]
103	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	0	0
104	0604787J	JOINT SYSTEMS INTEGRATION	3,273	3,273
105	0604828D8Z	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	0	0
106	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	7,364	7,364
107	0604880C	LAND-BASED SM–3 (LBSM3)	276,338	276,338
108	0604881C	AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT	420,630	420,630
109	0604883C	PRECISION TRACKING SPACE SENSOR RDT&E	297,375	297,375
110	0604884C	AIRBORNE INFRARED (ABIR)	0	0
111	0604886C	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)	58,742	58,742
112	0605017D8Z	REDUCTION OF TOTAL OWNERSHIP COST	0	0
113	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,158	3,158
		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	OUSD(C) IT DEVELOPMENT INITIATIVES	7,010	7,010
128	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	133,104	133,104
129	0605075D8Z	DCMO POLICY AND INTEGRATION	25,269	25,269
130	0605140D8Z	TRUSTED FOUNDRY	0	0
131	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	10,238	10,238
132	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	19,670	19,670
133	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	3,556	3,556
134	0807708D8Z	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE	0	0
		SUBTOTAL, SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)	**694,287**	**694,287**
		RDT&E MANAGEMENT SUPPORT		

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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
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 BUSINESS TECHNOLOGY TRANSFER (S	1,857	1,857
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	12,056	12,056
161	0605799D8Z	EMERGING CAPABILITIES	0	0
162	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	55,454	55,454
163	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	16,364	16,364
164	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,110	20,110
		DT&E increase		[5,000]
165	0605897E	DARPA AGENCY RELOCATION	0	0
166	0605898E	MANAGEMENT HQ—R&D	69,767	69,767
167	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,454	4,454
168	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	0	0
169	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,637	2,637
170	0204571J	JOINT STAFF ANALYTICAL SUPPORT	0	0
173	0303166D8Z	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	0	0
174	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	8,238	8,238
175	0303169D8Z	INFORMATION TECHNOLOGY RAPID ACQUISITION	0	0
176	0305103E	CYBER SECURITY INITIATIVE	1,801	1,801
177	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	16,041	16,041
179	0305400D8Z	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	0	0
180	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)	77,475	77,475
181	0901585C	PENTAGON RESERVATION	0	0
182	0901598C	MANAGEMENT HQ—MDA	34,855	34,855
183	0901598D8W	MANAGEMENT HEADQUARTERS WHS	104	104
184	0909999D8Z	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
184A	9999999999	CLASSIFIED PROGRAMS	64,255	64,255
		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 PARTNERSHIP 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 INTEGRATION	14,498	14,498
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS	26,164	26,164
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	12,931	12,931
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,296	6,296
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	30,948	30,948
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	11,780	11,780

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
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
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)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
		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**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	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 & MODERNIZATION	3,041,074	3,041,074
120	MANAGEMENT AND OPERATIONAL HQ'S	410,171	410,171
130	COMBATANT COMMANDERS CORE OPERATIONS	177,819	177,819
140	ADDITIONAL ACTIVITIES	0	0
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	0	0
160	RESET	0	0
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	461,333	461,333
	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
	GFEBS realignment per Army request		[–17,200]
400	SERVICEWIDE COMMUNICATIONS	1,547,925	1,547,925
410	MANPOWER MANAGEMENT	362,205	362,205
420	OTHER PERSONNEL SUPPORT	220,754	220,754
430	OTHER SERVICE SUPPORT	1,153,556	1,145,456
	Decrease for ahead of need request		[–8,100]
440	ARMY CLAIMS ACTIVITIES	250,970	250,970
450	REAL ESTATE MANAGEMENT	222,351	222,351
460	BASE OPERATIONS SUPPORT	222,379	222,379
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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
490	EXTERNAL RELATIONS	12,872	12,872
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 & MODERNIZATION	1,353,987	1,353,987
060	BASE SUPPORT	2,595,032	2,595,032
070	GLOBAL C3I AND EARLY WARNING	957,040	957,040
080	OTHER COMBAT OPS SPT PROGRAMS	916,200	916,200
090	JCS EXERCISES	0	0

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	733,716	733,716
110	LAUNCH FACILITIES	314,490	314,490
120	SPACE CONTROL SYSTEMS	488,762	488,762
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	862,979	862,979
140	COMBATANT COMMANDERS CORE OPERATIONS	222,429	222,429
	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 & MODERNIZATION	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 & MODERNIZATION	336,433	336,433
240	BASE SUPPORT	842,441	842,441
250	SPECIALIZED SKILL TRAINING	482,634	482,634
260	FLIGHT TRAINING	750,609	750,609
270	PROFESSIONAL DEVELOPMENT EDUCATION	235,114	235,114
280	TRAINING SUPPORT	101,231	101,231
290	DEPOT MAINTENANCE	233,330	233,330
300	JUDGEMENT FUND	0	0
310	RECRUITING AND ADVERTISING	130,217	130,217
320	EXAMINING	2,738	2,738
330	OFF-DUTY AND VOLUNTARY EDUCATION	155,170	155,170
340	CIVILIAN EDUCATION AND TRAINING	175,147	175,147
350	JUNIOR ROTC	74,809	74,809
	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 & MODERNIZATION	303,610	303,610
400	BASE SUPPORT	1,266,800	1,266,800
410	ADMINISTRATION	587,654	587,654
420	SERVICEWIDE COMMUNICATIONS	667,910	667,910
430	OTHER SERVICEWIDE ACTIVITIES	1,094,509	1,094,509
440	CIVIL AIR PATROL	23,904	23,904
450	JUDGEMENT FUND REIMBURSEMENT	0	0
470	INTERNATIONAL SUPPORT	81,307	81,307
480	CLASSIFIED PROGRAMS	1,239,040	1,239,040
	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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
040	NATIONAL DEFENSE UNIVERSITY	84,999	84,999
	SUBTOTAL, TRAINING AND RECRUITING	**232,209**	**232,209**
	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		
	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 & MODERNIZATION	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**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	TOTAL, OPERATION & MAINTENANCE, ARMY RES	**3,162,008**	**3,162,008**
	OPERATION & MAINTENANCE, NAVY RES		
	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	SERVICEWIDE 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	SERVICEWIDE 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 RESERVE	**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 & MODERNIZATION	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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
020	MODULAR SUPPORT BRIGADES	186,408	186,408
030	ECHELONS ABOVE BRIGADE	865,628	865,628
040	THEATER LEVEL ASSETS	112,651	112,651
050	LAND FORCES OPERATIONS SUPPORT	36,091	36,091
060	AVIATION ASSETS	907,011	907,011
070	FORCE READINESS OPERATIONS SUPPORT	751,606	751,606
080	LAND FORCES SYSTEMS READINESS	60,043	60,043
090	LAND FORCES DEPOT MAINTENANCE	411,940	411,940
100	BASE OPERATIONS SUPPORT	995,423	995,423
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	688,189	688,189
120	MANAGEMENT AND OPERATIONAL HQ'S	953,716	953,716
	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 & MODERNIZATION	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, DEFENSE	13,516	13,516
040	ACQ WORKFORCE DEV FD	274,198	274,198
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	108,759	108,759
030	COOPERATIVE THREAT REDUCTION	519,111	519,111
050	ENVIRONMENTAL RESTORATION, ARMY	335,921	335,921
060	ENVIRONMENTAL RESTORATION, NAVY	310,594	310,594
070	ENVIRONMENTAL RESTORATION, AIR FORCE	529,263	529,263
080	ENVIRONMENTAL RESTORATION, DEFENSE	11,133	11,133
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	237,543	237,543
	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 & MODERNIZATION	250,000	250,000
140	ADDITIONAL ACTIVITIES	12,524,137	12,524,137
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	400,000	200,000
	Program decrease		[–200,000]
160	RESET	3,687,973	3,687,973
	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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,022	6,022
520	OTHER PERSONNEL SUPPORT	3,514	3,514
550	SERVICEWIDE TRANSPORTATION	184,864	184,864
580	ACQUISITION AND PROGRAM MANAGEMENT	2,026	2,026
620	NAVAL INVESTIGATIVE SERVICE	1,425	1,425
710	CLASSIFIED PROGRAMS	14,556	14,556
	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 & MODERNIZATION	155,954	155,954
060	BASE SUPPORT	342,226	342,226
070	GLOBAL C3I AND EARLY WARNING	15,108	15,108
080	OTHER COMBAT OPS SPT PROGRAMS	271,390	271,390
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	25,400	25,400
120	SPACE CONTROL SYSTEMS	5,110	5,110
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	52,173	52,173
	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 & MODERNIZATION	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 & MODERNIZATION	424	424
240	BASE SUPPORT	1,036	1,036
250	SPECIALIZED SKILL TRAINING	10,923	10,923
260	FLIGHT TRAINING	72	72
270	PROFESSIONAL DEVELOPMENT EDUCATION	323	323
280	TRAINING SUPPORT	352	352
	SUBTOTAL, TRAINING AND RECRUITING	**13,130**	**13,130**
	ADMIN & SRVWD ACTIVITIES		
360	LOGISTICS OPERATIONS	100,429	100,429
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	47,200	47,200
400	BASE SUPPORT	7,242	7,242
410	ADMINISTRATION	1,552	1,552

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
420	SERVICEWIDE COMMUNICATIONS	82,094	82,094
430	OTHER SERVICEWIDE ACTIVITIES	582,977	582,977
480	CLASSIFIED PROGRAMS	20,270	20,270
	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 RESERVE	**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		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	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
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	INFRASTRUCTUE	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**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2013 Request	Senate Authorized
MILITARY PERSONNEL	135,111,799	135,117,799
BAH for Full-time Guard Transition to Active Duty		[6,000]
TOTAL, MILITARY PERSONNEL	**135,111,799**	**135,117,799**

1 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**

2 **GENCY OPERATIONS.**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2013 Request	Senate Authorized
MILITARY PERSONNEL	14,060,094	14,060,094
TOTAL, MILITARY PERSONNEL	**14,060,094**	**14,060,094**

TITLE XLV—OTHER AUTHORIZATIONS

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)

Line	Item	FY 2013 Request	Senate Authorized
	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**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY Milcon				
	Alaska			
ARMY	Fort Wainwright	Modified Record Fire Range	10,400	10,400
ARMY	Joint Base Elmendorf-Richardson	Modified Record Fire Range	7,900	7,900
	California			
ARMY	Concord	Lightning Protection System	5,800	5,800
ARMY	Concord	Engineering/Housing Maintenance Shop	3,100	3,100
	Colorado			
ARMY	Fort Carson, Colorado	Digital Multipurpose Training Range	18,000	18,000
	District of Columbia			
ARMY	Fort McNair	Vehicle Storage Building, Installation	7,200	7,200
	Georgia			
ARMY	Fort Benning	Ground Source Heat Transfer System	16,000	16,000
ARMY	Fort Gordon	Modified Record Fire Range	4,000	4,000
ARMY	Fort Gordon	Multipurpose Machine Gun Range	7,100	7,100
ARMY	Fort Gordon	Ground Source Heat Transfer System	12,200	12,200
ARMY	Fort Stewart, Georgia	Digital Multipurpose Training Range	22,000	22,000
ARMY	Fort Stewart, Georgia	Automated Combat Pistol Qual Crse	3,650	3,650
ARMY	Fort Stewart, Georgia	Unmanned Aerial Vehicle Complex	24,000	24,000
	Hawaii			
ARMY	Pohakuloa Training Area	Automated Infantry Platoon Battle Course	29,000	29,000
ARMY	Schofield Barracks	Barracks	41,000	41,000
ARMY	Schofield Barracks	Barracks	55,000	55,000
ARMY	Wheeler Army Air Field	Combat Aviation Brigade Barracks	85,000	85,000
	Kansas			
ARMY	Fort Riley, Kansas	Unmanned Aerial Vehicle Complex	12,200	12,200
	Kentucky			
ARMY	Fort Campbell, Kentucky	Battalion Headquarters Complex	55,000	55,000
ARMY	Fort Campbell, Kentucky	Live Fire Exercise Shoothouse	3,800	3,800
ARMY	Fort Campbell, Kentucky	Unmanned Aerial Vehicle Complex	23,000	23,000
ARMY	Fort Knox	Automated Infantry Squad Battle Course	6,000	6,000
	Missouri			
ARMY	Fort Leonard Wood	Trainee Barracks Complex 3, Ph 2	58,000	58,000
ARMY	Fort Leonard Wood	Vehicle Maintenance Shop	39,000	39,000
ARMY	Fort Leonard Wood	Battalion Complex Facilities	26,000	26,000
	New Jersey			
ARMY	Picatinny Arsenal	Ballistic Evaluation Center	10,200	10,200
ARMY	Joint Base McGuire-Dix-Lakehurst	Flight Equipment Complex	47,000	47,000
	New York			
ARMY	Fort Drum, New York	Aircraft Maintenance Hangar	95,000	95,000
ARMY	U.S. Military Academy	Cadet Barracks	192,000	0
	North Carolina			
ARMY	Fort Bragg	Aerial Gunnery Range	42,000	42,000
ARMY	Fort Bragg	Infrastructure	30,000	0
ARMY	Fort Bragg	Unmanned Aerial Vehicle Complex	26,000	26,000
	Oklahoma			
ARMY	Fort Sill	Modified Record Fire Range	4,900	4,900
	South Carolina			
ARMY	Fort Jackson	Trainee Barracks Complex 2, Ph 2	24,000	24,000
	Texas			
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
	Virginia			
ARMY	Arlington	Cemetery Expansion Millennium Site	84,000	0
ARMY	Fort Belvoir	Secure Admin/Operations Facility	94,000	94,000
ARMY	Fort Lee	Adv Individual Training Barracks Cplx, Ph2	81,000	81,000
	Washington			
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
	Italy			
ARMY	Camp Ederle	Barracks	36,000	36,000
ARMY	Vicenza	Simulations Center	32,000	32,000
	Japan			
ARMY	Okinawa	Satellite Communications Facility	78,000	78,000
ARMY	Sagami	Vehicle Maintenance Shop	18,000	18,000
	Korea			
ARMY	Camp Humphreys	Battalion Headquarters Complex	45,000	45,000
	Worldwide Unspec			
ARMY	Unspecified Worldwide Locations	Minor Construction FY 13	25,000	25,000
ARMY	Unspecified Worldwide Locations	Host Nation Support FY 13	34,000	34,000
ARMY	Unspecified Worldwide Locations	Planning and Design FY13	65,173	46,173
Milcon, A—SUBTOTAL			**1,923,323**	**1,598,323**
NAVY Milcon				
	Arizona			
NAVY	Yuma	Security Operations Complex	13,300	13,300
NAVY	Yuma	Combat Aircraft Loading Apron	15,985	15,985
	California			
NAVY	Camp Pendleton, California	Comm. Information Systems Ops Complex	78,897	78,897
NAVY	Camp Pendleton, California	San Jacinto Road Extension	5,074	5,074
NAVY	Camp Pendleton, California	MV22 Aviation Simulator Building	4,139	4,139
NAVY	Ventura County	BAMS Maintenance Training Facility	14,843	12,790
NAVY	Miramar	Hangar 5 Renovations & Addition	27,897	27,897
NAVY	San Diego	Entry Control Point (Gate Five)	11,752	11,752
NAVY	San Diego	LCS Training Facility	59,436	59,436
NAVY	Seal Beach	Strategic Systems Weapons Eval. Test Lab	30,594	30,594
NAVY	Twentynine Palms, California	Land Expansion Phase 2	47,270	47,270
NAVY	Coronado	Bachelor Quarters	76,063	76,063
NAVY	Coronado	H–60S Simulator Training Facility	2,478	2,478
	Florida			
NAVY	Jacksonville	BAMS Mission Control Complex	21,980	21,980
	Hawaii			
NAVY	Kaneohe Bay	MV–22 Hangar and Infrastructure	82,630	82,630
NAVY	Kaneohe Bay	Aircraft Staging Area	14,680	14,680
	Mississippi			
NAVY	Meridian	Dining Facility	10,926	10,926
	New Jersey			
NAVY	Earle	Combat System Engineering Building Addition	33,498	33,498
	North Carolina			
NAVY	Camp Lejeune, North Carolina	Staff NCO Academy Facilities	28,986	28,986
NAVY	Camp Lejeune, North Carolina	Base Access and Road—Phase 3	40,904	40,904
NAVY	Cherry Point Marine Corps Air Station	Marine Air Support Squadron Compound	34,310	34,310
NAVY	Cherry Point Marine Corps Air Station	Armory	11,581	11,581
NAVY	New River	Personnel Administration Center	8,525	8,525
	South Carolina			
NAVY	Beaufort	Ground Support Equipment Shop	9,465	9,465
NAVY	Beaufort	Simulated LHD Flight Deck	12,887	12,887
NAVY	Beaufort	Recycling/Hazardous Waste Facility	3,743	3,743
NAVY	Beaufort	Aircraft Maintenance Hangar	42,010	42,010
NAVY	Beaufort	Airfield Security Upgrades	13,675	13,675
NAVY	Parris Island	Front Gate ATFP Improvements	10,135	10,135
	Virginia			
NAVY	Dahlgren	Cruiser/Destroyer Upgrade Training Facility	16,494	16,494
NAVY	Dahlgren	Physical Fitness Center	11,734	11,734
NAVY	Oceana Naval Air Station	A School Barracks	39,086	39,086
NAVY	Portsmouth	Drydock 8 Electrical Distribution Upgrade	32,706	32,706
NAVY	Quantico	The Basic School Student Quarters—Phase 7	31,012	31,012
NAVY	Quantico	Infrastructure—Widen Russell Road	14,826	14,826
NAVY	Quantico	Weapons Training Battalion Mess Hall	12,876	12,876
NAVY	Yorktown	Regimental Headquarters	11,015	11,015

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

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	Aviano 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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	Utah			
NSA	Camp Williams	IC CNCI Data Center 1 Inc 4	191,414	191,414
	United Kingdom			
NSA	Menwith Hill Station	MHS Utilities and Roads	3,795	3,795
	California			
SOCOM	Coronado	SOF Indoor Dynamic Shooting Facility	31,170	31,170
SOCOM	Coronado	SOF Close Quarters Combat/Dynamic Shoot Fac	13,969	13,969
SOCOM	Coronado	SOF Mobile Comm Detachment Support Facility	10,120	10,120
	Colorado			
SOCOM	Fort Carson, Colorado	SOF Battalion Operations Complex	56,673	56,673
	Florida			
SOCOM	Eglin AFB	SOF AVFID Ops and Maintenance Facilities	41,695	41,695
SOCOM	Macdill AFB	SOF Joint Special Ops University Fac (JSOU)	34,409	34,409
	Hawaii			
SOCOM	Joint Base Pearl Harbor-Hickam	SOF SDVT–1 Waterfront Operations Facility	24,289	24,289
	Kentucky			
SOCOM	Fort Campbell, Kentucky	SOF Landgraf Hangar Extension	3,559	3,559
SOCOM	Fort Campbell, Kentucky	SOF Ground Support Battalion	26,313	26,313
	New Mexico			
SOCOM	Cannon AFB	SOF AC–130J Combat Parking Apron	22,062	22,062
	North Carolina			
SOCOM	Camp Lejeune, North Carolina	SOF Marine Battalion Company/Team Facilities	53,399	53,399
SOCOM	Camp Lejeune, North Carolina	SOF Survival Evasion Resist. Escape Tng Fac	5,465	5,465
SOCOM	Fort Bragg	SOF Support Addition	3,875	3,875
SOCOM	Fort Bragg	SOF Battalion Operations Facility	40,481	50,481
SOCOM	Fort Bragg	SOF Civil Affairs Battalion Complex	31,373	41,373
SOCOM	Fort Bragg	SOF Sustainment Brigade Complex	24,693	34,693
	Virginia			
SOCOM	Joint Exp Base Little Creek—Story	SOF Combat Services Support Facility—East	11,132	11,132
	Washington			
SOCOM	Fort Lewis	SOF Military Working Dog Kennel	3,967	3,967
SOCOM	Fort Lewis	SOF Battalion Operations Facility	46,553	46,553
	Conus Classified			
SOCOM	Classified Location	SOF Parachute Training Facility	6,477	6,477
	United Kingdom			
SOCOM	RAF Mildenhall	SOF CV–22 Simulator Facility	6,490	6,490
	California			
TMA	Twentynine Palms, California	Medical Clinic Replacement	27,400	27,400
	Colorado			
TMA	Pikes Peak	High Altitude Medical Research Lab	3,600	3,600
	Illinois			
TMA	Great Lakes	Drug Laboratory Replacement	28,700	28,700
TMA	Scott AFB	Medical Logistics Warehouse	2,600	2,600
	Maryland			
TMA	Annapolis	Health Clinic Replacement	66,500	66,500
TMA	Bethesda Naval Hospital	Temporary Medical Facilities	26,600	26,600
TMA	Bethesda Naval Hospital	Base Installation Access/Appearance Plan	7,000	0
TMA	Bethesda Naval Hospital	Electrical Capacity and Cooling Towers	35,600	35,600
TMA	Fort Detrick	USAMRIID Stage I, Incr 7	19,000	19,000
	Missouri			
TMA	Fort Leonard Wood	Dental Clinic	18,100	18,100
	New Mexico			
TMA	Cannon AFB	Medical/Dental Clinic Replacement	71,023	71,023
	New York			
TMA	Fort Drum, New York	Soldier Specialty Care Clinic	17,300	17,300
	North Carolina			
TMA	Camp Lejeune, North Carolina	Medical Clinic Replacement	21,200	21,200
TMA	Seymour Johnson AFB	Medical Clinic Replacement	53,600	53,600
	South Carolina			
TMA	Shaw AFB	Medical Clinic Replacement	57,200	57,200
	Texas			
TMA	Fort Bliss	Hospital Replacement Incr 4	207,400	107,400
TMA	Joint Base San Antonio	Ambulatory Care Center Phase 3 Incr	80,700	80,700
	Virginia			
TMA	Norfolk	Veterinary Facility Replacement	8,500	8,500
	Germany			
TMA	Rhine Ordnance Barracks	Medical Center Replacement Incr 2	127,000	127,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	Korea			
TMA	Kunsan Air Base	Medical/Dental Clinic Addition	13,000	13,000
TMA	Osan AFB	Hospital Addition/Alteration	34,600	34,600
	Worldwide Unspec			
DEFW	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
DLA	Unspecified Worldwide Locations	Unspecified Minor Construction	7,254	7,254
DODEA	Unspecified Worldwide Locations	Unspecified Minor Construction	4,091	4,091
NSA	Unspecified Worldwide Locations	Unspecified Minor Milcon	3,000	3,000
SOCOM	Unspecified Worldwide Locations	Unspecified Minor Const	10,000	10,000
TJS	Unspecified Worldwide Locations	Exercise Related Minor Construction	6,440	6,440
TMA	Unspecified Worldwide Locations	Minor Construction	5,000	5,000
DEFW	Unspecified Worldwide Locations	Planning and Design	47,978	47,978
DIA	Unspecified Worldwide Locations	Planning and Design	2,919	2,919
DLA	Unspecified Worldwide Locations	Planning & Design	5,000	5,000
DODEA	Unspecified Worldwide Locations	Planning and Design	105,569	105,569
MDA	Unspecified Worldwide Locations	Planning and Design	4,548	4,548
NSA	Unspecified Worldwide Locations	Planning and Design	8,300	8,300
SOCOM	Unspecified Worldwide Locations	Planning and Design	27,620	27,620
TMA	Unspecified Worldwide Locations	Planning and Design	105,700	105,700
WHS	Unspecified Worldwide Locations	Planning and Design	7,928	7,928
Milcon,Def-Wide—SUBTOTAL			**3,654,623**	**3,435,123**
Services MILCON—TOTAL			**7,668,131**	**7,004,217**
MCon,Army NG				
	Alabama			
ARMY, NG	Fort McClellan	Live Fire Shoot House	5,400	5,400
	Arkansas			
ARMY, NG	Searcy	Field Maintenance Shop	6,800	6,800
	California			
ARMY, NG	Fort Irwin	Maneuver Area Training & Equipment Site Ph3	25,000	25,000
	Connecticut			
ARMY, NG	Camp Hartell	Combined Support Maintenance Shop	32,000	32,000
	Delaware			
ARMY, NG	Bethany Beach	Regional Training Institute Ph1	5,500	5,500
	Florida			
ARMY, NG	Camp Blanding	Combined Arms Collective Training Fac	9,000	9,000
ARMY, NG	Miramar	Readiness Center	20,000	20,000
	Hawaii			
ARMY, NG	Kapolei	Army Aviation Support Facility Ph1	28,000	28,000
	Idaho			
ARMY, NG	Orchard Training Area	ORTC(Barracks)Ph2	40,000	40,000
	Indiana			
ARMY, NG	South Bend	Armed Forces Reserve Center Add/Alt	21,000	21,000
ARMY, NG	Terre Haute	Field Maintenance Shop	9,000	9,000
	Iowa			
ARMY, NG	Camp Dodge	Urban Assault Course	3,000	3,000
	Kansas			
ARMY, NG	Topeka	Taxiway, Ramp & Hangar Alterations	9,500	9,500
	Kentucky			
ARMY, NG	Frankfort	Army Aviation Support Facility	32,000	32,000
	Massachusetts			
ARMY, NG	Camp Edwards	Unit Training Equipment Site	22,000	22,000
	Minnesota			
ARMY, NG	Camp Ripley	Scout Reconnaissance Range	17,000	17,000
ARMY, NG	St Paul	Readiness Center	17,000	17,000
	Missouri			
ARMY, NG	Fort Leonard Wood	Regional Training Institute	18,000	18,000
ARMY, NG	Kansas City	Readiness Center Add/Alt	1,900	1,900
ARMY, NG	Monett	Readiness Center Add/Alt	820	820
ARMY, NG	Perryville	Readiness Center Add/Alt	700	700

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	Montana			
ARMY, NG	Miles City	Readiness Center	11,000	11,000
	New Jersey			
ARMY, NG	Sea Girt	Regional Training Institute	34,000	34,000
	New York			
ARMY, NG	Stormville	Combined Support Maint Shop Ph1	24,000	24,000
	Ohio			
ARMY, NG	Chillicothe	Field Maintenance Shop Add/Alt	3,100	3,100
ARMY, NG	Delaware	Readiness Center	12,000	12,000
	Oklahoma			
ARMY, NG	Camp Gruber	Operations Readiness Training Complex	25,000	25,000
	Utah			
ARMY, NG	Camp Williams	BEQ Facility (Regional Training Institute)	15,000	15,000
ARMY, NG	Camp Williams	Regional Training Institute Ph2	21,000	21,000
	Washington			
ARMY, NG	Fort Lewis	Readiness Center	35,000	35,000
	West Virginia			
ARMY, NG	Logan	Readiness Center	14,200	14,200
	Wisconsin			
ARMY, NG	Wausau	Field Maintenance Shop	10,000	10,000
	Guam			
ARMY, NG	Barrigada	JFHQ Ph4	8,500	8,500
	Puerto Rico			
ARMY, NG	Camp Santiago	Readiness Center	3,800	3,800
ARMY, NG	Ceiba	Refill Station Building	2,200	2,200
ARMY, NG	Guaynabo	Readiness Center (JFHQ)	15,000	15,000
ARMY, NG	Gurabo	Readiness Center	14,700	14,700
	Worldwide Unspec			
ARMY, NG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,057	15,057
ARMY, NG	Unspecified Worldwide Locations	Planning and Design	26,622	26,622
MCon,Army NG—Subtotal			**613,799**	**613,799**
MCon,Air NG				
	California			
AF, NG	Fresno Yosemite IAP ANG	F–15 Conversion	11,000	11,000
	Hawaii			
AF, NG	Joint Base Pearl Harbor-Hickam	TFI—F–22 Combat Apron Addition	6,500	6,500
	New Mexico			
AF, NG	Kirtland AFB	Alter Target Intelligence Facility	8,500	8,500
	Wyoming			
AF, NG	Cheyenne Map	C–130 Flight Simulator Training Facility	6,486	6,486
	Worldwide Unspec			
AF, NG	Various Worldwide Locations	Unspecified Minor Construction	5,900	5,900
AF, NG	Various Worldwide Locations	Planning and Design	4,000	4,000
MCon,Air NG—Subtotal			**42,386**	**42,386**
NG MILCON—TOTAL			**656,185**	**656,185**
MCon,A Res				
	California			
ARMY, RESERVE	Fort Hunter Liggett	ORTC	64,000	64,000
ARMY, RESERVE	Fort Hunter Liggett	UPH Barracks	4,300	4,300
ARMY, RESERVE	Tustin	Army Reserve Center	27,000	27,000
	Illinois			
ARMY, RESERVE	Fort Sheridan	Army Reserve Center	28,000	28,000
	Maryland			
ARMY, RESERVE	Aberdeen Proving Ground	Army Reserve Center	21,000	21,000
ARMY, RESERVE	Baltimore	Add/Alt Army Reserve Center	10,000	10,000
	Massachusetts			
ARMY, RESERVE	Devens Reserve Forces Training Area	Automatic Record Fire Range	4,800	4,800
ARMY, RESERVE	Devens Reserve Forces Training Area	Combat Pistol/MP Firearms Qualification	3,700	3,700
	Nevada			
ARMY, RESERVE	Las Vegas	Army Reserve Center/AMSA	21,000	21,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	New Jersey			
ARMY, RESERVE	Joint Base McGuire-Dix-Lakehurst	Automated Infantry Squad Battle Course	7,400	7,400
	Washington			
ARMY, RESERVE	Joint Base Lewis-McChord	Army Reserve Center	40,000	40,000
	Wisconsin			
ARMY, RESERVE	Fort McCoy	Central Issue Facility	12,200	12,200
ARMY, RESERVE	Fort McCoy	Dining Facility	8,600	8,600
ARMY, RESERVE	Fort McCoy	ECS Tactical Equip. Maint. Facility (TEMF)	27,000	27,000
	Worldwide Unspec			
ARMY, RESERVE	Unspecified Worldwide Locations	Unspecified Minor Construction	10,895	10,895
ARMY, RESERVE	Unspecified Worldwide Locations	Planning and Design	15,951	15,951
MCon,A Res—Subtotal			**305,846**	**305,846**
Milcon, Naval Res				
	Arizona			
NAVY, RESERVE	Yuma	Reserve Training Facility—Yuma AZ	5,379	5,379
	Iowa			
NAVY, RESERVE	Fort Des Moines	Joint Reserve Center—Des Moines IA	19,162	19,162
	Louisiana			
NAVY, RESERVE	New Orleans	Transient Quarters	7,187	7,187
	New York			
NAVY, RESERVE	Brooklyn	Vehicle Maint. Fac.—Brooklyn NY	4,430	4,430
	Texas			
NAVY, RESERVE	Fort Worth	Commercial Vehicle Inspection Site	11,256	11,256
	Worldwide Unspec			
NAVY, RESERVE	Unspecified Worldwide Locations	Planning and Design	2,118	2,118
Milcon, Naval Res—Subtotal			**49,532**	**49,532**
MCon,AF Res				
	New York			
AF, RESERVE	Niagara Falls IAP	Flight Simulator Facility	6,100	6,100
	Worldwide Unspec			
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				
	Colorado			
Chem Demil	Pueblo Depot	Ammunition Demilitarization Facility, Ph XIV	36,000	36,000
	Kentucky			
Chem Demil	Blue Grass Army Depot	Ammunition Demilitarization Ph XIII	115,000	115,000
ChemDemil / NSIP—Total			**151,000**	**151,000**
NSIP				
	Worldwide Unspec			
NSIP	NATO Security Investment Program	NATO Security Investment Program	254,163	254,163
NATO Security Investment Program			**254,163**	**254,163**
Army Fam Housing				
	Worldwide Unspec			
FH Const,A	Unspecified Worldwide Locations	Family Housing P&D	4,641	4,641

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Army Fam Hsg Construction—Subtotal			**4,641**	**4,641**
	Worldwide Unspec			
FH Op&Dt,A	Unspecified Worldwide Locations	Utilities Account	88,112	88,112
FH Op&Dt,A	Unspecified Worldwide Locations	Services Account	13,487	13,487
FH Op&Dt,A	Unspecified Worldwide Locations	Management Account	56,970	56,970
FH Op&Dt,A	Unspecified Worldwide Locations	Miscellaneous Account	620	620
FH Op&Dt,A	Unspecified Worldwide Locations	Furnishings Account	31,785	31,785
FH Op&Dt,A	Unspecified Worldwide Locations	Leasing	203,533	203,533
FH Op&Dt,A	Unspecified Worldwide Locations	Maintenance of Real Property	109,534	109,534
FH Op&Dt,A	Unspecified Worldwide Locations	Privatization Support Costs	26,010	26,010
Army Fam Hsg O&M—Subtotal			**530,051**	**530,051**
Army Fam Hsg—TOTAL			**534,692**	**534,692**
Navy Fam Housing				
	Worldwide Unspec			
FH Const,N	Unspecified Worldwide Locations	Improvements	97,655	97,655
FH Const,N	Unspecified Worldwide Locations	Design	4,527	4,527
Navy Fam Hsg Construction—Subtotal			**102,182**	**102,182**
	Worldwide Unspec			
FH Op&Dt,N	Unspecified Worldwide Locations	Utilities Account	80,860	80,860
FH Op&Dt,N	Unspecified Worldwide Locations	Furnishings Account	17,697	17,697
FH Op&Dt,N	Unspecified Worldwide Locations	Management Account	62,741	62,741
FH Op&Dt,N	Unspecified Worldwide Locations	Miscellaneous Account	491	491
FH Op&Dt,N	Unspecified Worldwide Locations	Services Account	19,615	19,615
FH Op&Dt,N	Unspecified Worldwide Locations	Leasing	83,774	83,774
FH Op&Dt,N	Unspecified Worldwide Locations	Maintenance of Real Property	85,254	85,254
FH Op&Dt,N	Unspecified Worldwide Locations	Privatization Support Costs	27,798	27,798
Navy Fam Hsg O&M—Subtotal			**378,230**	**378,230**
Navy Fam Hsg—TOTAL			**480,412**	**480,412**
AF Fam Housing				
	Worldwide Unspec			
FH Con,AF	Unspecified Worldwide Locations	Improvements	79,571	79,571
FH Con,AF	Unspecified Worldwide Locations	Planning and Design	4,253	4,253
AF Fam Hsg Construction—Subtotal			**83,824**	**83,824**
	Worldwide Unspec			
FH Op&Dt,AF	Unspecified Worldwide Locations	Utilities Account	75,662	75,662
FH Op&Dt,AF	Unspecified Worldwide Locations	Management Account	55,002	55,002
FH Op&Dt,AF	Unspecified Worldwide Locations	Services Account	16,550	16,550
FH Op&Dt,AF	Unspecified Worldwide Locations	Furnishings Account	37,878	37,878
FH Op&Dt,AF	Unspecified Worldwide Locations	Miscellaneous Account	1,943	1,943
FH Op&Dt,AF	Unspecified Worldwide Locations	Leasing	62,730	62,730

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
FH Op&Dt,AF	Unspecified Worldwide Locations	Maintenance (RPMA RPMC)	201,937	201,937
FH Op&Dt,AF	Unspecified Worldwide Locations	Housing Privatization	46,127	46,127
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

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	USA–167: USAR Command and Control—NE	175	175
BRAC—Army	Unspecified Worldwide Locations	IND–112: River Bank Army Ammo Plant, CA	22,431	22,431
BRAC—Army	Unspecified Worldwide Locations	IND–119: Newport Chemical Depot, IN	197	197
BRAC—Army	Unspecified Worldwide Locations	IND–106: Kansas Army Ammunition Plant, KS	7,280	7,280
BRAC—Army	Unspecified Worldwide Locations	IND–110: Mississippi Army Ammo Plant, MS	160	160
BRAC—Army	Unspecified Worldwide Locations	IND–122: Lone Star Army Ammo Plant, TX	11,379	11,379
BRAC—Army	Unspecified Worldwide Locations	MED–2: Walter Reed NMMC, Bethesda, MD	7,787	7,787
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 Fol, 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**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Electricity delivery and energy reliability	6,000	0
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	7,577,341	7,602,341
Defense nuclear nonproliferation	2,458,631	2,458,631
Naval reactors	1,088,635	1,126,621
Office of the administrator	411,279	386,279
Total, National nuclear security administration	**11,535,886**	**11,573,872**
Environmental and other defense activities:		
Defense environmental cleanup	5,472,001	5,009,001
Other defense activities	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		
Infrastructure security & energy restoration	6,000	0
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	369,000	369,000
W76 Life extension program	174,931	174,931
Total, Life extension programs	**543,931**	**543,931**
Stockpile systems		
B61 Stockpile systems	72,364	72,364
W76 Stockpile systems	65,445	90,445
W78 Stockpile systems	139,207	139,207
W80 Stockpile systems	46,540	46,540
B83 Stockpile systems	57,947	57,947
W87 Stockpile systems	85,689	85,689
W88 Stockpile systems	123,217	123,217
Total, Stockpile systems	**590,409**	**615,409**
Weapons dismantlement and disposition		
Operations and maintenance	51,265	51,265
Stockpile services		
Production support	365,405	365,405
Research and development support	28,103	28,103
R&D certification and safety	191,632	191,632
Management, technology, and production	175,844	175,844
Plutonium sustainment	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
Pantex	172,020	172,020
Sandia National Laboratory	167,384	167,384
Savannah River Site	120,577	120,577
Y–12 National security complex	255,097	255,097
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 Pantex Plant, Amarillo, TX	24,800	24,800
06–D–141 PED/Construction, UPFY–12, Oak Ridge, TN	340,000	0
06–D–141 PED/Construction, UPFY–12, Phase I, Oak Ridge, TN	0	340,000
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
S8G 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 Expended Core Facility M–290 recovering discharge station,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)

Program	FY 2013 Request	Senate Authorized
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)

Program	FY 2013 Request	Senate Authorized
Technology development	20,000	20,000
Uranium enrichment D&D fund contribution	463,000	0
Subtotal, Defense environmental cleanup	**5,494,124**	**5,031,124**
Adjustments		
Use of prior year balances	–12,123	–12,123
Use of unobligated balances	–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		
Health, safety and security	139,325	139,325
Program direction	106,175	106,175
Total, Health, safety and security	**245,500**	**245,500**
Specialized security activities	188,619	188,619
Office of Legacy Management		
Legacy management	164,477	164,477
Program direction	13,469	13,469
Total, Office of Legacy Management	**177,946**	**177,946**
Defense-related activities		
Defense related administrative support	118,836	118,836
Office of hearings and appeals	4,801	4,801
Subtotal, Other defense activities	**735,702**	**735,702**
Total, Other Defense Activities	**735,702**	**735,702**

DIVISION E—HOUSING ASSISTANCE FOR VETERANS

TITLE L—HOUSING ASSISTANCE FOR VETERANS

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Housing Assistance for Veterans Act of 2012'' or the ''HAVEN Act''.

SEC. 5002. DEFINITIONS.

In this division:

(1) DISABLED.—The term ''disabled'' means an individual with a disability, as defined by section 12102 of title 42, United States Code.

(2) ELIGIBLE VETERAN.—The term ''eligible veteran'' means a disabled or low-income veteran.

(3) ENERGY EFFICIENT FEATURES OR EQUIPMENT.—The term ''energy efficient features or equipment'' means features of, or equipment in, a primary residence that help reduce the amount of electricity used to heat, cool, or ventilate such residence, including insulation, weatherstripping, air sealing, heating system repairs, duct sealing, or other measures.

(4) LOW-INCOME VETERAN.—The term ''low-income veteran'' means a veteran whose income does

not exceed 80 percent of the median income for an area, as determined by the Secretary.

(5) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is—

(A) described in section 501(c)(3) or 501(c)(19) of the Internal Revenue Code of 1986; and

(B) exempt from tax under section 501(a) of such Code.

(6) PRIMARY RESIDENCE.—

(A) IN GENERAL.—The term ''primary residence'' means a single family house, a duplex, or a unit within a multiple-dwelling structure that is an eligible veteran's principal dwelling and is owned by such veteran or a family member of such veteran.

(B) FAMILY MEMBER DEFINED.—For purposes of this paragraph, the term ''family member'' includes—

(i) a spouse, child, grandchild, parent, or sibling;

(ii) a spouse of such a child, grandchild, parent, or sibling; or

(iii) any individual related by blood or affinity whose close association with a veteran is the equivalent of a family relationship.

(7) QUALIFIED ORGANIZATION.—The term ''qualified organization'' means a nonprofit organization that provides nationwide or State-wide programs that primarily serve veterans or low-income individuals.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(9) VETERAN.—The term ''veteran'' has the same meaning as given such term in section 101 of title 38, United States Code.

(10) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 5003. ESTABLISHMENT OF A PILOT PROGRAM.

(a) GRANT.—

(1) IN GENERAL.—The Secretary shall establish a pilot program to award grants to qualified organizations to rehabilitate and modify the primary residence of eligible veterans.

(2) COORDINATION.—The Secretary shall work in conjunction with the Secretary of Veterans Affairs to establish and oversee the pilot program and to ensure that such program meets the needs of eligible veterans.

(3) MAXIMUM GRANT.—A grant award under the pilot program to any one qualified organization shall not exceed $1,000,000 in any one fiscal year, and such an award shall remain available until expended by such organization.

(b) APPLICATION.—

(1) IN GENERAL.—Each qualified organization that desires a grant under the pilot program shall submit an application to the Secretary at such time, in such manner, and, in addition to the information required under paragraph (2), accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

(A) a plan of action detailing outreach initiatives;

(B) the approximate number of veterans the qualified organization intends to serve using grant funds;

(C) a description of the type of work that will be conducted, such as interior home modifications, energy efficiency improvements, and other similar categories of work; and

(D) a plan for working with the Department of Veterans Affairs and veterans service organizations to identify veterans and serve their needs.

(3) PREFERENCES.—In awarding grants under the pilot program, the Secretary shall give preference to a qualified organization—

(A) with experience in providing housing rehabilitation and modification services for disabled veterans; or

(B) that proposes to provide housing rehabilitation and modification services for eligible veterans who live in rural areas (the Secretary, through regulations, shall define the term ''rural areas'').

(c) CRITERIA.—In order to receive a grant award under the pilot program, a qualified organization shall meet the following criteria:

(1) Demonstrate expertise in providing housing rehabilitation and modification services for disabled or low-income individuals for the purpose of making

the homes of such individuals accessible, functional, and safe for such individuals.

(2) Have established outreach initiatives that—

(A) would engage eligible veterans and veterans service organizations in projects utilizing grant funds under the pilot program; and

(B) identify eligible veterans and their families and enlist veterans involved in skilled trades, such as carpentry, roofing, plumbing, or HVAC work.

(3) Have an established nationwide or Statewide network of affiliates that are—

(A) nonprofit organizations; and

(B) able to provide housing rehabilitation and modification services for eligible veterans.

(4) Have experience in successfully carrying out the accountability and reporting requirements involved in the proper administration of grant funds, including funds provided by private entities or Federal, State, or local government entities.

(d) USE OF FUNDS.—A grant award under the pilot program shall be used—

(1) to modify and rehabilitate the primary residence of an eligible veteran, and may include—

(A) installing wheelchair ramps, widening exterior and interior doors, reconfigurating and re-equipping bathrooms (which includes installing new fixtures and grab bars), removing doorway thresholds, installing special lighting, adding additional electrical outlets and electrical service, and installing appropriate floor coverings to—

(i) accommodate the functional limitations that result from having a disability; or

(ii) if such residence does not have modifications necessary to reduce the chances that an elderly, but not disabled person, will fall in their home, reduce the risks of such an elderly person from falling;

(B) rehabilitating such residence that is in a state of interior or exterior disrepair; and

(C) installing energy efficient features or equipment if—

(i) an eligible veteran's monthly utility costs for such residence is more than 5 percent of such veteran's monthly income; and

(ii) an energy audit of such residence indicates that the installation of energy efficient features or equipment will reduce such costs by 10 percent or more;

(2) in connection with modification and rehabilitation services provided under the pilot program, to provide technical, administrative, and training support to an affiliate of a qualified organization receiving a grant under such pilot program; and

(3) for other purposes as the Secretary may prescribe through regulations.

(e) OVERSIGHT.—The Secretary shall direct the oversight of the grant funds for the pilot program so that such funds are used efficiently until expended to fulfill the purpose of addressing the adaptive housing needs of eligible veterans.

(f) MATCHING FUNDS.—

(1) IN GENERAL.—A qualified organization receiving a grant under the pilot program shall contribute towards the housing modification and rehabilitation services provided to eligible veterans an amount equal to not less than 50 percent of the grant award received by such organization.

(2) IN-KIND CONTRIBUTIONS.—In order to meet the requirement under paragraph (1), such organization may arrange for in-kind contributions.

(g) LIMITATION COST TO THE VETERANS.—A qualified organization receiving a grant under the pilot program shall modify or rehabilitate the primary residence of an eligible veteran at no cost to such veteran (including application fees) or at a cost such that such veteran pays no more than 30 percent of his or her income in housing costs during any month.

(h) REPORTS.—

(1) ANNUAL REPORT.—The Secretary shall submit to Congress, on an annual basis, a report that provides, with respect to the year for which such report is written—

(A) the number of eligible veterans provided assistance under the pilot program;

(B) the socioeconomic characteristics of such veterans, including their gender, age, race, and ethnicity;

(C) the total number, types, and locations of entities contracted under such program to administer the grant funding;

(D) the amount of matching funds and in-kind contributions raised with each grant;

(E) a description of the housing rehabilitation and modification services provided, costs saved, and actions taken under such program;

(F) a description of the outreach initiatives implemented by the Secretary to educate the general public and eligible entities about such program;

(G) a description of the outreach initiatives instituted by grant recipients to engage eligible veterans and veteran service organizations in projects utilizing grant funds under such program;

(H) a description of the outreach initiatives instituted by grant recipients to identify eligible veterans and their families; and

(I) any other information that the Secretary considers relevant in assessing such program.

(2) FINAL REPORT.—Not later than 6 months after the completion of the pilot program, the Secretary shall submit to Congress a report that provides such information that the Secretary considers relevant in assessing the pilot program.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for carrying out this di-

vision $4,000,000 for each of fiscal years 2013 through 2017.

DIVISION F—STOLEN VALOR ACT

TITLE LI—STOLEN VALOR ACT

SEC. 5011. SHORT TITLE.

This division may be cited as the ''Stolen Valor Act of 2012''.

SEC. 5012. FINDINGS.

Congress find the following:

(1) Because of the great respect in which military service and military awards are rightfully held by the public, false claims of receiving such medals or serving in the military are especially likely to be harmful and material to employers, voters in deciding to whom paid elective positions should be entrusted, and in the award of contracts.

(2) Military service and military awards are held in such great respect that public and private decisions are correctly influenced by claims of heroism.

(3) False claims of military service or military heroism are an especially noxious means of obtaining something of value because they are particularly likely to cause tangible harm to victims of fraud.

(4) False claims of military service or the receipt of military awards, if believed, are especially likely to dispose people favorably toward the speaker.

(5) False claims of military service or the receipt of military awards are particularly likely to be material and cause people to part with money or property. Even if such claims are unsuccessful in bringing about this result, they still constitute attempted fraud.

(6) False claims of military service or the receipt of military awards that are made to secure appointment to the board of an organization are likely to cause harm to such organization through their obtaining the services of an individual who does not bring to that organization what he or she claims, and whose falsehood, if discovered, would cause the organization's donors concern that the organization's board might not manage money honestly.

(7) The easily verifiable nature of false claims regarding military service or the receipt of military awards, the relative infrequency of such claims, and the fact that false claims of having served in the military or received such awards are rightfully condemned across the political spectrum, it is especially

likely that any law prohibiting such false claims would not be enforced selectively.

(8) Congress may make criminal the false claim of military service or the receipt of military awards based on its powers under article I, section 8, clause 2 of the Constitution of the United States, to raise and support armies, and article I, section 8, clause 18 of the Constitution of the United States, to enact necessary and proper measures to carry into execution that power.

SEC. 5013. MILITARY MEDALS OR DECORATIONS.

Section 704 of title 18, United States Code, is amended to read as follows:

"§ 704. Military medals or decorations

''(a) IN GENERAL.—Whoever knowingly purchases, attempts to purchase, solicits for purchase, mails, ships, imports, exports, produces blank certificates of receipt for, manufactures, sells, attempts to sell, advertises for sale, trades, barters, or exchanges for anything of value any decoration or medal authorized by Congress for the Armed Forces of the United States, or any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration, or medal, or any colorable imitation thereof, except when authorized under regulations made pursuant to law, shall

be fined under this title, imprisoned for not more than 6 months, or both.

"(b) FALSE CLAIMS TO THE RECEIPT OF MILITARY DECORATIONS, MEDALS, OR RIBBONS AND FALSE CLAIMS RELATING TO MILITARY SERVICE IN ORDER TO SECURE A TANGIBLE BENEFIT OR PERSONAL GAIN.—

"(1) IN GENERAL.—Whoever, with the intent of securing a tangible benefit or personal gain, knowingly, falsely, and materially represents himself or herself through any written or oral communication (including a resume) to have served in the Armed Forces of the United States or to have been awarded any decoration, medal, ribbon, or other device authorized by Congress or pursuant to Federal law for the Armed Forces of the United States, shall be fined under this title, imprisoned for not more than 6 months, or both.

"(2) TANGIBLE BENEFIT OR PERSONAL GAIN.—For purposes of this subsection, the term 'tangible benefit or personal gain' includes—

"(A) a benefit relating to military service provided by the Federal Government or a State or local government;

"(B) public or private employment;

"(C) financial remuneration;

"(D) an effect on the outcome of a criminal or civil court proceeding;

"(E) election of the speaker to paying office; and

"(F) appointment to a board or leadership position of a non-profit organization.

"(c) DEFINITION.—In this section, the term 'Armed Forces of the United States' means the Army, Navy, Air Force, Marine Corps, and Coast Guard, including the reserve components named in section 10101 of title 10.".

SEC. 5014. SEVERABILITY.

If any provision of this division, any amendment made by this division, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of the provisions of this division, the amendments made by this division, and the application of such provisions or amendments to any person or circumstance shall not be affected.

DIVISION G—MISCELLANEOUS

TITLE LII—MISCELLANEOUS

SEC. 5021. PUBLIC SAFETY OFFICERS' BENEFITS PROGRAM.

(a) SHORT TITLE.—This section may be cited as the "Dale Long Public Safety Officers' Benefits Improvements Act of 2012".

(b) BENEFITS FOR CERTAIN NONPROFIT EMERGENCY MEDICAL SERVICE PROVIDERS; MISCELLANEOUS AMENDMENTS.—

(1) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(A) in section 901(a) (42 U.S.C. 3791(a))—

(i) in paragraph (26), by striking ''and'' at the end;

(ii) in paragraph (27), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(28) the term 'hearing examiner' includes any medical or claims examiner.'';

(B) in section 1201 (42 U.S.C. 3796)—

(i) in subsection (a), by striking ''follows:'' and all that follows and inserting the following: ''follows (if the payee indicated is living on the date on which the determination is made)—

"(1) if there is no child who survived the public safety officer, to the surviving spouse of the public safety officer;

"(2) if there is at least 1 child who survived the public safety officer and a surviving spouse of the public safety officer, 50 percent to the surviving child (or children, in equal shares) and 50 percent to the surviving spouse;

"(3) if there is no surviving spouse of the public safety officer, to the surviving child (or children, in equal shares);

"(4) if there is no surviving spouse of the public safety officer and no surviving child—

"(A) to the surviving individual (or individuals, in shares per the designation, or, otherwise, in equal shares) designated by the public safety officer to receive benefits under this subsection in the most recently executed designation of beneficiary of the public safety officer on file at the time of death with the public safety agency, organization, or unit; or

"(B) if there is no individual qualifying under subparagraph (A), to the surviving individual (or individuals, in equal shares) designated by the public safety officer to receive

benefits under the most recently executed life insurance policy of the public safety officer on file at the time of death with the public safety agency, organization, or unit;

''(5) if there is no individual qualifying under paragraph (1), (2), (3), or (4), to the surviving parent (or parents, in equal shares) of the public safety officer; or

''(6) if there is no individual qualifying under paragraph (1), (2), (3), (4), or (5), to the surviving individual (or individuals, in equal shares) who would qualify under the definition of the term 'child' under section 1204 but for age.'';

(ii) in subsection (b)—

(I) by striking ''direct result of a catastrophic'' and inserting ''direct and proximate result of a personal'';

(II) by striking ''pay,'' and all that follows through ''the same'' and inserting ''pay the same'';

(III) by striking ''in any year'' and inserting ''to the public safety officer (if living on the date on which the determination is made)'';

(IV) by striking ''in such year, adjusted'' and inserting ''with respect to the date on which the catastrophic injury occurred, as adjusted'';

(aa) by striking '', to such officer'';

(V) by striking ''the total'' and all that follows through ''For'' and inserting ''for''; and

(VI) by striking ''That these'' and all that follows through the period, and inserting ''That the amount payable under this subsection shall be the amount payable as of the date of catastrophic injury of such public safety officer.'';

(iii) in subsection (f)—

(I) in paragraph (1), by striking '', as amended (D.C. Code, sec. 4–622); or'' and inserting a semicolon;

(II) in paragraph (2)—

(aa) by striking ''. Such beneficiaries shall only receive benefits under such section 8191 that'' and inserting '', such that

beneficiaries shall receive only such benefits under such section 8191 as''; and

(bb) by striking the period at the end and inserting ''; or''; and

(III) by adding at the end the following:

''(3) payments under the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107–42).'';

(iv) by amending subsection (k) to read as follows:

''(k) As determined by the Bureau, a heart attack, stroke, or vascular rupture suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of subsection (a), sustained in the line of duty by the officer and directly and proximately resulting in death, if—

''(1) the public safety officer, while on duty—

''(A) engages in a situation involving nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services,

prison security, disaster relief, or other emergency response activity; or

"(B) participates in a training exercise involving nonroutine stressful or strenuous physical activity;

"(2) the heart attack, stroke, or vascular rupture commences—

"(A) while the officer is engaged or participating as described in paragraph (1);

"(B) while the officer remains on that duty after being engaged or participating as described in paragraph (1); or

"(C) not later than 24 hours after the officer is engaged or participating as described in paragraph (1); and

"(3) the heart attack, stroke, or vascular rupture directly and proximately results in the death of the public safety officer,

unless competent medical evidence establishes that the heart attack, stroke, or vascular rupture was unrelated to the engagement or participation or was directly and proximately caused by something other than the mere presence of cardiovascular-disease risk factors."; and

(v) by adding at the end the following:

"(n) The public safety agency, organization, or unit responsible for maintaining on file an executed designation of beneficiary or executed life insurance policy for purposes of subsection (a)(4) shall maintain the confidentiality of the designation or policy in the same manner as the agency, organization, or unit maintains personnel or other similar records of the public safety officer.";

(C) in section 1202 (42 U.S.C. 3796a)—

(i) by striking "death", each place it appears except the second place it appears, and inserting "fatal"; and

(ii) in paragraph (1), by striking "or catastrophic injury" the second place it appears and inserting ", disability, or injury";

(D) in section 1203 (42 U.S.C. 3796a–1)—

(i) in the section heading, by striking "WHO HAVE DIED IN THE LINE OF DUTY" and inserting "WHO HAVE SUSTAINED FATAL OR CATASTROPHIC INJURY IN THE LINE OF DUTY"; and

(ii) by striking "who have died in the line of duty" and inserting "who have sus-

tained fatal or catastrophic injury in the line of duty''; (E) in section 1204 (42 U.S.C. 3796b)—

(i) in paragraph (1), by striking ''consequences of an injury that'' and inserting ''an injury, the direct and proximate consequences of which'';

(ii) in paragraph (3)—

(I) in the matter preceding clause (i)—

(aa) by inserting ''or permanently and totally disabled'' after ''deceased''; and

(bb) by striking ''death'' and inserting ''fatal or catastrophic injury''; and

(II) by redesignating clauses (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively;

(iii) in paragraph (5)—

(I) by striking ''post-mortem'' each place it appears and inserting ''post-injury'';

(II) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(III) in subparagraph (B), as so redesignated, by striking ''death'' and inserting ''fatal or catastrophic injury'';

(iv) in paragraph (7), by striking ''public employee member of a rescue squad or ambulance crew;'' and inserting ''employee or volunteer member of a rescue squad or ambulance crew (including a ground or air ambulance service) that—

''(A) is a public agency; or

''(B) is (or is a part of) a nonprofit entity serving the public that—

''(i) is officially authorized or licensed to engage in rescue activity or to provide emergency medical services; and

''(ii) engages in rescue activities or provides emergency medical services as part of an official emergency response system;''; and

(v) in paragraph (9)—

(I) in subparagraph (A), by striking ''as a chaplain, or as a member of a rescue squad or ambulance crew;'' and inserting ''or as a chaplain;'';

(II) in subparagraph (B)(ii), by striking ''or'' after the semicolon;

(III) in subparagraph (C)(ii), by striking the period and inserting ''; or''; and

(IV) by adding at the end the following:

''(D) a member of a rescue squad or ambulance crew who, as authorized or licensed by law and by the applicable agency or entity, is engaging in rescue activity or in the provision of emergency medical services.'';

(F) in section 1205 (42 U.S.C. 3796c), by adding at the end the following:

''(d) Unless expressly provided otherwise, any reference in this part to any provision of law not in this part shall be understood to constitute a general reference under the doctrine of incorporation by reference, and thus to include any subsequent amendments to the provision.'';

(G) in each of subsections (a) and (b) of section 1212 (42 U.S.C. 3796d–1), sections

1213 and 1214 (42 U.S.C. 3796d–2 and 3796d–3), and subsections (b) and (c) of section 1216 (42 U.S.C. 3796d–5), by striking ''dependent'' each place it appears and inserting ''person'';

(H) in section 1212 (42 U.S.C. 3796d–1)—

(i) in subsection (a)—

(I) in paragraph (1), in the matter preceding subparagraph (A), by striking ''Subject'' and all that follows through '', the'' and inserting ''The''; and

(II) in paragraph (3), by striking ''reduced by'' and all that follows through ''(B) the amount'' and inserting ''reduced by the amount'';

(ii) in subsection (c)—

(I) in the subsection heading, by striking ''DEPENDENT''; and

(II) by striking ''dependent'';

(I) in paragraphs (2) and (3) of section 1213(b) (42 U.S.C. 3796d–2(b)), by striking ''dependent's'' each place it appears and inserting ''person's'';

(J) in section 1216 (42 U.S.C. 3796d–5)—

(i) in subsection (a), by striking ''each dependent'' each place it appears and inserting ''a spouse or child''; and

(ii) by striking ''dependents'' each place it appears and inserting ''a person''; and

(K) in section 1217(3)(A) (42 U.S.C. 3796d–6(3)(A)), by striking ''described in'' and all that follows and inserting ''an institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and''.

(2) AMENDMENT RELATED TO EXPEDITED PAYMENT FOR PUBLIC SAFETY OFFICERS INVOLVED IN THE PREVENTION, INVESTIGATION, RESCUE, OR RECOVERY EFFORTS RELATED TO A TERRORIST ATTACK.—Section 611(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 3796c–1(a)) is amended by inserting ''or an entity described in section 1204(7)(B) of the Omnibus Crime Control and Safe Streets Act of

1968 (42 U.S.C. 3796b(7)(B))'' after ''employed by such agency''.

(3) TECHNICAL AND CONFORMING AMENDMENT.—Section 402(l)(4)(C) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''section 1204(9)(A)'' and inserting ''section 1204(10)(A)''; and

(B) by striking ''42 U.S.C. 3796b(9)(A)'' and inserting ''42 U.S.C. 3796b(10)(A)''.

(c) AUTHORIZATION OF APPROPRIATIONS; DETERMINATIONS; APPEALS.—The matter under the heading ''PUBLIC SAFETY OFFICERS BENEFITS'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 1912; 42 U.S.C. 3796c–2) is amended—

(1) by striking ''decisions'' and inserting ''determinations'';

(2) by striking ''(including those, and any related matters, pending)''; and

(3) by striking the period at the end and inserting the following: '': *Provided further,* That, on and after the date of enactment of the Public Safety Officers' Benefits Improvements Act of 2012, as to each such statute—

"(1) the provisions of section 1001(a)(4) of such title I (42 U.S.C. 3793(a)(4)) shall apply;

"(2) payment (other than payment made pursuant to section 611 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 3796c–1)) shall be made only upon a determination by the Bureau that the facts legally warrant the payment;

"(3) any reference to section 1202 of such title I shall be deemed to be a reference to paragraphs (2) and (3) of such section 1202; and

"(4) a certification submitted under any such statute (other than a certification submitted pursuant to section 611 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 3796c–1)) may be accepted by the Bureau as prima facie evidence of the facts asserted in the certification:

Provided further, That, on and after the date of enactment of the Public Safety Officers' Benefits Improvements Act of 2012, no appeal shall bring any final determination of the Bureau before any court for review unless notice of appeal is filed (within the time specified herein and in the

manner prescribed for appeal to United States courts of appeals from United States district courts) not later than 90 days after the date on which the Bureau serves notice of the final determination: *Provided further,* That any regulations promulgated by the Bureau under such part (or any such statute) before, on, or after the date of enactment of the Public Safety Officers' Benefits Improvements Act of 2012 shall apply to any matter pending on, or filed or accruing after, the effective date specified in the regulations.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (1), the amendments made by this section shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to any matter pending, before the Bureau of Justice Assistance or otherwise, on the date of enactment of this Act, or filed or accruing after that date.

(2) EXCEPTIONS.—

(A) RESCUE SQUADS AND AMBULANCE CREWS.—For a member of a rescue squad or ambulance crew (as defined in section 1204(7) of title I of the Omnibus Crime Control and

Safe Streets Act of 1968, as amended by this section), the amendments made by this Act shall apply to injuries sustained on or after June 1, 2009.

(B) HEART ATTACKS, STROKES, AND VASCULAR RUPTURES.—Section 1201(k) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this section, shall apply to heart attacks, strokes, and vascular ruptures sustained on or after December 15, 2003.

SEC. 5022. SCIENTIFIC FRAMEWORK FOR RECALCITRANT CANCERS.

Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

"SEC. 417G. SCIENTIFIC FRAMEWORK FOR RECALCITRANT CANCERS.

"(a) DEVELOPMENT OF SCIENTIFIC FRAMEWORK.—

"(1) IN GENERAL.—For each recalcitrant cancer identified under subsection (b), the Director of the Institute shall develop (in accordance with subsection (c)) a scientific framework for the conduct or support of research on such cancer.

1 "(2) CONTENTS.—The scientific framework
2 with respect to a recalcitrant cancer shall include the
3 following:
4 "(A) CURRENT STATUS.—
5 "(i) REVIEW OF LITERATURE.—A
6 summary of findings from the current lit-
7 erature in the areas of—
8 "(I) the prevention, diagnosis,
9 and treatment of such cancer;
10 "(II) the fundamental biologic
11 processes that regulate such cancer
12 (including similarities and differences
13 of such processes from the biological
14 processes that regulate other cancers);
15 and
16 "(III) the epidemiology of such
17 cancer.
18 "(ii) SCIENTIFIC ADVANCES.—The
19 identification of relevant emerging sci-
20 entific areas and promising scientific ad-
21 vances in basic, translational, and clinical
22 science relating to the areas described in
23 subclauses (I) and (II) of clause (i).
24 "(iii) RESEARCHERS.—A description
25 of the availability of qualified individuals

to conduct scientific research in the areas described in clause (i).

"(iv) COORDINATED RESEARCH INITIATIVES.—The identification of the types of initiatives and partnerships for the coordination of intramural and extramural research of the Institute in the areas described in clause (i) with research of the relevant national research institutes, Federal agencies, and non-Federal public and private entities in such areas.

"(v) RESEARCH RESOURCES.—The identification of public and private resources, such as patient registries and tissue banks, that are available to facilitate research relating to each of the areas described in clause (i).

"(B) IDENTIFICATION OF RESEARCH QUESTIONS.—The identification of research questions relating to basic, translational, and clinical science in the areas described in subclauses (I) and (II) of subparagraph (A)(i) that have not been adequately addressed with respect to such recalcitrant cancer.

"(C) RECOMMENDATIONS.—Recommendations for appropriate actions that should be taken to advance research in the areas described in subparagraph (A)(i) and to address the research questions identified in subparagraph (B), as well as for appropriate benchmarks to measure progress on achieving such actions, including the following:

"(i) RESEARCHERS.—Ensuring adequate availability of qualified individuals described in subparagraph (A)(iii).

"(ii) COORDINATED RESEARCH INITIATIVES.—Promoting and developing initiatives and partnerships described in subparagraph (A)(iv).

"(iii) RESEARCH RESOURCES.—Developing additional public and private resources described in subparagraph (A)(v) and strengthening existing resources.

"(3) TIMING.—

"(A) INITIAL DEVELOPMENT AND SUBSEQUENT UPDATE.—For each recalcitrant cancer identified under subsection (b)(1), the Director of the Institute shall—

"(i) develop a scientific framework under this subsection not later than 18 months after the date of the enactment of this section; and

"(ii) review and update the scientific framework not later than 5 years after its initial development.

"(B) OTHER UPDATES.—The Director of the Institute may review and update each scientific framework developed under this subsection as necessary.

"(4) PUBLIC NOTICE.—With respect to each scientific framework developed under subsection (a), not later than 30 days after the date of completion of the framework, the Director of the Institute shall—

"(A) submit such framework to the Committee on Energy and Commerce and Committee on Appropriations of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions and Committee on Appropriations of the Senate; and

"(B) make such framework publically available on the Internet website of the Department of Health and Human Services.

"(b) IDENTIFICATION OF RECALCITRANT CANCER.—

"(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Director of the Institute shall identify two or more recalcitrant cancers that each—

"(A) have a 5-year relative survival rate of less than 20 percent; and

"(B) are estimated to cause the death of at least 30,000 individuals in the United States per year.

"(2) ADDITIONAL CANCERS.—The Director of the Institute may, at any time, identify other recalcitrant cancers for purposes of this section. In identifying a recalcitrant cancer pursuant to the previous sentence, the Director may consider additional metrics of progress (such as incidence and mortality rates) against such type of cancer.

"(c) WORKING GROUPS.—For each recalcitrant cancer identified under subsection (b), the Director of the Institute shall convene a working group comprised of representatives of appropriate Federal agencies and other non-Federal entities to provide expertise on, and assist in developing, a scientific framework under subsection (a). The Director of the Institute (or the Director's designee)

shall participate in the meetings of each such working group.

"(d) REPORTING.—

"(1) BIENNIAL REPORTS.—The Director of NIH shall ensure that each biennial report under section 403 includes information on actions undertaken to carry out each scientific framework developed under subsection (a) with respect to a recalcitrant cancer, including the following:

"(A) Information on research grants awarded by the National Institutes of Health for research relating to such cancer.

"(B) An assessment of the progress made in improving outcomes (including relative survival rates) for individuals diagnosed with such cancer.

"(C) An update on activities pertaining to such cancer under the authority of section 413(b)(7).

"(2) ADDITIONAL ONE-TIME REPORT FOR CERTAIN FRAMEWORKS.—For each recalcitrant cancer identified under subsection (b)(1), the Director of the Institute shall, not later than 6 years after the initial development of a scientific framework under subsection (a), submit a report to the Congress on

the effectiveness of the framework (including the update required by subsection (a)(3)(A)(ii)) in improving the prevention, detection, diagnosis, and treatment of such cancer.

''(e) RECOMMENDATIONS FOR EXCEPTION FUNDING.—The Director of the Institute shall consider each relevant scientific framework developed under subsection (a) when making recommendations for exception funding for grant applications.

''(f) DEFINITION.—In this section, the term 'recalcitrant cancer' means a cancer for which the five-year relative survival rate is below 50 percent.''.

SEC. 5023. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) TECHNICAL AMENDMENT.—Section 604(a) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469(a)) is amended by inserting ''(referred to in this section as the 'Commission')'' before the period at the end.

(b) DUTIES AND RESPONSIBILITIES.—Section 604(c) of such Act is amended to read as follows:

''(c) DUTIES AND RESPONSIBILITIES.—The Commission shall appraise United States Government activities intended to understand, inform, and influence foreign publics. The activities described in this subsection shall

be referred to in this section as 'public diplomacy activities'.''.

(c) REPORTS.—Section 604(d) of such Act is amended to read as follows:

''(d) REPORTS.—

''(1) COMPREHENSIVE ANNUAL REPORT.—

''(A) IN GENERAL.—Not less frequently than annually, the Commission shall submit a comprehensive report on public diplomacy and international broadcasting activities to Congress, the President, and the Secretary of State. This report shall include—

''(i) a detailed list of all public diplomacy activities funded by the United States Government;

''(ii) a description of—

''(I) the purpose, means, and geographic scope of each activity;

''(II) when each activity was started;

''(III) the amount of Federal funding expended on each activity;

''(IV) any significant outside sources of funding; and

"(V) the Federal department or agency to which the activity belongs;

"(iii) the international broadcasting activities under the direction of the Broadcasting Board of Governors;

"(iv) an assessment of potentially duplicative public diplomacy and international broadcasting activities; and

"(v) for any activities determined to be ineffective or results not demonstrated under subparagraph (B), recommendations on existing effective or moderately effective public diplomacy activities that could be augmented to carry out the objectives of the ineffective activities.

"(B) EFFECTIVENESS ASSESSMENT.—In evaluating the public diplomacy and international broadcasting activities described in subparagraph (A), the Commission shall conduct an assessment that considers the public diplomacy target impact, the achieved impact, and the cost of public diplomacy activities and international broadcasting. The assessment shall include, if practicable, an appropriate metric such as 'cost-per-audience' or 'cost-per-stu-

dent' for each activity. Upon the completion of the assessment, the Commission shall the assign a rating of—

"(i) 'effective' for activities that—

"(I) set appropriate goals;

"(II) achieve results; and

"(III) are well-managed and cost efficient;

"(ii) 'moderately effective' for activities that—

"(I) achieve some results;

"(II) are generally well-managed; and

"(III) need to improve their performance results or cost efficiency, including reducing overhead;

"(iii) 'ineffective' for activities that—

"(I) are not making sufficient use of available resources to achieve stated goals;

"(II) are not well-managed; or

"(III) have excessive overhead; and

"(iv) 'results not demonstrated' for activities that—

"(I) do not have acceptable performance public diplomacy metrics for measuring results; or

"(II) are unable or failed to collect data to determine if they are effective.

"(2) OTHER REPORTS.—

"(A) IN GENERAL.—The Commission shall submit other reports, including working papers, to Congress, the President, and the Secretary of State at least semi-annually on other activities and policies related to United States public diplomacy.

"(B) AVAILABILITY.—The Commission shall make the reports submitted pursuant to subparagraph (A) publicly available on the website of the Commission to develop a better understanding of, and support for, public diplomacy activities.

"(3) ACCESS TO INFORMATION.—The Secretary of State shall ensure that the Commission has access to all appropriate information to carry out its duties and responsibilities under this subsection.".

(d) REAUTHORIZATION.—

(1) IN GENERAL.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking ''October 1, 2010'' and inserting ''October 1, 2014''.

(2) RETROACTIVITY OF EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2010.

(e) FUNDING.—From amounts appropriated by Congress under the heading ''DIPLOMATIC AND CONSULAR PROGRAMS'', the Secretary of State shall allocate sufficient funding to the United States Advisory Commission on Public Diplomacy to carry out section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469), as amended by this section.

SEC. 5024. REMOVAL OF ACTION.

Section 1442 of title 28, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) Solely for purposes of determining the propriety of removal under subsection (a), a law enforcement officer, who is the defendant in a criminal prosecution, shall be deemed to have been acting under the color of his office if the officer—

''(1) protected an individual in the presence of the officer from a crime of violence;

1 ''(2) provided immediate assistance to an indi-
2 vidual who suffered, or who was threatened with,
3 bodily harm; or
4 ''(3) prevented the escape of any individual who
5 the officer reasonably believed to have committed, or
6 was about to commit, in the presence of the officer,
7 a crime of violence that resulted in, or was likely to
8 result in, death or serious bodily injury.
9 ''(d) In this section, the following definitions apply:
10 ''(1) The terms 'civil action' and 'criminal pros-
11 ecution' include any proceeding (whether or not an-
12 cillary to another proceeding) to the extent that in
13 such proceeding a judicial order, including a sub-
14 poena for testimony or documents, is sought or
15 issued. If removal is sought for a proceeding de-
16 scribed in the previous sentence, and there is no
17 other basis for removal, only that proceeding may be
18 removed to the district court.
19 ''(2) The term 'crime of violence' has the mean-
20 ing given that term in section 16 of title 18.
21 ''(3) The term 'law enforcement officer' means
22 any employee described in subparagraph (A), (B), or
23 (C) of section 8401(17) of title 5 and any special
24 agent in the Diplomatic Security Service of the De-
25 partment of State.

"(4) The term 'serious bodily injury' has the meaning given that term in section 1365 of title 18.

"(5) The term 'State' includes the District of Columbia, United States territories and insular possessions, and Indian country (as defined in section 1151 of title 18).

"(6) The term 'State court' includes the Superior Court of the District of Columbia, a court of a United States territory or insular possession, and a tribal court.".

TITLE LIII—GAO MANDATES REVISION ACT

Subtitle A—GAO Mandates Revision Act

SEC. 5301. SHORT TITLE.

This subtitle may be cited as the "GAO Mandates Revision Act of 2012".

SEC. 5302. REPEALS AND MODIFICATIONS.

(a) CAPITOL PRESERVATION FUND FINANCIAL STATEMENTS.—Section 804 of the Arizona-Idaho Conservation Act of 1988 (2 U.S.C. 2084) is amended by striking "annual audits of the transactions of the Commission" and inserting "periodic audits of the transactions of the Commission, which shall be conducted at least once every 3 years, unless the Chairman or the Ranking Mem-

ber of the Committee on Rules and Administration of the Senate or the Committee on House Administration of the House of Representatives, the Secretary of the Senate, or the Clerk of the House of Representatives requests that an audit be conducted at an earlier date,''.

(b) JUDICIAL SURVIVORS' ANNUITIES FUND AUDIT BY GAO.—

(1) IN GENERAL.—Section 376 of title 28, United States Code, is amended—

(A) by striking subsection (w); and

(B) by redesignating subsections (x) and (y) as subsections (w) and (x), respectively.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 376(h)(2) of title 28, United States Code, is amended by striking ''subsection (x)'' and inserting ''subsection (w)''.

(c) ONDCP ANNUAL REPORT REQUIREMENT.—Section 203 of the Office of National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 1708a) is amended—

(1) in subsection (a), by striking ''of each year'' and inserting '', 2013, and every 3 years thereafter,''; and

(2) in subsection (b), in the matter preceding paragraph (1), by striking ''at a frequency of not

less than once per year—'' and inserting ''not later than December 31, 2013, and every 3 years thereafter—''.

(d) USERRA GAO REPORT.—Section 105(g)(1) of the Veterans' Benefits Act of 2010 (Public Law 111–275; 38 U.S.C. 4301 note) is amended by striking '', and annually thereafter during the period when the demonstration project is conducted,''.

(e) SEMIPOSTAL PROGRAM REPORTS BY THE GENERAL ACCOUNTING OFFICE.—Section 2 of the Semipostal Authorization Act (Public Law 106–253; 114 Stat. 636; 39 U.S.C. 416 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(f) EARNED IMPORT ALLOWANCE PROGRAM REVIEW BY GAO.—Section 231A(b)(4) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a(b)(4)) is amended—

(1) by striking subparagraph (C); and

(2) by redesignating subparagraph (D) as subparagraph (C).

(g) AMERICAN BATTLE MONUMENTS COMMISSION'S FINANCIAL STATEMENTS AND AUDITS.—Section 2103(h) of title 36, United States Code, is amended—

(1) in paragraph (1), by striking ''of paragraph (2) of this subsection'' and inserting ''of section 3515 of title 31'';

(2) in paragraph (1), by striking ''(1)''; and

(3) by striking paragraph (2).

(h) SENATE PRESERVATION FUND AUDITS.—Section 3(c)(6) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 2108(c)(6)) is amended by striking ''annual audits of the Senate Preservation Fund'' and inserting ''periodic audits of the Senate Preservation Fund, which shall be conducted at least once every 3 years, unless the Chairman or the Ranking Member of the Committee on Rules and Administration of the Senate or the Secretary of the Senate requests that an audit be conducted at an earlier date,''.

Subtitle B—Improper Payments Elimination and Recovery Improvement Act

SEC. 5311. SHORT TITLE.

This subtitle may be cited as the ''Improper Payments Elimination and Recovery Improvement Act of 2012''.

SEC. 5312. DEFINITIONS.

In this subtitle—

(1) the term ''agency'' means an executive agency as that term is defined under section 102 of title 31, United States Code; and

(2) the term ''improper payment'' has the meaning given that term in section 2(g) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note), as redesignated by section __03(a)(1) of this subtitle.

SEC. 5313. IMPROVING THE DETERMINATION OF IMPROPER PAYMENTS BY FEDERAL AGENCIES.

(a) IN GENERAL.—Section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is amended—

(1) by redesignating subsections (b) through (g) as subsections (c) through (h), respectively;

(2) by inserting after subsection (a) the following:

''(b) IMPROVING THE DETERMINATION OF IMPROPER PAYMENTS.—

''(1) IN GENERAL.—The Director of the Office of Management and Budget shall on an annual basis—

''(A) identify a list of high-priority Federal programs for greater levels of oversight and review—

"(i) in which the highest dollar value or highest rate of improper payments occur; or

"(ii) for which there is a higher risk of improper payments; and

"(B) in coordination with the agency responsible for administering the high-priority program, establish annual targets and semi-annual or quarterly actions for reducing improper payments associated with each high-priority program.

"(2) REPORT ON HIGH-PRIORITY IMPROPER PAYMENTS.—

"(A) IN GENERAL.—Subject to Federal privacy policies and to the extent permitted by law, each agency with a program identified under paragraph (1)(A) on an annual basis shall submit to the Inspector General of that agency, and make available to the public (including availability through the Internet), a report on that program.

"(B) CONTENTS.—Each report under this paragraph—

"(i) shall describe—

"(I) any action the agency—

"(aa) has taken or plans to take to recover improper payments; and

"(bb) intends to take to prevent future improper payments; and

"(ii) shall not include any referrals the agency made or anticipates making to the Department of Justice, or any information provided in connection with such referrals.

"(C) PUBLIC AVAILABILITY ON CENTRAL WEBSITE.—The Office of Management and Budget shall make each report submitted under this paragraph available on a central website.

"(D) AVAILABILITY OF INFORMATION TO INSPECTOR GENERAL.—Subparagraph (B)(ii) shall not prohibit any referral or information being made available to an Inspector General as otherwise provided by law.

"(E) ASSESSMENT AND RECOMMENDATIONS.—The Inspector General of each agency that submits a report under this paragraph shall, for each program of the agency that is identified under paragraph (1)(A)—

"(i) review—

"(I) the assessment of the level of risk associated with the program, and the quality of the improper payment estimates and methodology of the agency relating to the program; and

"(II) the oversight or financial controls to identify and prevent improper payments under the program; and

"(ii) submit to Congress recommendations, which may be included in another report submitted by the Inspector General to Congress, for modifying any plans of the agency relating to the program, including improvements for improper payments determination and estimation methodology.";

(3) in subsection (d) (as redesignated by paragraph (1) of this subsection), by striking "subsection (b)" each place that term appears and inserting "subsection (c)";

(4) in subsection (e) (as redesignated by paragraph (1) of this subsection), by striking "subsection (b)" and inserting "subsection (c)"; and

(5) in subsection (g)(3) (as redesignated by paragraph (1) of this subsection), by inserting ''or a Federal employee'' after ''non-Federal person or entity''.

(b) IMPROVED ESTIMATES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subtitle, the Director of the Office of Management and Budget shall provide guidance to agencies for improving the estimates of improper payments under the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(2) GUIDANCE.—Guidance under this subsection shall—

(A) strengthen the estimation process of agencies by setting standards for agencies to follow in determining the underlying validity of sampled payments to ensure amounts being billed are proper; and

(B) instruct agencies to give the persons or entities performing improper payments estimates access to all necessary payment data, including access to relevant documentation;

(C) explicitly bar agencies from relying on self-reporting by the recipients of agency pay-

ments as the sole source basis for improper payments estimates;

(D) require agencies to include all identified improper payments in the reported estimate, regardless of whether the improper payment in question has been or is being recovered;

(E) include payments to employees, including salary, locality pay, travel pay, purchase card use, and other employee payments, as subject to risk assessment and, where appropriate, improper payment estimation; and

(F) require agencies to tailor their corrective actions for the high-priority programs identified under section 2(b)(1)(A) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) to better reflect the unique processes, procedures, and risks involved in each specific program.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The Improper Payments Elimination and Recovery Act of 2010 (Public Law 111–204; 124 Stat. 2224) is amended—

(1) in section 2(h)(1) (31 U.S.C. 3321 note), by striking ''section 2(f)'' and all that follows and in-

serting ''section 2(g) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).''; and

(2) in section 3(a) (31 U.S.C. 3321 note)—

(A) in paragraph (1), by striking ''section 2(f)'' and all that follows and inserting ''section 2(g) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).''; and

(B) in paragraph (3)—

(i) by striking ''section 2(b)'' each place it appears and inserting ''section 2(c)''; and

(ii) by striking ''section 2(c)'' each place it appears and inserting ''section 2(d)''.

SEC. 5314. IMPROPER PAYMENTS INFORMATION.

Section 2(a)(3)(A)(ii) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is amended by striking ''with respect to fiscal years following September 30th of a fiscal year beginning before fiscal year 2013 as determined by the Office of Management and Budget'' and inserting ''with respect to fiscal year 2014 and each fiscal year thereafter''.

SEC. 5315. DO NOT PAY INITIATIVE.

(a) PREPAYMENT AND PREAWARD PROCEDURES.—

(1) IN GENERAL.—Each agency shall review prepayment and preaward procedures and ensure that a thorough review of available databases with relevant information on eligibility occurs to determine program or award eligibility and prevent improper payments before the release of any Federal funds.

(2) DATABASES.—At a minimum and before issuing any payment and award, each agency shall review as appropriate the following databases to verify eligibility of the payment and award:

(A) The Death Master File of the Social Security Administration.

(B) The General Services Administration's Excluded Parties List System.

(C) The Debt Check Database of the Department of the Treasury.

(D) The Credit Alert System or Credit Alert Interactive Voice Response System of the Department of Housing and Urban Development.

(E) The List of Excluded Individuals/Entities of the Office of Inspector General of the Department of Health and Human Services.

(b) DO NOT PAY INITIATIVE.—

(1) ESTABLISHMENT.—There is established the Do Not Pay Initiative which shall include—

(A) use of the databases described under subsection (a)(2); and

(B) use of other databases designated by the Director of the Office of Management and Budget in consultation with agencies and in accordance with paragraph (2).

(2) OTHER DATABASES.—In making designations of other databases under paragraph (1)(B), the Director of the Office of Management and Budget shall—

(A) consider any database that substantially assists in preventing improper payments; and

(B) provide public notice and an opportunity for comment before designating a database under paragraph (1)(B).

(3) ACCESS AND REVIEW BY AGENCIES.—For purposes of identifying and preventing improper payments, each agency shall have access to, and use of, the Do Not Pay Initiative to verify payment or award eligibility in accordance with subsection (a) when the Director of the Office of Management and

Budget determines the Do Not Pay Initiative is appropriately established for the agency.

(4) PAYMENT OTHERWISE REQUIRED.—When using the Do Not Pay Initiative, an agency shall recognize that there may be circumstances under which the law requires a payment or award to be made to a recipient, regardless of whether that recipient is identified as potentially ineligible under the Do Not Pay Initiative.

(5) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress an annual report, which may be included as part of another report submitted to Congress by the Director, regarding the operation of the Do Not Pay Initiative, which shall—

(A) include an evaluation of whether the Do Not Pay Initiative has reduced improper payments or improper awards; and

(B) provide the frequency of corrections or identification of incorrect information.

(c) DATABASE INTEGRATION PLAN.—Not later than 60 days after the date of enactment of this subtitle, the Director of the Office of Management and Budget shall provide to the Congress a plan for—

(1) inclusion of other databases on the Do Not Pay Initiative;

(2) to the extent permitted by law, agency access to the Do Not Pay Initiative; and

(3) the multilateral data use agreements described under subsection (e).

(d) INITIAL WORKING SYSTEM.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this subtitle, the Director of the Office of Management and Budget shall establish a working system for prepayment and preaward review that includes the Do Not Pay Initiative as described under this section.

(2) WORKING SYSTEM.—The working system established under paragraph (1)—

(A) may be located within an appropriate agency;

(B) shall include not less than 3 agencies as users of the system; and

(C) shall include investigation activities for fraud and systemic improper payments detection through analytic technologies and other techniques, which may include commercial database use or access.

(3) APPLICATION TO ALL AGENCIES.—Not later than June 1, 2013, each agency shall review all payments and awards for all programs of that agency through the system established under this subsection.

(e) FACILITATING DATA ACCESS BY FEDERAL AGENCIES AND OFFICES OF INSPECTORS GENERAL FOR PURPOSES OF PROGRAM INTEGRITY.—

(1) DEFINITION.—In this subsection, the term ''Inspector General'' means an Inspector General described in subparagraph (A), (B), or (I) of section 11(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

(2) COMPUTER MATCHING BY FEDERAL AGENCIES FOR PURPOSES OF INVESTIGATION AND PREVENTION OF IMPROPER PAYMENTS AND FRAUD.—

(A) IN GENERAL.—Except as provided in this paragraph, in accordance with section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974), each Inspector General and the head of each agency may enter into computer matching agreements that allow ongoing data matching (which shall include automated data matching) in order to assist in

the detection and prevention of improper payments.

(B) REVIEW.—Not later than 60 days after a proposal for an agreement under subparagraph (A) has been presented to a Data Integrity Board established under section 552a(u) of title 5, United States Code, for consideration, the Data Integrity Board shall respond to the proposal.

(C) TERMINATION DATE.—An agreement under subparagraph (A)—

(i) shall have a termination date of less than 3 years; and

(ii) during the 3-month period ending on the date on which the agreement is scheduled to terminate, may be renewed by the agencies entering the agreement for not more than 3 years.

(D) MULTIPLE AGENCIES.—For purposes of this paragraph, section 552a(o)(1) of title 5, United States Code, shall be applied by substituting ''between the source agency and the recipient agency or non-Federal agency or an agreement governing multiple agencies'' for ''between the source agency and the recipient

agency or non-Federal agency'' in the matter preceding subparagraph (A).

(E) COST-BENEFIT ANALYSIS.—A justification under section 552a(o)(1)(B) of title 5, United States Code, relating to an agreement under subparagraph (A) is not required to contain a specific estimate of any savings under the computer matching agreement.

(F) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—Not later than 6 months after the date of enactment of this subtitle, and in consultation with the Council of Inspectors General on Integrity and Efficiency, the Secretary of Health and Human Services, the Commissioner of Social Security, and the head of any other relevant agency, the Director of the Office of Management and Budget shall—

(i) issue guidance for agencies regarding implementing this paragraph, which shall include standards for—

(I) reimbursement of costs, when necessary, between agencies;

(II) retention and timely destruction of records in accordance with sec-

tion 552a(o)(1)(F) of title 5, United States Code;

(III) prohibiting duplication and redisclosure of records in accordance with section 552a(o)(1)(H) of title 5, United States Code;

(ii) review the procedures of the Data Integrity Boards established under section 552a(u) of title 5, United States Code, and develop new guidance for the Data Integrity Boards to—

(I) improve the effectiveness and responsiveness of the Data Integrity Boards; and

(II) ensure privacy protections in accordance with section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974); and

(III) establish standard matching agreements for use when appropriate; and

(iii) establish and clarify rules regarding what constitutes making an agreement entered under subparagraph (A) available

upon request to the public for purposes of section 552a(o)(2)(A)(ii) of title 5, United States Code, which shall include requiring publication of the agreement on a public website.

(G) CORRECTIONS.—The Director of the Office of Management and Budget shall establish procedures providing for the correction of data in order to ensure—

(i) compliance with section 552a(p) of title 5, United States Code; and

(ii) that corrections are made in any Do Not Pay Initiative database and in any relevant source databases designated by the Director of the Office of Management and Budget under subsection (b)(1).

(H) COMPLIANCE.—The head of each agency, in consultation with the Inspector General of the agency, shall ensure that any information provided to an individual or entity under this subsection is provided in accordance with protocols established under this subsection.

(I) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the

rights of an individual under section 552a(p) of title 5, United States Code.

(f) DEVELOPMENT AND ACCESS TO A DATABASE OF INCARCERATED INDIVIDUALS.—Not later than 1 year after the date of enactment of this subtitle, the Attorney General shall submit to Congress recommendations for increasing the use of, access to, and the technical feasibility of using data on the Federal, State, and local conviction and incarceration status of individuals for purposes of identifying and preventing improper payments by Federal agencies and programs and fraud.

(g) PLAN TO CURB FEDERAL IMPROPER PAYMENTS TO DECEASED INDIVIDUALS BY IMPROVING THE QUALITY AND USE BY FEDERAL AGENCIES OF THE SOCIAL SECURITY ADMINISTRATION DEATH MASTER FILE.—

(1) ESTABLISHMENT.—In conjunction with the Commissioner of Social Security and in consultation with relevant stakeholders that have an interest in or responsibility for providing the data, and the States, the Director of the Office of Management and Budget shall establish a plan for improving the quality, accuracy, and timeliness of death data maintained by the Social Security Administration, including death information reported to the Commissioner

under section 205(r) of the Social Security Act (42 U.S.C. 405(r)).

(2) ADDITIONAL ACTIONS UNDER PLAN.—The plan established under this subsection shall include recommended actions by agencies to—

(A) increase the quality and frequency of access to the Death Master File and other death data;

(B) achieve a goal of at least daily access as appropriate;

(C) provide for all States and other data providers to use improved and electronic means for providing data;

(D) identify improved methods by agencies for determining ineligible payments due to the death of a recipient through proactive verification means; and

(E) address improper payments made by agencies to deceased individuals as part of Federal retirement programs.

(3) REPORT.—Not later than 120 days after the date of enactment of this subtitle, the Director of the Office of Management and Budget shall submit a report to Congress on the plan established

under this subsection, including recommended legislation.

SEC. 5316. IMPROVING RECOVERY OF IMPROPER PAYMENTS.

(a) DEFINITION.—In this section, the term ''recovery audit'' means a recovery audit described under section 2(h) of the Improper Payments Elimination and Recovery Act of 2010.

(b) REVIEW.—The Director of the Office of Management and Budget shall determine—

(1) current and historical rates and amounts of recovery of improper payments (or, in cases in which improper payments are identified solely on the basis of a sample, recovery rates and amounts estimated on the basis of the applicable sample), including a list of agency recovery audit contract programs and specific information of amounts and payments recovered by recovery audit contractors; and

(2) targets for recovering improper payments, including specific information on amounts and payments recovered by recovery audit contractors.

Subtitle C—Sense of Congress Regarding Spectrum

SEC. 5317. SENSE OF CONGRESS REGARDING SPECTRUM.

It is the sense of Congress that—

(1) the Nation's mobile communications industry is a significant economic engine, by one estimate directly or indirectly supporting 3,800,000 jobs, or 2.6 percent of all United States employment, contributing $195,500,000,000 to the United States gross domestic product and driving $33,000,000,000 in productivity improvements in 2011;

(2) while wireless carriers are continually implementing new and more efficient technologies and techniques to maximize their existing spectrum capacity, there is a pressing need for additional spectrum for mobile broadband services, with one report predicting that global mobile data traffic will increase 18-fold between 2011 and 2016 at a compound annual growth rate of 78 percent, reaching 10.8 exabytes per month by 2016;

(3) as the Nation faces the growing demand for spectrum, consideration should be given to both the supply of spectrum for licensed networks and for unlicensed devices;

(4) while this additional demand can be met in part by reallocating spectrum from existing non-governmental uses, the long-term solution must include reallocation and sharing of Federal Government spectrum for private sector use;

(5) recognizing the important uses of spectrum by the Federal Government, including for national and homeland security, law enforcement and other critical federal uses, existing law ensures that Federal operations are not harmed as a result of a reallocation of spectrum for commercial use, including through the establishment of the Spectrum Relocation Fund to reimburse Federal users for the costs of planning and implementing relocation and sharing arrangements and, with respect to spectrum vacated by the Department of Defense, certification under section 1062 of P.L. 106–65 by the Secretaries of Defense and Commerce and the Chairman of the Joint Chiefs of Staff that replacement spectrum provides comparable technical characteristics to restore essential military capability; and

(6) given the need to determine equitable outcomes for the Nation in relation to spectrum use that balance the private sector's demand for spectrum with national security and other critical federal missions, all interested parties should be encouraged to continue the collaborative efforts between industry and government stakeholders that have been launched by the National Telecommunications and Information Administration to assess and rec-

ommend practical frameworks for the development of relocation, transition, and sharing arrangement and plans for 110 megahertz of federal spectrum in the 1695–1710 MHz and the 1755–1850 MHz bands.

Passed the Senate December 4, 2012.

Attest:

Secretary.

112th CONGRESS
2d Session

S. 3254

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.