To authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2011

Mr. LEVIN (for himself and Mr. MCCAIN) (by request) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, 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 2012”.

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

(a) DIVISIONS.—This Act is organized into two divi-
sions as follows:

(1) DIVISION A.—Department of Defense Au-
 thorizations.

(2) DIVISION B.—Military Construction Author-
izations.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 105. Joint Improvised Explosive Device Defeat Fund.
Sec. 106. Defense Production Act purchases.

Subtitle B—Army Programs

Sec. 111. Multi-year procurement authority for airframes for Army UH–60M/

Subtitle C—Navy Programs

Sec. 121. Multiyear procurement authority for mission avionics and common
cockpits for Navy MH–60R/S helicopters.

Subtitle D—Air Force Programs

Sec. 131. Procurement of Light Attack Armed Reconnaissance aircraft for
training foreign militaries and foreign security forces.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. Authorization of appropriations.
Sec. 203. Requirement for contractor cost-sharing in pilot program to include technology protection features during research and development of certain defense systems.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Environmental Provisions

Sec. 311. Payment to EPA of stipulated penalties in connection with Jackson Park Housing Complex, Washington.

Subtitle C—Other Matters

Sec. 321. Authority to establish readiness reserve subaccount in the transportation working-capital fund.
Sec. 322. Clarification of the airlift service definitions relative to the Civil Reserve Air Fleet.
Sec. 323. Expansion of use of uniform funding authority to permanent change of station and temporary duty lodging programs operated through nonappropriated fund instrumentalities.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the Reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2012 limitation on number of non-dual status technicians.
Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Officer Personnel Policy

Sec. 501. Modification of eligibility for consideration for promotion for certain Reserve officers of the Army employed as Army Reserve military technicians.
Sec. 502. Standardization of grade for certain medical and dental branch chief positions.
Sec. 503. Force management enhancements.

Subtitle B—Reserve Component Management

Sec. 511. Modification of time in which preseparation counseling must be provided for reserve component members being demobilized.
Sec. 512. Clarification of applicability of authority for deferral of mandatory separation of military technicians (dual status) until age 60.

Sec. 513. Expansion of authority to order Selected Reserve and certain Individual Ready Reserve members to active duty other than during war or national emergency.

Sec. 514. Transformation of the military technician program.

Subtitle C—Education and Training

Sec. 521. National Defense University outplacement waiver.

Sec. 522. Revision to definition of joint duty assignment to include all instructor assignments for joint training and education.

Sec. 523. Authority to enroll certain seriously wounded, ill, or injured former or retired enlisted servicemembers in associate degree programs of the Community College of the Air Force in order to complete degree program.

Sec. 524. Consolidation of military department authority to issue arms, tentage, and equipment to educational institutions not maintaining units of Junior ROTC.

Sec. 525. Expansion of authority relating to Phase II of three-phase approach to Joint Professional Military Education.

Subtitle D—Military Justice and Legal Matters

Sec. 531. Procedures for judicial review of certain military personnel decisions.

Sec. 532. Authority to compel production of documentary evidence prior to trial in military justice cases.

Sec. 533. Reform of offenses relating to rape, sexual assault, and other sexual misconduct under Uniform Code of Military Justice.

Subtitle E—Other Matters

Sec. 541. Revision to membership of Department of Defense Military Family Readiness Council.

Sec. 542. Inclusion of Northern Mariana Islands as a “State” for purposes of the Uniformed and Overseas Citizens Absentee Voting Act.

Sec. 543. Specification of the period for which a request for an absentee ballot from an overseas voter is valid.

Sec. 544. Transfer of Troops-to-Teachers program from Department of Education to Department of Defense and enhancements to the program.

Sec. 545. Military grooming and appearance standards.

Sec. 546. Repeal of mandatory high-deployment allowance.

Sec. 547. Three-year extension and revision of authorities relating to transition of military dependent students among local educational agencies.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—General Matters

Sec. 601. One-year extension of certain expiring bonus and special pay authorities.

Sec. 602. Travel for anesthesia services for childbirth for command-sponsored dependents of members assigned to very remote locations outside the continental United States.
Sec. 603. Travel and transportation allowance for dependent child of member stationed overseas who is attending overseas university, college or similar institution.

Sec. 604. Lodging accommodations for members assigned to duty in connection with commissioning or fitting out of a ship.

Sec. 605. Revision to certain definitions relating to families of servicemembers for purposes of family and medical leave.

Subtitle B—Consolidation and Reform of Travel and Transportation Authorities

Sec. 611. Consolidation and reform of travel and transportation authorities of the uniformed services.

Sec. 612. Transition provisions.

TITLE VII—HEALTH CARE PROVISIONS

Sec. 701. Reserve component mental health student stipend.

Sec. 702. Transition enrollment of Uniformed Services Family Health Plan Medicare-eligible retirees to Tricare for Life.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Sec. 801. Revision to law relating to disclosures to litigation support contractors.

Sec. 802. Clarification of Department of Defense authority to purchase right-hand drive passenger sedan vehicles and increase in cost limitation.

Sec. 803. Increase in dollar thresholds for authorities for acquisition of low-cost interests in land and unspecified minor construction projects for anti-terrorism and force protection purposes.

Sec. 804. Repeal of provision of law relating to acquisition policy when Department of Defense is obtaining carriage by vessel.

Sec. 805. Investment threshold increase for contingency operations.

Sec. 806. Limited additional authority for delegation to make determinations that cooperative research and development projects will improve conventional defense capabilities.

Sec. 807. Extension to all contractor employees of applicability of the senior executive benchmark compensation amount for purposes of allowable cost limitations under government contracts.

Sec. 808. Treatment of critical cost growth in major defense acquisition programs when cost growth is primarily due to quantity changes.

Sec. 809. Extension of availability of funds in the Defense Acquisition Workforce Development Fund.

Sec. 810. Authority to designate increments or blocks of space vehicles as major subprograms.

Sec. 811. Special emergency procurement authority.


Sec. 813. Access to contractor and subcontractor records for contracts with foreign entities in support of contingency operations in the United States Central Command area of responsibility.

Sec. 814. Revision to covered programs subject to certification pursuant to sections 2366a and 2366b of title 10, United States Code.
Sec. 815. Five-year extension of Department of Defense Mentor-Protege Pilot Program.
Sec. 816. Restriction on contracting and voiding contracts and subcontracts in support of contingency operations in the United States Central Command theater of operations.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Intelligence-Related Matters

Sec. 901. Appropriations for Defense intelligence elements.
Sec. 902. Authority to credit military graduates of the National Defense Intelligence College with completion of Joint Professional Military Education Phase I.
Sec. 903. Broadening of authority for exchanges of mapping, charting, and geodetic data to include nongovernmental organizations and academic institutions.
Sec. 904. Facilities for intelligence collection or special operations activities abroad.

Subtitle B—Space Activities

Sec. 911. Revisions to policy on development and procurement of unmanned systems.
Sec. 912. Commercial space launch cooperation.

TITLE X—GENERAL PROVISIONS

Sec. 1001. Repeal of requirement for annual joint report from Office of Management and Budget and Congressional Budget Office on scoring of outlays in defense budget function.
Sec. 1002. Revision to conditions on status of retired aircraft carrier ex-John F. Kennedy.
Sec. 1003. Authority to provide information for maritime safety of forces and hydrographic support.
Sec. 1004. Deposit of reimbursed funds under reciprocal fire protection agreements.
Sec. 1005. Repeal of strategic airlift aircraft inventory requirement.
Sec. 1007. Establishment of the Joint Urgent Operational Needs Fund to rapidly meet urgent operational needs.
Sec. 1008. Ratemaking procedures for Civil Reserve Air Fleet contracts.
Sec. 1009. Two-year extension of authority to support unified counter-drug and counterterrorism campaign in Colombia and of numerical limitation on assignment of United States personnel in Colombia.
Sec. 1010. Two-year extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
Sec. 1011. Clarification of jurisdiction of the United States district courts to hear bid protest disputes involving maritime contracts.
Sec. 1012. Management of Department of Defense installations.
Sec. 1013. Authority for use of amounts recovered for damage to Government property.
Sec. 1014. Treatment under Freedom of Information Act of certain Department of Defense critical infrastructure information.


Sec. 1016. One-year extension of authority to provide additional support for counter-drug activities of certain foreign governments.

Sec. 1017. Extension of authority of Department of Defense to provide additional support for counterdrug activities of other governmental agencies.

Sec. 1018. Quadrennial long-term plan for the procurement of aircraft for the Navy and the Air Force.

Sec. 1019. Authorization for Department of Defense to carry out personnel recovery reintegration and post-isolation support activities.

Sec. 1020. Pilot program to provide incremental support to nongovernmental organizations participating in humanitarian and civic assistance activities in the area of operations of United States Southern Command.

**TITLE XI—CIVILIAN PERSONNEL MATTERS**

Sec. 1101. Revisions to beneficiary designation provisions for death gratuity payable upon death of a United States Government employee.

Sec. 1102. Placement of National Guard non-dual status technicians in the excepted service with all dual status National Guard technicians.

Sec. 1103. Expansion of persons eligible for expedited Federal hiring following completion of National Security Education Program scholarship.

Sec. 1104. Authority of Service Secretaries to employ up to 10 persons without pay.

Sec. 1105. Authority for waiver of recovery of certain payments previously made under Civilian Employees Voluntary Separation Incentive Program.

Sec. 1106. Extension of eligibility to continue Federal employee health benefits for certain former employees of the Department of Defense.

**TITLE XII—MATTERS RELATING TO FOREIGN NATIONS**

Sec. 1201. Extension of authority for support of special operations to combat terrorism.

Sec. 1202. One-year extension of Commanders’ Emergency Response Program and extension of due date for quarterly reports to Congress.

Sec. 1203. Five-year extension of authorization for non-conventional assisted recovery capabilities.

Sec. 1204. One-year extension of authority for reimbursement of certain coalition nations for support provided to United States military operations.

Sec. 1205. Designation of additional “high income” countries prohibited from receiving international military education and training grant assistance under chapter 5 of the Foreign Assistance Act.

Sec. 1206. Three-year extension of temporary authority to use acquisition and cross-servicing agreements to lend military equipment for personnel protection and survivability.

Sec. 1207. Department of Defense participation in programs relating to multilateral exchange of air and surface transportation capacity.
Sec. 1208. One-year extension of authority to transfer defense articles and provide defense services to the military and security forces of Iraq and Afghanistan.

Sec. 1209. Authorization of appropriations for Afghanistan Security Forces Fund.

Sec. 1210. Temporary acquisition authority with respect to Northern Distribution Network for shipment of supplies to Afghanistan.

Sec. 1211. One-year extension of authority to use funds for reintegration activities in Afghanistan.

Sec. 1212. One-year authority to fund operations and activities of Office of Security Cooperation-Iraq.

Sec. 1213. Expansion of scope of humanitarian demining assistance program to include stockpiled conventional munitions.

Sec. 1214. Establishment of a Global Security Contingency Fund.

Sec. 1215. Authority for the Ministry of Defense Advisors Program.

Sec. 1216. Afghanistan Infrastructure Fund.

Sec. 1217. One-year extension of authority for Task Force for Business and Stability Operations in Afghanistan.

TITLE XIII—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1301. Working capital funds.


Sec. 1303. Joint Urgent Operational Needs Fund.

Sec. 1304. Chemical Agents and Munitions Destruction, Defense.

Sec. 1305. Drug Interdiction and Counter-Drug Activities, Defense-Wide.


Sec. 1307. Defense Health Program.

Subtitle B—Armed Forces Retirement Home

Sec. 1311. Authorization of appropriations for armed forces retirement home.

TITLE XIV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS FOR FISCAL YEAR 2012

Sec. 1401. Purpose.

Sec. 1402. Army procurement.

Sec. 1403. Joint Improvised Explosive Device Defeat Fund.

Sec. 1404. Navy and Marine Corps procurement.

Sec. 1405. Air Force procurement.

Sec. 1406. Joint Urgent Operational Needs Fund.

Sec. 1407. Mine Resistant Ambush Protected Vehicle Fund.

Sec. 1408. Defense-wide activities procurement.

Sec. 1409. Research, development, test, and evaluation.

Sec. 1410. Operation and maintenance.

Sec. 1411. Military personnel.

Sec. 1412. Working Capital Funds.

Sec. 1413. Defense Health Program.

Sec. 1414. Drug Interdiction and Counter-Drug Activities, Defense-Wide.


TITLE XV—ARMED FORCES RETIREMENT HOME
Sec. 1502. Annual validation of multiyear accreditation.
Sec. 1503. Clarification of responsibilities and duties of Senior Medical Advisor.
Sec. 1504. Replacement of local boards of trustees for each facility with single Advisory Council.
Sec. 1505. Administrators, ombudsmen, and staff of facilities.
Sec. 1506. Revision to inspection requirements.
Sec. 1507. Repeal of obsolete provisions.
Sec. 1508. Technical, conforming, and clerical amendments.

TITLE XVI—REDUCTION IN DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS

Subtitle A—Repeal of Existing Report Requirements
Sec. 1601. Repeal of reporting requirements under title 10, United States Code.
Sec. 1602. Repeal of reporting requirements under annual defense authorization Acts.
Sec. 1603. Repeal of reporting requirements under other laws.

Subtitle B—Modifications to Existing Report Requirements
Sec. 1611. Modification to reporting requirements under title 10, United States Code.
Sec. 1612. Modification to reporting requirements under annual defense authorization Acts.
Sec. 1613. Modification to reporting requirements under other laws.

Subtitle C—Other Report-related Provisions to Further Efficient Management of the Department of Defense
Sec. 1621. Biennial authority for Secretary of Defense to terminate Department of Defense reporting requirements determined by the Secretary to be unnecessary or incompatible with efficient management of the Department of Defense.
Sec. 1622. Improved management of congressional reporting requirements applicable to Department of Defense.

TITLE XVII—REDUCTION IN DEPARTMENT OF ENERGY-RELATED REPORTING REQUIREMENTS

Sec. 1701. Consolidated reporting requirements relating to nuclear stockpile stewardship.
Sec. 1702. Repeal of requirement for annual report on the security vulnerabilities of the computers of certain national laboratories of the Department of Energy.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2002. Expiration of authorizations and amounts required to be specified by law.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Improvements to military family housing units.
Sec. 2104. Authorization of appropriations, Army.
Sec. 2105. Modification of authority to carry out certain fiscal year 2009 project.
Sec. 2106. Modification of authority to carry out certain fiscal year 2011 projects.
Sec. 2107. Additional authority to carry out certain fiscal year 2012 project.
Sec. 2108. Extension of authorizations of certain fiscal year 2008 projects.
Sec. 2109. Extension of authorizations of certain fiscal year 2009 projects.
Sec. 2110. Technical amendments to correct certain project specifications.

TITLE XXII—NAVY MILITARY CONSTRUCTION

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Extension of authorization of certain fiscal year 2008 project.
Sec. 2206. Extension of authorizations of certain fiscal year 2009 projects.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2305. Modification of authorization to carry out certain fiscal year 2010 project.
Sec. 2306. Extension of authorization of certain fiscal year 2009 project.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Subtitle A—Defense Agency Authorizations

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Energy conservation projects.

Subtitle B—Chemical Demilitarization Authorizations

Sec. 2411. Authorization of appropriations, chemical demilitarization construction, defense-wide.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
Sec. 2606. Authorization of appropriations, National Guard and Reserve.
Sec. 2607. Extension of authorization of certain fiscal year 2008 project.
Sec. 2608. Extension of authorizations of certain fiscal year 2009 projects.

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.
Sec. 2702. Authorized base realignment and closure activities funded through Department of Defense Base Closure Account 2005.
Sec. 2703. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 2005.
Sec. 2704. Authority to extend deadline for completion of limited number of base closure and realignment recommendations.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS
Sec. 2801. Clarification of authority to use the Pentagon Reservation Maintenance Revolving Fund for minor construction and alteration activities at the Pentagon Reservation.
Sec. 2802. Increase in dollar threshold for certain authorities relating to unspecified minor construction projects.
Sec. 2803. Enhanced authority for use of operation and maintenance funds for unspecified minor military construction projects in support of Operation Enduring Freedom.
Sec. 2804. Extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS
TITLE I—PROCUREMENT
Subtitle A—Authorization of Appropriations
SEC. 101. ARMY.
Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement for the Army as follows:
(1) For aircraft, $7,061,381,000.
(2) For missiles, $1,478,718,000.
For weapons and tracked combat vehicles, $1,933,512,000.

(4) For ammunition, $1,992,625,000.

(5) For other procurement, $9,682,592,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement for the Navy as follows:

(1) For aircraft, $18,587,033,000.

(2) For weapons, including missiles and torpedoes, $3,408,478,000.

(3) For shipbuilding and conversion, $14,928,921,000.

(4) For other procurement, $6,285,451,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement for the Marine Corps in the amount of $1,391,602,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement of ammunition for the Navy and Marine Corps in the amount of $719,952,000.

SEC. 103. AIR FORCE.

(a) FISCAL YEAR 2012.—Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement for the Air Force as follows:
(1) For aircraft, $14,082,527,000.

(2) For ammunition, $539,065,000.

(3) For missiles, $6,074,017,000.

(4) For other procurement, $17,602,036,000.

(b) Advance Appropriations.—In addition to the funds authorized to be appropriated for fiscal year 2012 in subsection (a)(3) that are for procurement of Advanced Extremely High Frequency communications satellites and for certain classified programs, funds, in the form of advance appropriations, are hereby authorized to be appropriated for procurement of missiles for the Air Force in the amount of $3,212,495,000 for full funding of procurement of Advanced Extremely High Frequency communications satellites five and six and for certain classified programs, as follows:

(1) For fiscal year 2013, $803,417,000.

(2) For fiscal year 2014, $699,611,000.

(3) For fiscal year 2015, $634,567,000.

(4) For fiscal year 2016, $358,200,000.

(5) For fiscal year 2017, $716,700,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2012 for Defense-wide procurement in the amount of $5,365,248,000.
SEC. 105. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the Joint Improvised Explosive Device Defeat Fund in the amount of $220,634,000.

SEC. 106. DEFENSE PRODUCTION ACT PURCHASES.

Funds are hereby authorized to be appropriated for fiscal year 2012 for purchases under the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.) in the amount of $19,964,000.

Subtitle B—Army Programs

SEC. 111. MULTI-YEAR PROCUREMENT AUTHORITY FOR AIRFRAMES FOR ARMY UH–60M/HH–60M HELICOPTERS AND NAVY MH–60R/MH–60S 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 2012 program year, for the procurement of airframes for UH–60M/HH–60M helicopters and, acting as the executive agent for the Department of the Navy, for the procurement of airframes for MH–60R/S 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 2012 is subject to the availability of appropriations for that purpose for such later fiscal year.

Subtitle C—Navy Programs

SEC. 121. MULTIYEAR PROCUREMENT AUTHORITY FOR MISSION AVIONICS AND COMMON COCKPITS FOR NAVY MH–60R/S HELICOPTERS.

(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 2012 program year, for the procurement of mission avionics and common cockpits for MH–60R/S 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 2012 is subject to the availability of appropriations for that purpose for such later fiscal year.
Subtitle D—Air Force Programs

SEC. 131. PROCUREMENT OF LIGHT ATTACK ARMED RECONNAISSANCE AIRCRAFT FOR TRAINING FOREIGN MILITARIES AND FOREIGN SECURITY FORCES.

The Secretary of the Air Force may acquire Light Attack Armed Reconnaissance (LAAR) aircraft for Air Force inventory to be used in connection with training foreign military and other security forces.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $9,683,980,000.

(2) For the Navy, $17,956,431,000.

(3) For the Air Force, $27,737,701,000.

(4) For Defense-wide activities, $19,755,678,000.

(5) For the Director of Operational Test and Evaluation, $191,292,000.
SEC. 202. REPEAL OF REQUIREMENT FOR TECHNOLOGY TRANSITION INITIATIVE.

(a) REPEAL.—Section 2359a of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by striking the item relating to section 2359a.

SEC. 203. REQUIREMENT FOR CONTRACTOR COST-SHARING IN PILOT PROGRAM TO INCLUDE TECHNOLOGY PROTECTION FEATURES DURING RESEARCH AND DEVELOPMENT OF CERTAIN DEFENSE SYSTEMS.


(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

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

“(b) COST-SHARING.—Any contract for the design or development of a system resulting from activities specified under subsection (a) for the purpose of enhancing or enabling the exportability of the system either (1) for the development of program protection strategies for the system, or (2) for the design and incorporation of exportability features into the system shall include a cost-sharing provi-
TION that requires the contractor to bear at least one half
of the cost of such activities.”.

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 2012 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, in amounts as follows:

(1) For the Army, $34,735,216,000.
(2) For the Navy, $39,364,688,000.
(3) For the Marine Corps, $5,960,437,000.
(4) For the Air Force, $36,195,133,000.
(5) For Defense-wide activities, $30,940,409,000.
(6) For the Army Reserve, $3,109,176,000.
(7) For the Navy Reserve, $1,323,134,000.
(8) For the Marine Corps Reserve, $271,443,000.
(9) For the Air Force Reserve, $3,274,359,000.
(10) For the Army National Guard, $7,041,432,000.
(11) For the Air National Guard, 
$6,136,280,000.

(12) For the United States Court of Appeals for the Armed Forces, $13,861,000.

(13) For the Department of Defense Acquisition Workforce Development Fund, $734,100,000.

(14) For Environmental Restoration, Army, $346,031,000.

(15) For Environmental Restoration, Navy, $308,668,000.

(16) For Environmental Restoration, Air Force, $525,453,000.

(17) For Environmental Restoration, Defens-wide, $10,716,000.

(18) For Environmental Restoration, Formerly Used Defense Sites, $276,495,000.

(19) For Overseas Humanitarian, Disaster, and Civic Aid programs, $107,662,000.

(20) For Cooperative Threat Reduction pro-
gams, $508,219,000.

(21) For the Overseas Contingency Operations Transfer Fund, $5,000,000.
Subtitle B—Environmental Provisions

SEC. 311. PAYMENT TO EPA OF STIPULATED PENALTIES IN CONNECTION WITH JACKSON PARK HOUSING COMPLEX, WASHINGTON.

(a) Authority To Transfer Funds.—

(1) Transfer Amount.—Using funds described in subsection (b), the Secretary of the Navy may, notwithstanding section 2215 of title 10, United States Code, transfer not more than $45,000.00 to the Hazardous Substance Superfund Jackson Park Housing Complex, Washington special account.

(2) Purpose of Transfer.—The payment under paragraph (1) is to pay a stipulated penalty assessed by the Environmental Protection Agency on October 7, 2009, against the Jackson Park Housing Complex, Washington for the failure by the Navy to submit a draft Final Remedial Investigation/Feasibility Study for the Jackson Park Housing Complex Operable Unit (OU–3T–JPHC) in accordance with the requirements of the Interagency Agreement (Administrative Docket No. CERCLA–10–2005–0023).

(b) Source of Funds.—Any payment under subsection (a) shall be made using funds authorized to be ap-
propriated by section 301(14) for operation and maintenance for Environmental Restoration, Navy.

(c) Use of Funds.—The amount transferred under subsection (a) shall be used by the Environmental Protection Agency to pay the penalty described under paragraph (2) of such subsection.

Subtitle C—Other Matters

SEC. 321. AUTHORITY TO ESTABLISH READINESS RESERVE SUBACCOUNT IN THE TRANSPORTATION WORKING-CAPITAL FUND.

Section 2208(p) of title 10, United States Code, is amended—

(1) inserting “(1)” before “The Secretary of Defense”; and

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

“(2)(A) The Secretary of Defense may establish within the working-capital fund administered by the commander of the United States Transportation Command a subaccount to be known as the readiness reserve subaccount. The Secretary may transfer to, and retain in, that subaccount excess funds received during high-tempo operations in order to fund, to the extent possible, mission-critical catastrophic loss replacement or major repair of transportation assets used to produce revenue for the
working-capital fund. The maximum amount that may be maintained in the subaccount is $50,000,000.

“(B) The Secretary may use funds in the subaccount—

“(i) to repair or replace those assets that the commander of the United States Transportation Command requires to directly fulfill the mission of that command; and

“(ii) to purchase improvements to distribution infrastructure, excluding military construction, if economically favorable, in amounts not to exceed $10,000,000 per unit.

“(C) The subaccount shall be managed so that funds in the subaccount are used to supplement, and not replace, obligations of the military departments for provision of transportation assets.

“(D) The Secretary shall provide that, in any case in which funds in the subaccount are used to purchase or pay for a replacement or repair for which funds would otherwise be provided from funds available for one of the armed forces, the otherwise applicable funding source shall reimburse the subaccount.

“(E) With the exception of distribution infrastructure, the subaccount may be used only for a repair, replacement, or procurement that is authorized to be carried
out by the military department or fund providing the reim-
bursement for the repair, replacement, or procurement.

“(F) The Secretary may use funds in the subaccount
for a repair, replacement, or procurement only when a
delay in obtaining funds from the military department or
fund that would otherwise provide funds for the repair,
replacement, or procurement would impair the ability of
the commander of the United States Transportation Com-
mand to continue mission-critical responsibilities.

“(G) The Secretary may use funds in the subaccount
to make a purchase in an amount in excess of $10,000,000
only after the Secretary has submitted to the congres-
sional defense committees, not less than 30 days before
obligation of funds for the purchase, a written notification
of the proposed purchase.”.

SEC. 322. CLARIFICATION OF THE AIRLIFT SERVICE DEFI-
NITIONS RELATIVE TO THE CIVIL RESERVE
AIR FLEET.

(a) CLARIFICATION.—Section 41106 of title 49,
United States Code, is amended—

(1) by striking “transport category aircraft” in
subsections (a)(1), (b), and (c) and inserting
“CRAF-eligible aircraft”; and
(2) in subsection (c), by striking “that has aircraft in the civil reserve air fleet” and inserting “referred to in subsection (a)”.

(b) CRAF-ELIGIBLE AIRCRAFT DEFINED.—Such section is further amended by adding at the end the following new subsection:

“(e) CRAF-ELIGIBLE AIRCRAFT DEFINED.—In this section, ‘CRAF-eligible aircraft’ means aircraft of a type the Secretary of Defense has determined to be eligible to participate in the civil reserve air fleet.”.

SEC. 323. EXPANSION OF USE OF UNIFORM FUNDING AUTHORITY TO PERMANENT CHANGE OF STATION AND TEMPORARY DUTY LODGING PROGRAMS OPERATED THROUGH NON-APPROPRIATED FUND INSTRUMENTALITIES.

Section 2491 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting “and permanent change of station and temporary duty lodging programs” after “morale, welfare, and recreation programs” both places it appears;

(2) in subsection (b), by inserting “or a permanent change of station and temporary duty lodging program” after “morale, welfare, and recreation program”; and
(3) in subsection (c)(1), by inserting “and permanent change of station and temporary duty lodging programs” after “morale, welfare, and recreation programs”.

**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, 2012, as follows:

1. The Army, 562,000.
2. The Navy, 325,700.
3. The Marine Corps, 202,100.
4. The Air Force, 332,800.

**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, 2012, as follows:

1. The Army National Guard of the United States, 358,200.
2. The Army Reserve, 205,000.
4. The Marine Corps Reserve, 39,600.


(7) The Coast Guard Reserve, 10,000.

(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 for 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, 2012, 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, 16,261.
(3) The Navy Reserve, 10,337.
(4) The Marine Corps Reserve, 2,261.
(5) The Air National Guard of the United States, 14,833.

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 2012 for the reserve components of the Army and the Air Force (notwith-
standing section 129 of title 10, United States Code) shall be the following:

(1) For the Army Reserve, 8,395.

(2) For the Army National Guard of the United States, 27,210.

(3) For the Air Force Reserve, 10,777.

(4) For the Air National Guard of the United States, 22,509.

SEC. 414. FISCAL YEAR 2012 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, 2012, 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, 2012, 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, 2012, 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 2012, 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.—There is hereby authorized to be appropriated for military personnel for fiscal year 2012 a total of $132,096,541,000.

(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 2012.

TITLE V—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Officer Personnel Policy

SEC. 501. MODIFICATION OF ELIGIBILITY FOR CONSIDERATION FOR PROMOTION FOR CERTAIN RESERVE OFFICERS OF THE ARMY EMPLOYED AS ARMY RESERVE MILITARY TECHNICIANS.

Section 14301 of title 10, United States Code, is amended by inserting after paragraph (h), the following new paragraph:

“(i) Certain Reserve Officers.—A reserve officer who is employed as military technician (dual status) under section 10216 of this title, and who has been retained beyond mandatory removal date for years of service
under the provisions of either section 10216(f) or 14702(a)(2) of this title, is not eligible for consideration for promotion by a mandatory promotion board convened under section 14101(a) of this title.”.

SEC. 502. STANDARDIZATION OF GRADE FOR CERTAIN MEDICAL AND DENTAL BRANCH CHIEF POSITIONS.

(a) ARMY.—

(1) CHIEF OF NURSE CORPS.—Section 3069(b) of title 10, United States Code, is amended by striking “major general” in the second sentence and inserting “brigadier general”.

(2) DEPUTY AND ASSISTANT CHIEFS OF BRANCHES.—Section 3039(b) of such title is amended by striking “major general” in the last sentence and inserting “brigadier general”.

(b) NAVY.—

(1) CHIEF OF DENTAL CORPS.—Section 5138(a) of such title is amended by striking “not below” and inserting “in”.

(2) DIRECTOR OF NURSE CORPS.—Section 5150(e) of such title is amended—

(A) in the first sentence, by striking “rear admiral” the first place it appears and all that
follows through “Service Corps” and inserting
“rear admiral (lower half)”; and
(B) by striking the last sentence.
(3) CONFORMING AMENDMENT.—Section
526(a)(2) of such title is amended by striking “160”
and inserting “161”.
(c) AIR FORCE.—
(1) CHIEF OF NURSE CORPS.—Section 8069(b)
of such title is amended by striking “major general”
in the second sentence and inserting “brigadier gen-
eral”.
(2) ASSISTANT SURGEON GENERAL FOR DENT-
al services.—Section 8081 of such title is
amended by striking “major general” in the second
sentence and inserting “brigadier general”.
SEC. 503. FORCE MANAGEMENT ENHANCEMENTS.
(a) REINSTATEMENT OF AUTHORITY FOR EN-
hanced Selective Early Retirement Boards and
Early Discharges.—Section 638a of title 10, United
States Code, is amended—
(1) in subsection (a)—
(A) by striking “, during the period begin-
ing on October 1, 1990,” and all that follows
through “December 31, 2012,”; and
(B) by inserting at the end the following new sentence: “Any such authority provided the Secretary of a military department under the preceding sentence shall expire as specified by the Secretary of Defense, but not later than December 31, 2018.”; and

(2) in subsection (d)(2), by striking “except that during the period beginning on October 1, 2006, and ending on December 31, 2012,” in subparagraphs (A) and (B) and inserting “except that through December 31, 2018.”.

(b) EXTENSION OF VOLUNTARY SEPARATION PAY.—Section 1175a(k)(1) of title 10, United States Code, is amended by striking “December 31, 2012” and inserting “December 31, 2018”.

(c) VOLUNTARY RETIREMENT INCENTIVE.—

(1) IN GENERAL.—Chapter 36 of title 10, United States Code, is amended by inserting after section 638a the following new section:

§ 638b. Voluntary retirement incentive

“(a) INCENTIVE FOR VOLUNTARY RETIREMENT FOR CERTAIN OFFICERS.—The Secretary of Defense may authorize the Secretary of a military department to provide a voluntary retirement incentive payment in accordance with this section to an officer of the armed forces under
that Secretary’s jurisdiction who is specified in subsection (b) as being eligible for such a payment. Any such authority provided the Secretary of a military department under the preceding sentence shall expire as specified by the Secretary of Defense, but not later than December 31, 2018.

“(b) ELIGIBLE OFFICERS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), an officer of the armed forces is eligible for a voluntary retirement incentive payment under this section if the officer—

“(A) has served on active duty for more than 20 years but no more than 29 years on the approved date of retirement;

“(B) meets the minimum length of commissioned service requirement for voluntary retirement as a commissioned officer in accordance with section 3911, 6323, or 8911 of this title 10, as applicable to that officer;

“(C) on the approved date of retirement has 12 months or more remaining on active-duty service before reaching the maximum retirement years of active service for the member’s grade as specified in section 633 or 634 of this title;
“(D) on the approved date of retirement has 12 months or more remaining on active-duty service before reaching the maximum retirement age under any other provision of law; and

“(E) meets any additional requirements for such eligibility as is specified by the Secretary concerned, including any requirement relating to years of service, skill rating, military specialty or competitive category, grade, any remaining period of obligated service, or any combination thereof.

“(2) OFFICERS NOT ELIGIBLE.—The following officers are not eligible for a voluntary retirement incentive payment under this section:

“(A) An officer being evaluated for disability under chapter 61 of this title.

“(B) An officer projected to be retired under section 1201 or 1204 of this title.

“(C) An officer projected to be discharged with disability severance pay under section 1212 of this title.

“(D) A member transferred to the temporary disability retired list under section 1202 or 1205 of this title.
“(E) An officer subject to pending disciplinary action or subject to administrative separation or mandatory discharge under any other provision of law or regulation.

“(c) Amount of Voluntary Retirement Incentive Payment.—A voluntary retirement incentive payment paid to an officer under this section may be paid in a lump sum at the time of retirement and may be in an amount determined by the Secretary concerned not to exceed 12 times the amount of the officer’s monthly basic pay at the time of the officer’s retirement.

“(d) Repayment for Members Who Return to Active Duty.—

“(1) Except as provided in paragraph (2) a member of the armed forces who, after having received all or part of voluntary retirement incentive under this section, returns to active duty shall have deducted from each payment of basic pay, in such schedule of monthly installments as the Secretary concerned shall specify, until the total amount deducted from such basic pay equals the total amount of voluntary retirement incentive received.

“(2) Members who are involuntarily recalled to active duty or full-time National Guard duty under
any provision of law shall not be subject to this sub-
section.

“(3) The Secretary of Defense may waive, in
whole or in part, repayment required under para-
graph (1) if the Secretary determines that recovery
would be against equity and good conscience or
would be contrary to the best interest of the United
States. The authority in this paragraph may be dele-
gated only to the Undersecretary of Defense for Per-
sonnel and Readiness and the Principal Deputy Un-
dersecretary of Defense for Personnel and Read-
iness.”.

(2) Clerical Amendment.—The table of sec-
tions at the beginning of subchapter IV of such
chapter is amended by inserting after the item relat-
ing to section 638a the following new item:

“638b. Voluntary retirement incentive.”:

(d) Authority To Reduce Years of Service for
Mandatory Retirement for Certain Officers in
Pay Grades O–5 and O–6.—

(1) Lieutenant Colonels and Navy Com-
manders.—Section 633 of title 10, United States
Code, is amended by adding at the end the following
new subsection:

“(c) Authority for Earlier Mandatory Retire-
ment.—Under regulations prescribed by the Secretary of
Defense, during the period beginning on January 1, 2013, and ending on December 31, 2018, the Secretary concerned may reduce the amount of service specified in subsection (a) from 28 years to a period (determined by the Secretary concerned) of not less than 25 years of active commissioned service. Any such reduction under this subsection may not become effective before the first day of the twelfth calendar month beginning after the month in which the Secretary concerned approves and announces the reduction.”.

(2) Colonels and navy captains.—Section 634 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) Authority for Earlier Mandatory Retirement.—Under regulations prescribed by the Secretary of Defense, during the period beginning on January 1, 2013, and ending on December 31, 2018, the Secretary concerned may reduce the amount of service specified in subsection (a) from 30 years to a period (determined by the Secretary concerned) of not less than 27 years of active commissioned service. Any such reduction under this subsection may not become effective before the first day of the twelfth calendar month beginning after the month in which the Secretary concerned approves and announces the reduction.”.
Subtitle B—Reserve Component Management

SEC. 511. MODIFICATION OF TIME IN WHICH PRESEPARATION COUNSELING MUST BE PROVIDED FOR RESERVE COMPONENT MEMBERS BEING DEMOBILIZED.

Section 1142(a)(3)(B) of title 10, United States Code, is amended by inserting “or in the case of a member of a reserve component who is being demobilized under circumstances in which (as determined by the Secretary concerned) operational requirements make the 90-day requirement under subparagraph (A) unfeasible,” after “or separation date,”.

SEC. 512. CLARIFICATION OF APPLICABILITY OF AUTHORITY FOR DEFERRAL OF MANDATORY SEPARATION OF MILITARY TECHNICIANS (DUAL STATUS) UNTIL AGE 60.

Section 10216(f) of title 10, United States Code, is amended—

(1) by inserting “AUTHORITY FOR” before “DE-
FERRAL OF MANDATORY SEPARATION”;

(2) by striking “shall implement” and inserting “may each implement”;

(3) by inserting “, at the discretion of the Sec-
retary concerned,” after “so as to allow”; and
(4) by inserting “(in the case of such a military technician (dual status) who is an officer)” after “for officers”.

SEC. 513. EXPANSION OF AUTHORITY TO ORDER SELECTED RESERVE AND CERTAIN INDIVIDUAL READY RESERVE MEMBERS TO ACTIVE DUTY OTHER THAN DURING WAR OR NATIONAL EMERGENCY.

(a) Expansion of Authority.—Subsection (a) of section 12304 of title 10, United States Code, is amended—

(1) by striking “for any operational mission”; and

(2) by inserting “consecutive” after “365”.

(b) Budgeting.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

“(4)(A) Except as provided in subparagraph (B), a unit or member of a reserve component may be ordered to active duty under this section during a fiscal year only if the manpower and associated costs of such active duty were specifically included and identified in the defense budget materials for that fiscal year. The budget information must include a description of the mission for which these Reserve members will be ordered to active duty, the
size of the force ordered to active duty, the length of time the involuntary order will last, and the location of the mission. No more than 10,000 members of the Selected Reserves of the Military Services may be on active duty through this paragraph at any one time.

“(B) The limitation in subparagraph (A) does not apply in the case of an order to active duty that is issued—

“(i) to support an operational mission; or

“(ii) to provide assistance referred to in subsection (b).

“(C) In this paragraph, the term ‘defense budget materials’ has the meaning given that term in section 231(d)(2) of this title.”.

(c) Notification to Congress.—Subsection (f) of such section is amended by inserting “to support an operational mission or to provide assistance referred to in subsection (b),” after “subsection (a)”.

SEC. 514. TRANSFORMATION OF THE MILITARY TECHNICIAN PROGRAM.

(a) Reserve Component Technician Program.—Chapter 1007 of title 10, United States Code, is amended by adding after section 10215 the following new section:
§ 10215a. Reserve Component Technician Program

“Within each of the Army Reserve, the Air Force Reserve, and the National Guard, there is a Reserve Component Technician Program. Each Reserve Component Technician Program shall consist of military technicians (dual status) (as defined in section 10216 of this title) and non-dual status technicians and technicians (as defined in section 10217 of this title). The Secretary of the Army and the Secretary of the Air Force shall implement policies to manage the Program within their respective departments.”.

(b) Military Technicians (Dual Status).—Section 10216 of such title is amended—

(1) by striking subsections (b) and (c) and inserting the following:

“(b) Priority Management of the Reserve Component Technician Program.—(1) As a basis for making the annual request to Congress pursuant to section 115(d) of this title for authorization of end strengths for the Reserve Component Technician Program of the Army and Air Force reserve components, the Secretary of Defense shall give priority to supporting authorizations for the Reserve Component Technician Program in the following priority units and organizations:

“(A) Units of the Selected Reserve whose primary mission is to participate in combat and
the integral supporting elements thereof except for those units and organizations reported in subparagraph (C).

“(B) Units of the Selected Reserve that are not intended to deploy or rotate through a deployment cycle but can be made available to deploy as needed.

“(C) Those organizations with the primary mission of providing direct support surface and aviation maintenance for the reserve components of the Army and Air Force, to the extent that the military technicians (dual status) in such units would mobilize and deploy in a skill that is compatible with their civilian position skill.

“(2) For each fiscal year, the Secretary of Defense shall, for the high-priority units and organizations referred to in paragraph (1), seek to achieve a programmed manning level in the Reserve Component Technician Program that is not less than 90 percent of the programmed manpower structure for those units and organizations authorized Reserve Component Technician Program for that fiscal year.

“(3) Military technician (dual status) authorizations and personnel shall be exempt from any requirement for
reductions in Department of Defense civilian personnel and shall only be reduced as part of military force structure reductions.

“(c) INFORMATION REQUIRED TO BE SUBMITTED WITH ANNUAL END STRENGTH AUTHORIZATION REQUEST.—(1) The Secretary of Defense shall include as part of the budget justification documents submitted to Congress with the budget of the Department of Defense for any fiscal year the following information with respect to the end strengths for military technicians (dual status) requested in that budget pursuant to section 115(c) of this title, shown separately for each of the Army and Air Force reserve components:

“(A) The number of Reserve Component Technician Program personnel authorized in the priority units and organizations specified in subsection (b)(1).

“(B) The number of Reserve Component Technician Program personnel assigned in the priority units and organizations specified in subsection (b)(1).

“(C) The number of Reserve Component Technician Program personnel authorized in other than priority units and organizations specified in subsection (b)(1).
“(D) The number of Reserve Component Technician Program personnel assigned in other than priority units and organizations specified in subsection (b)(1).

“(2)(A) If the budget submitted to Congress for any fiscal year requests authorization for that fiscal year under section 115(c) of this title of a military technician (dual status) end strength for a reserve component of the Army or Air Force in a number that constitutes a reduction from the end strength minimum established by law for that reserve component for the fiscal year during which the budget is submitted, the Secretary of Defense shall submit to the congressional defense committees with that budget a justification providing the basis for that requested reduction in technician end strength.

“(B) Any justification submitted under subparagraph (A) shall clearly delineate the specific force structure reductions forming the basis for such requested technician reduction (and the numbers related to those reductions).”;

(2) in subsection (d)—

(A) by striking “(1)”;

(B) by striking “maintain membership in—” and all that follows and inserting “maintain membership in the Selected Reserve.”;
(3) in subsection (e)(1), by striking “who is no longer a member of the Selected Reserve” and inserting “who serves in a position designated by the Secretary concerned to be filled only by a military technician (dual status) and who is no longer a member of the Selected Reserve”; and

(4) in subsection (e)(2), by striking “military standards” and inserting “military retention standards”.

(c) Non-Dual Status Technicians.—Section 10217 of such title is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “military technician” and inserting “Reserve Component Technician Program”;

(B) in paragraph (1), by striking “a technician” and inserting “an employee of the Department of Defense”;

(C) by striking “or” at the end of paragraph (2);

(D) by striking the period at the end of paragraph (3) and inserting “; or”; and

(E) by adding at the end the following new paragraph:
“(4) is an employee of the Army Reserve’s Reserve Component Technician Program, serving in a position designated by the Secretary to be filled only by a non-dual status technician who—

“(A) was hired without a requirement to maintain membership in the Selected Reserve;

“(B) has ceased to be a member of the Selected Reserve; or

“(C) has been assigned to a non-dual status technician position from one designated by the Secretary concerned to be filled only by a military technician (dual status).”;

(2) in subsection (c)—

(A) by striking “PERMANENT”;

(B) in paragraph (1)—

(i) by striking “(1)” and all that follows through “may not exceed 90.” and inserting “(1)(A) The total number of non-dual status technicians employed—

“(i) by the Army Reserve during a fiscal year may not exceed 60 percent of the total end strength authorizations appropriated for the Reserve Component Technician Program for that fiscal year; and

“(ii) by the Air Force Reserve during a fiscal year may not exceed 10 percent of the total end
strength authorizations appropriated for the Reserve Component Technician Program for that fiscal year.”; and

(ii) by designating the sentence beginning “If at any time” as subparagraph (B) and in that subparagraph by striking “in the preceding sentence” and inserting “in subparagraph (A)”;

(C) in paragraph (2), by striking “1,950” and inserting “15 percent of the total end strength authorization for the Reserve Component Technician Program for that fiscal year”;

and

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

“(e) SEPARATE CATEGORY OF EMPLOYEES.—Non-dual status technicians shall be authorized and accounted for as a separate category of civilian employees.

“(f) REDUCTION IN FORCE.—Non-dual status technician authorizations and personnel shall be exempt from any requirement for reductions in Department of Defense civilian personnel and shall only be removed as part of military force reductions.

“(g) TECHNICIANS.—(1) For the purpose of this section and any other provision in law, a technician is a civil-
ian employee of the Department of Defense, hired after
February 10, 1996, who is no longer a member of the Se-
lected Reserve, who is serving in a Reserve Component
Technician Program position, designated by the Secretary
concerned for fill only by a military technician (dual sta-
tus).

“(2) Subject to section 10216(e) of this title, a tech-
nician may be retained in the Reserve Component Techni-
cian Program for up to 12 months following the individ-
ual’s loss of membership in the Selected Reserve.”.

(d) CONDITIONS FOR RETENTION AND MANDATORY
RETIREMENT.—Section 10218 is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), by striking
clause (ii) and inserting the following:

“(ii) apply for a Reserve Component Technician
Program or other civil service position that is not
designated by the Secretary concerned as one to be
filled only by a military technician (dual status).”;

(B) In subparagraph (B), by striking “the
technician—” and all that follows and inserting
“the individual shall be separated not later than
30 days after becoming eligible for an unre-
duced annuity and becoming 60 years of age.”;

and

(2) in subsection (b), by striking paragraph (3).

(e) Clerical Amendment.—The table of sections at the beginning of chapter 1007 of such title is amended by inserting after the item relating to section 10215 the following new item:

“10215a. Reserve Component Technician Program.”.

Subtitle C—Education and Training

SEC. 521. NATIONAL DEFENSE UNIVERSITY OUTPLACE-
MENT WAIVER.

(a) Waiver Authority for Officers Not Designated as Joint Qualified Officers.—Subsection (b) of section 663 of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting after “to a joint duty assignment” the following: “(or, as authorized by the Secretary in an individual case, to a joint assignment other than a joint duty assignment)”; and

(2) in paragraph (2)—

(A) by striking “the joint duty assignment” and inserting “the assignment”; and

(B) by striking “a joint duty assignment” and inserting “such an assignment”.

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(b) Exception.—Such section is further amended by adding at the end the following new subsection:

“(d) Exception for Officers Graduating From Other-Than-in-Residence Programs.—

“(1) Joint Qualified Officers.—Subsection (a) does not apply to an officer graduating from a school within the National Defense University specified in subsection (c) following pursuit of a program on an other-than-in-residence basis.

“(2) Other Officers.—Subsection (b) does not apply with respect to any group of officers graduating from a school within the National Defense University specified in subsection (c) following pursuit of a program on an other-than-in-residence basis.”.

SEC. 522. REVISION TO DEFINITION OF JOINT DUTY ASSIGNMENT TO INCLUDE ALL INSTRUCTOR ASSIGNMENTS FOR JOINT TRAINING AND EDUCATION.

Section 668(b)(2) 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”.

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SEC. 523. AUTHORITY TO ENROLL CERTAIN SERIOUSLY WOUNDED, ILL, OR INJURED FORMER OR RETIRED ENLISTED SERVICEMEMBERS IN ASSOCIATE DEGREE PROGRAMS OF THE COMMUNITY COLLEGE OF THE AIR FORCE IN ORDER TO COMPLETE DEGREE PROGRAM.

(a) ELIGIBILITY.—Section 9315 of title 10, United States Code, is amended—

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

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

"(c) SERIOUSLY WOUNDED, ILL, OR INJURED FORMER AND RETIRED MEMBERS.—(1) The Secretary of the Air Force may authorize participation in a program of higher education under subsection (a)(1) by a person who is a former or retired enlisted member of the armed forces who at the time of the person’s separation from active duty—

“(A) had commenced but had not completed a program of higher education under subsection (a)(1); and

“(B) is categorized by the Secretary concerned as seriously wounded, ill, or injured.

“(2) A person may not be authorized under paragraph (1) to participate in a program of higher education
after the end of the 10-year period beginning on the date of the person’s separation from active duty.’’.

(b) **CONFORMING AMENDMENTS.**—Subsection (d) of such section, as redesignated by subsection (a)(1), is amended by striking “enlisted member” both places it appears and inserting “person”.

(e) **EFFECTIVE DATE.**—Subsection (c) of section 9315 of title 10, United States Code, as added by subsection (a)(2), shall apply to persons covered by paragraph (1) of such subsection who are categorized by the Secretary concerned as seriously wounded, ill, or injured after September 11, 2001. With respect to any such person who is separated from active duty during the period beginning on September 12, 2001, and ending on the date of the enactment of this Act, the 10-year period specified in paragraph (2) of such subsection shall be deemed to commence on the date of the enactment of this Act.

**SEC. 524. CONSOLIDATION OF MILITARY DEPARTMENT AUTHORITY TO ISSUE ARMS, TENTAGE, AND EQUIPMENT TO EDUCATIONAL INSTITUTIONS NOT MAINTAINING UNITS OF JUNIOR ROTC.**

(a) **CONSOLIDATION.**—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 ROTC

“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 training prescribed by that Secretary; and

“(2) has a student body of at least 100 physically fit students over 14 years of age.”.

(b) CONFORMING REPEALS.—Sections 4651, 7911, and 9651 of such title are repealed.

(e) 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 ROTC.”.

(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. 525. EXPANSION OF AUTHORITY RELATING TO PHASE II OF THREE-PHASE APPROACH TO JOINT PROFESSIONAL MILITARY EDUCATION.

(a) AUTHORITY FOR OTHER-THAN-IN-RESIDENCE PROGRAM TAUGHT THROUGH JOINT FORCES STAFF COLLEGE.—Section 2154(a)(2) of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “in residence at”;

(2) in subparagraph (A), by inserting “by” after “(A)”;

(3) in subparagraph (B), by inserting “in residence at” after “(B)”.

(b) CONFORMING AMENDMENT.—Section 2156(b) of such title is amended by inserting “in residence” after “course of instruction offered”.

Subtitle D—Military Justice and Legal Matters

SEC. 531. PROCEDURES FOR JUDICIAL REVIEW OF CERTAIN MILITARY PERSONNEL DECISIONS.

(a) PROHIBITED PERSONNEL ACTIONS.—Section 1034 of title 10, United States Code, is amended—
(1) by adding at the end of subsection (f) the following new paragraph:

“(7) In any case in which the final decision of the Secretary concerned results in denial, in whole or in part, of any requested correction of the member or former member’s record, the member or former member shall be provided a concise written statement of the factual and legal basis for the decision, together with a statement of the procedure and time for obtaining review of the decision pursuant to section 1560 of this title.”;

(2) in subsection (g)—

(A) by inserting “(1)” before “Upon the completion of all”; and

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

“(2) A submittal to the Secretary of Defense under paragraph (1) must be made within 90 days of the receipt of the final decision of the Secretary of the military department concerned in the matter. In any case in which the final decision of the Secretary of Defense results in denial, in whole or in part, of any requested correction of the member or former member’s record, the member or former member shall be provided a concise written state-
ment of the basis for the decision, together with a statement of the procedure and time for obtaining review of the decision pursuant to section 1560 of this title.”;

(3) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(4) by inserting after subsection (g) the following new subsection (h):

“(h) JUDICIAL REVIEW.—A decision of the Secretary of Defense under subsection (g) or, in a case in which review by the Secretary of Defense under subsection (g) was not sought or in a case arising out of the Coast Guard when the Coast Guard is not operating as a service in the Navy, a decision of the Secretary of a military department or the Secretary of Homeland Security under subsection (f) shall be subject to judicial review only as provided in section 1560 of this title.”.

(b) CORRECTION OF MILITARY RECORDS.—Section 1552 of such title is amended by adding at the end the following new subsections:

“(h) In any case in which the final decision of the Secretary concerned results in denial, in whole or in part, of any requested correction, the claimant shall be provided a concise written statement of the factual and legal basis for the decision, together with a statement of the proce-
due and time for obtaining review of the decision pursuant to section 1560 of this title.

“(i) A decision by the Secretary concerned under this section shall be subject to judicial review only as provided in section 1560 of this title.”.

(c) JUDICIAL REVIEW.—

(1) Chapter 79 of such title is amended by adding at the end the following new section:

“§ 1560. Judicial review of decisions

“(a) After a final decision is issued pursuant to section 1552 of this title, or is issued by the Secretary of Homeland Security or the Secretary of Defense pursuant to subsections 1034(f) or 1034(g) of this title, any person aggrieved by such a decision may obtain judicial review.

“(b) In exercising its authority under this section, the reviewing court shall review the record and may hold unlawful and set aside any decision demonstrated by the petitioner in the record to be—

“(1) arbitrary or capricious;

“(2) not based on substantial evidence;

“(3) a result of material error of fact or material administrative error, but only if the petitioner identified to the correction board how the failure to follow such procedures substantially prejudiced the petitioner’s right to relief, and shows to the review-
ing court by a preponderance of the evidence that
the error was harmful; or

“(4) otherwise contrary to law.

“(c) Upon such review, the reviewing court shall af-
firm, modify, vacate, or reverse the decision, or remand
the matter, as appropriate.

“(d) Notwithstanding of subsections (a), (b), and (c),
the reviewing court does not have jurisdiction to entertain
any matter or issue raised in a petition of review that is
not justiciable.

“(e) No judicial review may be made under this sec-
tion unless the petitioner shall first have requested a cor-
rection under section 1552 of this title, and the Secretary
concerned shall have rendered a final decision denying
that correction in whole or in part. In a case in which
the final decision of the Secretary concerned is subject to
review by the Secretary of Defense under section 1034(g)
of this title, the petitioner is not required to seek such
review by the Secretary of Defense before obtaining judi-
cial review under this section. If the petitioner seeks re-
view by the Secretary of Defense under section 1034(g)
of this title, no judicial review may be made until the Sec-
retary of Defense shall have rendered a final decision de-
ning that request in whole or in part.
“(f) In the case of a final decision of the Secretary described in subsection (a) made on or after the date of the enactment of this section, a petition for judicial review under this section must be filed within one year after the date of that final decision.

“(g)(1) A decision by a board established under section 1552(a)(1) of this title declining to excuse the untimely filing of a request for correction of military records is not subject to judicial review under this section or otherwise subject to review in any court.

“(2) A decision by a board established under section 1552(a)(1) of this title declining to reconsider or reopen a previous denial or partial denial of a request for correction of military records is not subject to judicial review under this section or otherwise subject to review in any court.

“(3) Notwithstanding subsection (f), a decision by a board established under section 1552(a)(1) of this title that results in denial, in whole or in part, of any request for correction of military records that is received by the board more than six years after the date of discharge, retirement, release from active duty, or death while on active duty of the person whose military records are the subject of the correction request is not subject to judicial review
under this section or otherwise subject to review in any court.

“(h)(1) In the case of a cause of action arising after the date of the enactment of this section, no court shall have jurisdiction to entertain any request for correction of records cognizable under section 1034(f) and (g) or section 1552 of this title except as provided in this section.

“(2) In the case of a cause of action arising after the date of the enactment of this section, except as provided by chapter 153 of title 28 and chapter 79 of this title, no court shall have jurisdiction over any civil action or claim seeking, in whole or in part, to challenge any decision for which administrative review is available under section 1552 of this title.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“1560. Judicial review of decisions.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act. Such amendments apply to all final decisions of the Secretary of Defense under section 1034(g) of title 10, United States Code, and of the Secretary of a military department or the Secretary of Homeland Security under sections 1034(f) or 1552 of such title, whether rendered before or after the date of the enactment
of this Act. During the period between the date of the
enactment of this Act and the date on which the amend-
ments made by this section take effect, in any case in
which the final decision of the Secretary of Defense under
section 1034 of title 10, United States Code, or the Sec-
retary concerned under section 1552 of title 10, United
States Code, results in denial, in whole or in part, of any
requested correction of a member, former member, or
claimant’s record, the individual shall be informed in writ-
ing of the time for obtaining review of the decision pursu-
ant to section 1560 of such title as provided therein.

(e) IMPLEMENTATION.—The Secretaries concerned
(as defined in section 101(a)(9) of title 10, United States
Code) may prescribe appropriate regulations, and interim
guidance before prescribing such regulations, to imple-
ment the amendments made by this section. In the case
of the Secretary of a military department, such regulations
may not take effect until approved by the Secretary of De-
fense.

(f) CONSTRUCTION.—This section does not affect the
authority of any court to exercise jurisdiction over any
case which was properly before it before the effective date
specified in subsection (d).
SEC. 532. AUTHORITY TO COMPEL PRODUCTION OF DOCUMENTARY EVIDENCE PRIOR TO TRIAL IN MILITARY JUSTICE CASES.

(a) SUBPOENA DUces TECUM.—Section 847 of title 10, United States Code (article 47 of the Uniform Code of Military Justice), is amended—

(1) in subsection (a)(1), by striking “board;” and inserting “board or has been duly issued a subpoena duces tecum for an investigation, including an investigation pursuant to section 832(b) of this title (article 32(b)); and”; and

(2) in subsection (c), by striking “or board,” and inserting “board, trial counsel, or convening authority,”.

(b) REPEAL OF OBSOLETE PROVISIONS RELATING TO FEES AND MILEAGE PAYABLE TO WITNESSES.—Such section is further amended—

(1) in subsection (a)—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2); and

(2) by striking subsection (d).

(c) TECHNICAL AMENDMENTS.—Subsection (a) of such section is further amended by striking “subpoenaed” in paragraphs (1) and (2) (as redesignated by subsection (b)(1)(B)) and inserting “subpoenaed”.

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(d) Effective Date.—The amendments made by subsection (a) shall apply with respect to subpoenas issued after the date of the enactment of this Act.

SEC. 533. REFORM OF OFFENSES RELATING TO RAPE, SEXUAL ASSAULT, AND OTHER SEXUAL MISCONDUCT UNDER UNIFORM CODE OF MILITARY JUSTICE.

(a) Rape and Sexual Assault Generally.—Section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice), is amended as follows:

(1) Revised offense of rape.—Subsection (a) is amended to read as follows:

“(a) Rape.—Any person subject to this chapter who commits a sexual act upon another person by—

“(1) using unlawful force against that other person;

“(2) using force causing or likely to cause death or grievous bodily harm to any person;

“(3) threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping;

“(4) first rendering that other person unconscious; or
“(5) administering to that other person by force
or threat of force, or without the knowledge or con-
sent of that person, a drug, intoxicant, or other
similar substance and thereby substantially impair-
ing the ability of that other person to appraise or
control conduct;

is guilty of rape and shall be punished as a court-martial
may direct.”.

(2) **Repeal of provisions relating to of-
fenses replaced by new Article 120B.**—Sub-
sections (b), (d), (f), (g), (i), (j), and (o) are re-
pealed.

(3) **Revised offense of sexual assault.**—
Subsection (c) is redesignated as subsection (b) and
is amended to read as follows:

“(b) **Sexual assault.**—Any person subject to this
chapter who—

“(1) commits a sexual act upon another person
by—

“(A) threatening or placing that other per-
son in fear;

“(B) causing bodily harm to that other
person;
“(C) making a fraudulent representation that the sexual act serves a professional purpose; or

“(D) inducing a belief by any artifice, pretense, or concealment that the person is another person;

“(2) commits a sexual act upon another person when the person knows or reasonably should know that the other person is asleep, unconscious, or otherwise unaware that the sexual act is occurring; or

“(3) commits a sexual act upon another person when the other person is incapable of consenting to the sexual act due to—

“(A) impairment by any drug, intoxicant, or other similar substance, and that condition is known or reasonably should be known by the person; or

“(B) a mental disease or defect, or physical disability, and that condition is known or reasonably should be known by the person;

is guilty of sexual assault and shall be punished as a court-martial may direct.”.

(4) AGGRAVATED SEXUAL CONTACT.—Subsection (e) is redesignated as subsection (c) and is amended—
(A) by striking “engages in” and inserting “commits”; and
(B) by striking “with” and inserting “upon”.

(5) ABUSIVE SEXUAL CONTACT.—Subsection (h) is redesignated as subsection (d) and is amended—

(A) by striking “engages in” and inserting “commits”;
(B) by striking “with” and inserting “upon”; and
(C) by striking “subsection (c) (aggravated sexual assault)” and inserting “subsection (b) (sexual assault)”.

(6) REPEAL OF PROVISIONS RELATING TO OFFENSES REPLACED BY NEW ARTICLE 120c.—Subsections (k), (l), (m), and (n) are repealed.

(7) PROOF OF THREAT.—Subsection (p) is redesignated as subsection (e) and is amended—

(A) by striking “the accused made” and inserting “a person made”;
(B) by striking “the accused actually” and inserting “the person actually”; and
(C) by inserting before the period at the end the following: “or had the ability to carry out the threat”.

(8) DEFENSES.—Subsection (q) is redesignated as subsection (f) and is amended to read as follows: “(f) DEFENSES.—An accused may raise any applicable defenses available under this chapter or the Rules for Court-Martial. Marriage is not a defense for any conduct in issue in any prosecution under this section.”.

(9) PROVISIONS RELATING TO AFFIRMATIVE DEFENSES.—Subsections (r) and (s) are repealed.

(10) DEFINITIONS.—Subsection (t) is redesignated as subsection (g) and is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting “or anus or mouth” after “vulva”; and

(ii) in subparagraph (B)—

(I) by striking “genital opening” and inserting “vulva or anus or mouth,”; and

(II) by striking “a hand or finger” and inserting “any part of the body”; and

(B) by striking paragraph (2) and inserting the following:
“(2) SEXUAL CONTACT.—The term ‘sexual contact’ means—

“(A) touching, or causing another person to touch, either directly or through the clothing, the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, with an intent to abuse, humiliate or degrade any person; or

“(B) any touching, or causing another person to touch, either directly or through the clothing, any body part of any person, if done with an intent to arouse or gratify the sexual desire of any person.

Touching may be accomplished by any part of the body.”;

(C) by striking paragraph (4) and redesignating paragraph (3) as paragraph (4);

(D) by redesignating paragraph (8) as paragraph (3), transferring that paragraph so as to appear after paragraph (2), and amending that paragraph by inserting before the period at the end the following: “, including any non-consensual sexual act or nonconsensual sexual contact”;

(E) in paragraph (4), as redesignated by subparagraph (C), by striking the last sentence;
(F) by striking paragraphs (5) and (7);

(G) by redesignating paragraph (6) as
paragraph (7);

(H) by inserting after paragraph (4), as
redesignated by subparagraph (C), the following
new paragraphs (5) and (6):

“(5) Force.—The term ‘force’ means—

“(A) the use of a weapon;

“(B) the use of such physical strength or
violence as is sufficient to overcome, restrain, or
injure a person; or

“(C) inflicting physical harm sufficient to
coerce or compel submission by the victim.

“(6) Unlawful force.—The term ‘unlawful
force’ means an act of force done without legal jus-
tification or excuse.”;

(I) in paragraph (7), as redesignated by
subparagraph (G)—

(i) by striking “under paragraph (3)”
and all that follows through “contact),”;
and

(ii) by striking “death, grievous bodily
harm, or kidnapping” and inserting “the
wrongful action contemplated by the com-
munication or action.”;
(J) by striking paragraphs (9) through (13);

(K) by redesignating paragraph (14) as paragraph (8) and in that paragraph—

(i) by inserting “(A)” before “The term”;

(ii) by striking “words or overt acts indicating” and “sexual” in the first sentence;

(iii) by striking “accused’s” in the third sentence;

(iv) by inserting “or social or sexual” before “relationship” in the fourth sentence;

(v) by striking “sexual” before “conduct” in the fourth sentence;

(vi) by striking “A person cannot consent” and all that follows through the period; and

(vii) by adding at the end the following new subparagraphs:

“(B) A sleeping, unconscious, or incompetent person cannot consent. A person cannot consent to force causing or likely to cause death or grievous bodily harm or to being rendered
unconscious. A person cannot consent while
under threat or in fear or under the cir-
sumstances described in subparagraph (C) or
(D) of subsection (b)(1).

“(C) Lack of consent may be inferred
based on the circumstances of the offense. All
the surrounding circumstances are to be consid-
ered in determining whether a person gave con-
sent, or whether a person did not resist or
ceased to resist only because of another per-
son’s actions.”; and

(L) by striking paragraphs (15) and (16).

(11) SECTION HEADING.—The heading of such
section (article) is amended to read as follows:

“§ 920. Art. 120. Rape and sexual assault generally”.

(b) R A P E A N D S E X U A L A S S A U L T O F A C H I L D .—
Chapter 47 of such title (the Uniform Code of Military
Justice) is amended by inserting after section 920a (arti-
 cle 120a) the following new section:

“§ 920b. Art. 120b. Rape and sexual assault of a child

“(a) R A P E O F A C H I L D .—A n y p e r s o n s u b j e c t t o t h i s
chapter who—

“(1) commits a sexual act upon a child who has
not attained the age of 12 years; or
“(2) commits a sexual act upon a child who has attained the age of 12 years by—

“(A) using force against any person;
“(B) threatening or placing that child in fear;
“(C) rendering that child unconscious; or
“(D) administering to that child a drug, intoxicant, or other similar substance;

is guilty of rape of a child and shall be punished as a court-martial may direct.

“(b) Sexual Assault of a Child.—Any person subject to this chapter who commits a sexual act upon a child who has attained the age of 12 years is guilty of sexual assault of a child and shall be punished as a court-martial may direct.

“(c) Sexual Abuse of a Child.—Any person subject to this chapter who commits a lewd act upon a child is guilty of sexual abuse of a child and shall be punished as a court-martial may direct.

“(d) Age of Child.—

“(1) Under 12 years.—In a prosecution under this section, it need not be proven that the accused knew the age of the other person engaging in the sexual act or lewd act. It is not a defense that the
accused reasonably believed that the child had attained the age of 12 years.

“(2) UNDER 16 YEARS.—In a prosecution under this section, it need not be proven that the accused knew that the other person engaging in the sexual act or lewd act had not attained the age of 16 years, but it is a defense in a prosecution under subsection (b) (sexual assault of a child) or subsection (e) (sexual abuse of a child), which the accused must prove by a preponderance of the evidence, that the accused reasonably believed that the child had attained the age of 16 years, if the child had in fact attained at least the age of 12 years.

“(e) PROOF OF THREAT.—In a prosecution under this section, in proving that a person made a threat, it need not be proven that the person actually intended to carry out the threat or had the ability to carry out the threat.

“(f) MARRIAGE.—In a prosecution under subsection (b) (sexual assault of a child) or subsection (e) (sexual abuse of a child), it is a defense, which the accused must prove by a preponderance of the evidence, that the persons engaging in the sexual act or lewd act were at that time married to each other, except where the accused commits a sexual act upon the person when the accused knows or
reasonably should know that the other person is asleep, unconscious, or otherwise unaware that the sexual act is occurring or when the other person is incapable of consenting to the sexual act due to impairment by any drug, intoxicant, or other similar substance, and that condition was known or reasonably should have been known by the accused.

“(g) CONSENT.—Lack of consent is not an element and need not be proven in any prosecution under this section. A child not legally married to the person committing the sexual act, lewd act, or use of force cannot consent to any sexual act, lewd act, or use of force.

“(h) DEFINITIONS.—In this section:

“(1) SEXUAL ACT AND SEXUAL CONTACT.—The terms ‘sexual act’ and ‘sexual contact’ have the meanings given those terms in section 920(g) of this title (article 120(g)).

“(2) FORCE.—The term ‘force’ means

“(A) the use of a weapon;

“(B) the use of such physical strength or violence as is sufficient to overcome, restrain, or injure a child; or

“(C) inflicting physical harm.
In the case of a parent-child or similar relationship, the use or abuse of parental or similar authority is sufficient to constitute the use of force.

“(3) Threatening or placing that child in fear.—The term ‘threatening or placing that child in fear’ means a communication or action that is of sufficient consequence to cause the child to fear that non-compliance will result in the child or another person being subjected to the action contemplated by the communication or action.

“(4) Child.—The term ‘child’ means any person who has not attained the age of 16 years.

“(5) Lewd act.—The term ‘lewd act’ means—

“(A) any sexual contact with a child;

“(B) intentionally exposing one’s genitalia, anus, buttocks, or female areola or nipple to a child by any means, including via any communication technology, with an intent to abuse, humiliate or degrade any person, or to arouse or gratify the sexual desire of any person;

“(C) intentionally communicating indecent language to a child by any means, including via any communication technology, with an intent to abuse, humiliate or degrade any person, or to
arouse or gratify the sexual desire of any person; or

“(D) any indecent conduct, intentionally done with or in the presence of a child, including via any communication technology, that amounts to a form of immorality relating to sexual impurity which is grossly vulgar, obscene, and repugnant to common propriety, and tends to excite sexual desire or deprave morals with respect to sexual relations.”.

(c) Other Sexual Misconduct.—Such chapter (the Uniform Code of Military Justice), is further amended by inserting after section 920b (article 120b), as added by subsection (b), the following new section:

§ 920c. Art. 120c. Other sexual misconduct

“(a) Indecent Viewing, Visual Recording, or Broadcasting.—Any person subject to this chapter who, without legal justification or lawful authorization—

“(1) knowingly and wrongfully views the private area of another person, without that other person’s consent and under circumstances in which that other person has a reasonable expectation of privacy;

“(2) knowingly photographs, videotapes, films, or records by any means, the private area of another person, without that other person’s consent and
under circumstances in which that other person has
a reasonable expectation of privacy; or

“(3) knowingly broadcasts or distributes any
such recording that the person knew or reasonably
should have known was made under the cir-
cumstances proscribed in paragraphs (1) and (2);

is guilty of an offense under this section and shall be pun-
ished as a court-martial may direct.

“(b) FORCIBLE PANDERING.—Any person subject to
this chapter who compels another person to engage in an
act of prostitution with any person is guilty of forcible
pandering and shall be punished as a court-martial may
direct.

“(c) INDECENT EXPOSURE.—Any person subject to
this chapter who intentionally exposes, in an indecent
manner, the genitalia, anus, buttocks, or female areola or
nipple is guilty of indecent exposure and shall by punished
as a court-martial may direct.

“(d) DEFINITIONS.—In this section:

“(1) ACT OF PROSTITUTION.—The term ‘act of
prostitution’ means a sexual act or sexual contact
(as defined in section 920(g) of this title (article
120(g))) on account of which anything of value is
given to, or received by, any person.
“(2) Private area.—The term ‘private area’ means the naked or underwear-clad genitalia, anus, buttocks, or female areola or nipple.

“(3) Reasonable expectation of privacy.—The term ‘under circumstances in which that other person has a reasonable expectation of privacy’ means—

“(A) circumstances in which a reasonable person would believe that he or she could disrobe in privacy, without being concerned that an image of a private area of the person was being captured; or

“(B) circumstances in which a reasonable person would believe that a private area of the person would not be visible to the public.

“(4) Broadcast.—The term ‘broadcast’ means to electronically transmit a visual image with the intent that it be viewed by a person or persons.

“(5) Distribute.—The term ‘distribute’ means delivering to the actual or constructive possession of another, including transmission by electronic means.

“(6) Indecent manner.—The term ‘indecent manner’ means conduct that amounts to a form of immorality relating to sexual impurity which is
grossly vulgar, obscene, and repugnant to common
propriety, and tends to excite sexual desire or de-
prave morals with respect to sexual relations.”.

(d) REPEAL OF SODOMY ARTICLE.—Section 925 of
such title (article 125 of the Uniform Code of Military
Justice) is repealed.

(e) CONFORMING AMENDMENTS.—Chapter 47 of
such title (the Uniform Code of Military Justice) is further
amended as follows:

(1) STATUTE OF LIMITATIONS.—Subparagraph
(B) of section 843(b)(2) (article 43(b)(2)) is amend-
ed—

(A) in clause (i), by striking “section 920
of this title (article 120)” and inserting “sec-
tion 920, 920a, 920b, or 920c of this title (arti-
cle 120, 120a, 120b, or 120c)”;

(B) by striking clause (iii); and

(C) in clause (v)—

(i) by striking “indecent assault”;

(ii) by striking “rape, or sodomy,”

and inserting “or rape,”; and

(iii) by striking “or liberties with a
child”.

(2) MURDER.—Paragraph (4) of section 918
(article 118) is amended—
(A) by striking “sodomy,”; and

(B) by striking “aggravated sexual assault,” and all that follows through “with a child,” and inserting “sexual assault, sexual assault of a child, aggravated sexual contact, sexual abuse of a child,”.

(f) CLERICAL AMENDMENTS.—The table of sections at the beginning of subchapter X of such chapter (the Uniform Code of Military Justice) is amended—

(1) by striking the items relating to sections 920 and 920a (articles 120 and 120a) and inserting the following:

“920. 120. Rape and sexual assault generally.
920a. 120a. Stalking.
920b. 120b. Rape and sexual assault of a child.
920c. 120c. Other sexual misconduct.”;

and

(2) by striking the item relating to section 925 (article 125).

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to offenses committed on or after such date.
Subtitle E—Other Matters

SEC. 541. REVISION TO MEMBERSHIP OF DEPARTMENT OF DEFENSE MILITARY FAMILY READINESS COUNCIL.

Section 1781a(b) of title 10, United States Code, is amended to read as follows:

“(b) MEMBERS.—(1) The Council shall consist of 17 members, as follows:

“(A) The Under Secretary of Defense for Personnel and Readiness, who shall serve as chair of the Council and who may designate a representative to chair the council in the Under Secretary’s absence.

“(B) The following, who shall be appointed or designated by the Secretary of Defense:

“(i) One representative of each of the Army, Navy, Marine Corps, and Air Force, each of whom may be a member of the armed force to be represented, the spouse of such a member, or the parent of such a member, and may represent either the active component or a reserve component of that armed force.

“(ii) One representative of the Army National Guard or the Air National Guard,
who may be a member of the National Guard, the spouse of such a member, or the parent of such a member.

“(iii) One spouse of a member of each of the Army, Navy, Marine Corps, and Air Force, two of whom shall be the spouse of an active component member and two of whom shall be the spouse of a reserve component member.

“(C) Three individuals appointed by the Secretary of Defense from among representatives of military family organizations, including military family organizations of families of members of the regular components and of families of members of the reserve components.

“(D) The senior enlisted advisor, or the spouse of a senior enlisted member, from each of the Army, Navy, Marine Corps, and Air Force.

“(2)(A) The term on the Council of the members appointed or designated under clauses (i) and (iii) of subparagraph (B) of paragraph (1) shall be two years and may be renewed by the Secretary of Defense. Representation on the Council under clause (ii) of that subparagraph
shall rotate between the Army National Guard and Air
National Guard every two years on a calendar year basis.

“(B) The term on the Council of the members ap-
pointed under subparagraph (C) of paragraph (1) shall be
three years.”.

SEC. 542. INCLUSION OF NORTHERN MARIANA ISLANDS AS
A “STATE” FOR PURPOSES OF THE UNI-
FORMED AND OVERSEAS CITIZENS ABSEN-
TEE VOTING ACT.

Paragraphs (6) and (8) of section 107 of the Uni-
formed and Overseas Citizens Absentee Voting Act (42
U.S.C. 1973ff–6) are each amended by striking “and
American Samoa” and inserting “American Samoa, and
the Commonwealth of the Northern Mariana Islands”.

SEC. 543. SPECIFICATION OF THE PERIOD FOR WHICH A
REQUEST FOR AN ABSENTEE BALLOT FROM
AN OVERSEAS VOTER IS VALID.

Section 104 of the Uniformed and Overseas Citizens
Absentee Voting Act (42 U.S.C. 1973ff–3) is amended by
inserting “or overseas voter” after “uniformed services
voter”.
SEC. 544. TRANSFER OF TROOPS-TO-TEACHERS PROGRAM
FROM DEPARTMENT OF EDUCATION TO DEPARTMENT OF DEFENSE AND ENHANCEMENTS TO THE PROGRAM.

(a) Transfer of Functions.—

(1) Transfer.—The responsibility and authority for operation and administration of the Troops-to-Teachers Program in chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) is transferred from the Secretary of Education to the Secretary of Defense.

(2) Effective date.—The transfer under paragraph (1) shall take effect on the first day of the first month beginning more than 180 days after the date of the enactment of this Act, or on such earlier date as the Secretary of Education and the Secretary of Defense may jointly provide.

(b) Enactment of Program Authority in Title 10, United States Code.—

(1) In general.—Chapter 58 of title 10, United States Code, is amended by adding at the end the following new section:
SEC. 1154. ASSISTANCE TO ELIGIBLE MEMBERS AND FORMER MEMBERS TO OBTAIN EMPLOYMENT AS TEACHERS: TROOPS-TO-TEACHERS PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) PROGRAM.—The term ‘Program’ means the Troops-to-Teachers Program authorized by this section.

“(2) MEMBER OF THE ARMED FORCES.—The term ‘member of the armed forces’ includes a former member of the armed forces.

“(3) CHARTER SCHOOL.—The term ‘charter school’ has the meaning given that term in section 5210(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i(1)).

“(4) 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) applicable to a family of the
size involved; or

“(ii) at least 13 percent of the stu-
dents enrolled in the school qualify for as-
sistance under part B of the Individuals
with Disabilities Education Act; or

“(B) a Bureau-funded school as defined in
section 1141(3) of the Education Amendments
of 1978 (25 U.S.C. 2021(3)).

“(5) HIGH-NEED SCHOOL.—The term ‘high-
need school’ means—

“(A) an elementary or middle school in
which at least 50 percent of the enrolled stu-
dents are children from low-income families,
based on the number of children eligible to for
free and reduced priced lunches under the Rich-
ard B. Russell National School Lunch Act, the
number of children in families receiving assist-
ance under the State program funded under
part A of title IV of the Social Security Act, 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) of the Elementary and Secondary Education Act of 1965.


"(b) PROGRAM AUTHORIZATION.—The Secretary of Defense (hereinafter in this section referred to as the ‘Secretary’) may carry out a program (to be known as the ‘Troops-to-Teachers Program’) —

"(1) to assist eligible members of the armed forces described in subsection (d) to obtain certification or licensing as elementary school teachers, secondary school teachers, or career or technical teachers, and to become highly qualified teachers; and

"(2) to facilitate the employment of such members—
“(A) by local educational agencies or charter schools that the Secretary of Education identifies as—

“(i) receiving grants under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) as a result of having within their jurisdictions concentrations of children from low-income families; or

“(ii) experiencing a shortage of highly qualified teachers, in particular a shortage of highly qualified science, mathematics, special education, foreign language, or career or technical teachers; and

“(B) in elementary schools or secondary schools, or as career or technical teachers.

“(c) COUNSELING AND REFERRAL SERVICES.—The Secretary may provide counseling and referral services to members of the armed forces who do not meet the criteria described in subsection (d), including meeting the education qualification requirements under subsection (d)(3)(B).

“(d) ELIGIBILITY AND APPLICATION PROCESS.—
“(1) ELIGIBLE MEMBERS.—The following members of the armed forces are eligible for selection to participate in the Program:

“(A) Any member who—

“(i) on or after October 1, 1999, becomes entitled to retired or retainer pay under this title or title 14;

“(ii) has an approved date of retirement that is within one year after the date on which the member submits an application to participate in the Program; or

“(iii) has been transferred to the Retired Reserve.

“(B) Any member who, on or after January 8, 2002—

“(i)(I) is separated or released from active duty after four or more years of continuous active duty immediately before the separation or release; or

“(II) has completed a total of at least six years of active duty service, six years of service computed under section 12732 of this title, or six years of any combination of such service; and
“(ii) executes a reserve commitment agreement for a period of not less than three years under paragraph (5)(B).

“(C) Any member who, on or after January 8, 2002, is retired or separated for physical disability under chapter 61 of this title.

“(2) Submission of Applications.—(A) Selection of eligible members of the armed forces to participate in the Program shall be made on the basis of applications submitted to the Secretary within the time periods specified in subparagraph (B). An application shall be in such form and contain such information as the Secretary may require.

“(B) An application shall be considered to be submitted on a timely basis under subparagraph (A)(i), (B), or (C) of paragraph (1) if the application is submitted not later than three years after the date on which the member is retired, separated, or released from active duty, whichever applies to the member.

“(3) Selection criteria; educational background requirements and honorable service requirement.—(A) Subject to subparagraphs (B) and (C), the Secretary shall prescribe
the criteria to be used to select eligible members of
the armed forces to participate in the Program.

“(B)(i) If a member of the armed forces is ap-
plying for assistance for placement as an elementary
school or secondary school teacher, the Secretary
shall require the member to have received a bacc-
laureate or advanced degree from an accredited in-
istitution of higher education.

“(ii) If a member of the armed forces is apply-
ing for assistance for placement as a career or tech-
nical teacher, the Secretary shall require the mem-
ber—

“(I) to have received the equivalent of one
year of college from an accredited institution of
higher education or the equivalent in military
education and training as certified by the De-
partment of Defense; or

“(II) to otherwise meet the certification or
licensing requirements for a career or technical
teacher in the State in which the member seeks
assistance for placement under the Program.

“(C) A member of the armed forces is eligible
to participate in the Program only if the member’s
last period of service in the armed forces was honor-
able, as characterized by the Secretary concerned. A
member selected to participate in the Program before the retirement of the member or the separation or release of the member from active duty may continue to participate in the Program after the retirement, separation, or release only if the member’s last period of service is characterized as honorable by the Secretary concerned.

“(4) Selection priorities.—In selecting eligible members of the armed forces to receive assistance under the Program, the Secretary—

“(A) shall give priority to members who—

“(i) have educational or military experience in science, mathematics, special education, foreign language, or career or technical subjects; and

“(ii) agree to seek employment as science, mathematics, foreign language, or special education teachers in elementary schools or secondary schools or in other schools under the jurisdiction of a local educational agency; and

“(B) may give priority to members who agree to seek employment in a high-need school.

“(5) Other conditions on selection.—
“(A) The Secretary may not select an eligible member of the armed forces to participate in the Program and receive financial assistance unless the Secretary has sufficient appropriations for the Program available at the time of the selection to satisfy the obligations to be incurred by the United States under subsection (e) with respect to the member.

“(B) The Secretary may not select an eligible member of the armed forces described in paragraph (1)(B)(i) to participate in the Program under this section and receive financial assistance under subsection (e) unless the member executes a written agreement to serve as a member of the Selected Reserve of a reserve component of the armed forces for a period of not less than three years.

“(e) Participation Agreement and Financial Assistance.—

“(1) Participation agreement.—(A) An eligible member of the armed forces selected to participate in the Program under subsection (b) and receive financial assistance under this subsection shall be required to enter into an agreement with the Secretary in which the member agrees—
“(i) within such time as the Secretary may require, to obtain certification or licens- 
ing as an elementary school teacher, secondary school teacher, or career or tech- 
nical teacher, and to become a highly qualified teacher; and

“(ii) to accept an offer of full-time employment as an elementary school teach- 
er, secondary school teacher, or career or technical teacher for not less than three 
school years in an eligible school to begin the school year after obtaining that certifi- 
cation or licensing.

“(B) The Secretary may waive the three-year commitment described in subparagraph (A)(ii) for a participant if the Secretary determines such waiver to be appropriate. If the Secretary provides the waiver, the participant shall not be considered to be in violation of the agreement and shall not be re- quired to provide reimbursement under subsection (f), for failure to meet the three-year commitment.

“(2) VIOLATION OF PARTICIPATION AGREEMENT; EXCEPTIONS.—A participant in the Program shall not be considered to be in violation of the par-
ticipation agreement entered into under paragraph (1) during any period in which the participant—

“(A) is pursuing a full-time course of study related to the field of teaching at an institution of higher education;

“(B) is serving on active duty as a member of the armed forces;

“(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

“(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

“(E) is a highly qualified teacher who is seeking and unable to find full-time employment as a teacher in an elementary school or secondary school or as a career or technical teacher for a single period not to exceed 27 months; or

“(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the Secretary.

“(3) STIPEND AND BONUS FOR PARTICIPANTS.—(A) Subject to subparagraph (C), the Sec-
retary may pay to a participant in the Program selected under this section a stipend to cover expenses incurred by the participant to obtain the required educational level, certification or licensing. Such stipend may not exceed $5,000 and may vary by participant.

“(B) Subject to subparagraph (C), the Secretary may pay a bonus of up to $10,000 to a participant in the Program selected under this section who agrees in the participation agreement under paragraph (1) to become a highly qualified teacher and to accept full-time employment as an elementary school teacher, secondary school teacher, or career or technical teacher for not less than three school years in a high-need school. Such bonus may vary by participant and may take into account the priority placements as determined by the Secretary.

“(C)(i) The total number of stipends that may be paid under subparagraph (A) in any fiscal year may not exceed 5,000.

“(ii) The total number of bonuses that may be paid under subparagraph (B) in any fiscal year may not exceed 3,000.

“(iii) The combination of stipend and bonus for any one participant may not exceed $10,000.
“(4) Treatment of stipend and bonus.—A stipend or bonus paid under this subsection to a participant in the Program shall be taken into account in determining the eligibility of the participant for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

“(f) Reimbursement under certain circumstances.—

“(1) Reimbursement required.—A participant in the Program who is paid a stipend or bonus under this subsection shall be required to repay the stipend or bonus under the following circumstances:

“(A) The participant fails to obtain teacher certification or licensing, to become a highly qualified teacher, or to obtain employment as an elementary school teacher, secondary school teacher, or career or technical teacher as required by the participation agreement under subsection (e)(1).

“(B) The participant voluntarily leaves, or is terminated for cause from, employment as an elementary school teacher, secondary school teacher, or career or technical teacher during
the three years of required service in violation
of the participation agreement.

“(C) The participant executed a written
agreement with the Secretary concerned under
subsection (d)(5)(B) to serve as a member of a
reserve component of the armed forces for a pe-
period of three years and fails to complete the re-
quired term of service.

“(2) AMOUNT OF REIMBURSEMENT.—A partici-
pant required to reimburse the Secretary for a sti-
pend or bonus paid to the participant under sub-
section (e) shall pay an amount that bears the same
ratio to the amount of the stipend or bonus as the
unserved portion of required service bears to the
three years of required service. Any amount owed by
the participant shall bear interest at the rate equal
to the highest rate being paid by the United States
on the day on which the reimbursement is deter-
mined to be due for securities having maturities of
90 days or less and shall accrue from the day on
which the participant is first notified of the amount
due.

“(3) TREATMENT OF OBLIGATION.—The obliga-
tion to reimburse the Secretary under this sub-
section is, for all purposes, a debt owing the United
States. A discharge in bankruptcy under title 11 shall not release a participant from the obligation to reimburse the Secretary under this subsection.

“(4) EXCEPTIONS TO REIMBURSEMENT REQUIREMENT.—A participant shall be excused from reimbursement under this subsection if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician. The Secretary may also waive the reimbursement in cases of extreme hardship to the participant, as determined by the Secretary.

“(g) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—The receipt by a participant in the Program of a stipend or bonus under this subsection (e) shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 or 33 of title 38 or chapter 1606 of this title.

“(h) PARTICIPATION BY STATES.—

“(1) DISCHARGE OF STATE ACTIVITIES THROUGH CONSORTIA OF STATES.—The Secretary may permit States participating in the Program to carry out activities authorized for such States under the Program through one or more consortia of such States.
“(2) Assistance to States.—(A) Subject to subparagraph (B), the Secretary may make grants to States participating in the Program, or to consortia of such States, in order to permit such States or consortia of States to operate offices for purposes of recruiting eligible members of the armed forces for participation in the Program and facilitating the employment of participants in the Program as elementary school teachers, secondary school teachers, and career or technical teachers.

“(B) The total amount of grants made under subparagraph (A) in any fiscal year may not exceed $5,000,000.”.

(2) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“1154. Assistance to eligible members and former members to obtain employment as teachers: Troops-to-Teachers Program.”.

(c) Conforming Amendment.—Section 1142(b)(4)(C) of such title is amended by striking “under sections 1152 and 1153 of this title and the Troops-to-Teachers Program under section 2302 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6672)” and inserting “under sections 1152, 1153, and 1154 of this title”.

(d) Termination of Original Program.—
(1) TERMINATION.—

(A) Chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) is repealed.

(B) The table of contents in section 2 of part I of the Elementary and Secondary Education Act 1965 is amended by striking the items relating to such chapter.

(2) EXISTING AGREEMENTS.—The repeal of chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) by paragraph (1)(A) shall not affect the validity or terms of any agreement entered into before the date of the enactment of this Act under such chapter, or to pay assistance, make grants, or obtain reimbursement in connection with such an agreement as in effect before such repeal.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the effective date of the transfer under subsection (a).

SEC. 545. MILITARY GROOMING AND APPEARANCE STANDARDS.

(a) MILITARY GROOMING AND APPEARANCE STANDARDS.—
(1) IN GENERAL.—Chapter 45 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 778. Grooming and appearance standards

“Grooming and appearance standards prescribed by the Secretary of a military department for members of the armed forces are not subject to the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.).”.

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

“778. Grooming and appearance standards.”.

(b) WEARING OF ITEMS OF RELIGIOUS APPAREL WITH THE UNIFORM.—Section 774(c) of such title is amended by adding at the end the following new sentence:

“Such regulations are not subject to the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.).”.

SEC. 546. REPEAL OF MANDATORY HIGH-DEPLOYMENT ALLOWANCE.

(a) REPEAL OF AUTHORITY FOR PAYMENT OF HIGH-DEPLOYMENT ALLOWANCE.—

(1) IN GENERAL.—Section 436 of title 37, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is
amended by striking the item relating to section 436.

(b) **Repeal of Requirements Relating to Management of Deployment of Members.**—

(1) **In general.**—Section 991 of title 10, United States Code, is repealed.

(2) **Clerical amendment.**—The table of sections at the beginning of chapter 50 of such title is amended by striking the item relating to section 991.

**SEC. 547. Three-Year Extension and Revision of Authorities Relating to Transition of Military Dependent Students Among Local Educational Agencies.**

(a) **Additional Program Authorities.**—Paragraph (2)(B) of section 574(d) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended—

(1) by inserting “grant assistance” after “To provide”; and

(2) by striking “including—” and all that follows and inserting “including the following:

“(i) Access to virtual and distance learning capabilities and related applications.

“(ii) Training programs for teachers.
“(iii) Academic strategies to increase academic achievement.

“(iv) Curriculum development.

“(v) Support for practices that minimize the impact of transition and deployment.

“(vi) Other appropriate services to improve the academic achievement of students.”.

(b) Extension of Expiration.—Paragraph (3) of such section is amended by striking “September 30, 2013” and inserting “September 30, 2016”.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS
Subtitle A—General Matters
SEC. 601. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) Authorities Relating to Reserve Forces.—The following sections of title 37, United States Code, are amended by striking “December 31, 2011” and inserting “December 31, 2012”:

(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 408a(e), relating to a travel and transportation allowance for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking “December 31, 2011” and inserting “December 31, 2012”:

(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.

(c) TITLE 37 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 37, United States Code, are amended by striking “December 31, 2011” and inserting “December 31, 2012”:

(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.

(9) Section 335(k), relating to bonus and incentive pay authorities for officers in health professions.

(d) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—The following sections of title 37, United States Code, are amended by striking “December 31, 2011” and inserting “December 31, 2012”:

(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.

(4) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(e) 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, 2011” and inserting “December 31, 2012”:

(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 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 351(h), relating to hazardous duty pay.

(5) Section 352(g), relating to assignment pay or special duty pay.

(6) Section 353(i), relating to skill incentive pay or proficiency bonus.

(7) Section 355(i), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(f) Authorities Relating to Payment of Referral Bonuses.—The following sections of title 10, United States Code, are amended by striking “December 31, 2011” and inserting “December 31, 2012”:

(1) Section 1030(i), relating to health professions referral bonus.

(2) Section 3252(h), relating to army referral bonus.

(g) Other Title 37 Bonus and Special Pay Authorities.—The following sections of title 37, United States Code, are amended by striking “December 31, 2011” and inserting “December 31, 2012”: 
(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 the Armed Forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

(9) Section 403(b)(7)(E), relating to basic allowance for housing.
SEC. 602. TRAVEL FOR ANESTHESIA SERVICES FOR CHILD-
BIRTH FOR COMMAND-SPONSORED DEPEND-
ENTS OF MEMBERS ASSIGNED TO VERY RE-
MOTE LOCATIONS OUTSIDE THE CONTIN-
ENTAL UNITED STATES.

Section 1040(a) of title 10, United States Code, is
amended—

(1) by inserting ``(1)'' after ``(a)''; and

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

 ``(2)(A) For purposes of paragraph (1), re-
quired medical attention of a dependent includes, in
the case of a dependent authorized to accompany a
member at a location described in that paragraph,
obstetrical anesthesia services for childbirth equiva-
ent to the obstetrical anesthesia services for child-
birth available in a military treatment facility in the
United States.

 ``(B) In the case of a dependent at a remote lo-
cation outside the continental United States who
elects services described in subparagraph (A) and for
whom air transportation would be needed to travel
under paragraph (1) to the nearest appropriate med-
ical facility at which adequate medical care is avail-
able, the Secretary may authorize the dependent to
receive transportation under that paragraph to the
continental United States and be treated at the mili-
tary treatment facility that can provide appropriate
obstetrical services that is nearest to the closest port
of entry into the continental United States from
such remote location.

“(C) The second through sixth sentences of
paragraph (1) shall apply to a dependent provided
transportation by reason of this paragraph.

“(D) The total cost incurred by the United
States for the provision of transportation and ex-
penses (including per diem) with respect to a de-
pendent by reason of this paragraph may not exceed
the cost the United States would otherwise incur for
the provision of transportation and expenses with re-
spect to that dependent under paragraph (1) if the
transportation and expenses were provided to that
dependent without regard to this paragraph.

“(E) The authority under this paragraph shall
expire on September 30, 2016.”.
SEC. 603. TRAVEL AND TRANSPORTATION ALLOWANCE FOR

DEPENDENT CHILD OF MEMBER STATIONED

OVERSEAS WHO IS ATTENDING OVERSEAS

UNIVERSITY, COLLEGE OR SIMILAR INSTITU-

TION.

Section 430 of title 37, United States Code, is
amended—

(1) in subsection (a), by amending paragraph
(2) to read as follows:

“(2) An eligible dependent child of a member
referred to in paragraph (1)(c) is a child who—

“(A) is under 23 years of age and unmar-
rried; and

“(B)(i)(I) is enrolled in a school in the
continental United States for the purpose of ob-
taining a formal education; and

“(II) is attending that school or is partici-
pating in a foreign study program approved by
that school and, pursuant to that foreign study
program, is attending a school outside the
United States for a period of not more than one
year; or

“(ii) is attending a college, university, or
similar institution outside the United States, in-
cluding a technical or business school, offering
postsecondary level academic instruction leading
to an associate or higher degree, or the equivalent, which is recognized as such by the secretary of education (or comparable official) of the country or other jurisdiction in which the institution is located.”; and

(2) in subsection (b)—

(A) in paragraph (3), by striking “in the continental United States”; and

(B) in paragraph (4)—

(i) by inserting “a foreign study program at” after “attending”; and

(ii) by inserting “under subsection (a)(2)(B)(i)(II)” after “outside the United States”.

SEC. 604. LODGING ACCOMMODATIONS FOR MEMBERS ASSIGNED TO DUTY IN CONNECTION WITH COMMISSIONING OR FITTING OUT OF A SHIP.

(a) EXTENSION TO PRECOMMISSIONING UNIT SAILORS.—Subsection (a) of section 7572 of title 10, United States Code, is amended—

(1) by inserting “or assigned to duty in connection with commissioning or fitting out of a ship” after “sea duty”; and
(2) by inserting “, because the ship is under construction and is not yet habitable,” after “because of repairs,”.

(b) EXTENSION TO ENLISTED MEMBERS.—Subsection (d) of such section is amended—

(1) in paragraph (1)—

(A) by striking “After the expiration of the authority provided in subsection (b), an officer” and inserting “A member”; 

(B) by striking “officer’s quarters” and inserting “member’s quarters”; 

(C) by striking “obtaining quarters” and inserting “obtaining housing”; and

(D) by striking “the officer” and inserting “the member”; 

(2) in paragraph (2)—

(A) by striking “an officer” both places it appears and inserting “a member”; 

(B) by striking “quarters” and inserting “housing”; and

(C) by striking “officer’s grade” and inserting “member’s grade”; and

(3) in paragraph (3)—

(A) by striking “an officer” and inserting “a member”; and

•S 981 IS
(B) by striking “quarters” and inserting “housing”.

(c) SHipyards Affected by BRAC 2005.—Such section is further amended by adding at the end the following new subsection:

“(e)(1) The Secretary may reimburse a member of the naval service assigned to duty in connection with commissioning or fitting out of a ship in Pascagoula, Mississippi, or Bath, Maine, who is deprived of quarters on board a ship because the ship is under construction and is not yet habitable, or because of other conditions that make the member’s quarters uninhabitable, for expenses incurred in obtaining housing, but only when the Navy is unable to furnish the member with lodging accommodations under subsection (a).

“(2) The total amount that a member may be reimbursed under this subsection may not exceed an amount equal to the basic allowance for housing of a member without dependents of that member’s grade.

“(3) A member without dependents, or a member who resides with dependents while assigned to duty in connection with commissioning or fitting out of a ship at one of the locations specified in paragraph (1), may not be reimbursed under this subsection.
“(4) The Secretary may prescribe regulations to carry out this subsection.”.

(d) **Conforming Amendments.**—

(1) The heading of such section is amended to read as follows:

“§7572. Quarters: accommodations in place for members on sea duty or assigned to duty in connection with commissioning or fitting out of a ship”.

(2) The table of sections at the beginning of chapter 649 of such title is amended by striking the item relating to section 7572 and inserting the following new item:

“7572. Quarters: accommodations in place for members on sea duty or assigned to duty in connection with commissioning or fitting out of a ship.”.

**SEC. 605. REVISION TO CERTAIN DEFINITIONS RELATING TO FAMILIES OF SERVICEMEMBERS FOR PURPOSES OF FAMILY AND MEDICAL LEAVE.**

(a) **Definitions Applicable Under Family and Medical Leave Act of 1993.**—

(1) **Definition of “covered active duty”.**—Paragraph (14) of section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611) is amended—

(A) by striking “to a foreign country” in subparagraphs (A) and (B); and
(B) by inserting “, 12301(d), 12301(g), or 12310” after “section 101(a)(13)(B)” in sub-
paragraph (B).

(2) Definition of “covered servicemem-
ber”.—Paragraph (15)(A) of such section is
amended by inserting “inpatient or” before “out-
patient status”.

(b) Definitions Applicable to Leave for Civil
Service Employees.—

(1) Definition of “covered active
duty”.—Paragraph (7) of section 6381 of title 5,
United States Code, is amended—

(A) by striking “to a foreign country” in
subparagraph (A) and (B); and

(B) by inserting “, 12301(d), 12301(g), or 12310” after “section 101(a)(13)(B)” in sub-
paragraph (B).

(2) Definition of “covered servicemem-
ber”.—Paragraph (8)(A) of such section is amend-
ed by inserting “inpatient or” before “outpatient
status”.

(3) Technical Amendment.—Paragraph
(7)(B) of such section is further amended by strik-
ing “, United States Code”.
Subtitle B—Consolidation and Reform of Travel and Transportation Authorities

SEC. 611. CONSOLIDATION AND REFORM OF TRAVEL AND TRANSPORTATION AUTHORITIES OF THE UNIFORMED SERVICES.

(a) PURPOSE.—This section establishes general travel and transportation provisions for members of the uniformed service and other travelers authorized to travel under official conditions. Recognizing the complexities and the changing nature of travel, the amendments made by this section provide the Secretary of Defense and the other administering Secretaries with the authority to prescribe and implement travel and transportation policy that is simple, efficient, relevant, and flexible and that meets mission and servicemember needs.

(b) CONSOLIDATED AUTHORITIES.—Title 37, United States Code, is amended by inserting after chapter 7 the following new chapter:

"CHAPTER 8—TRAVEL AND TRANSPORTATION ALLOWANCES

"SUBCHAPTER I—TRAVEL AND TRANSPORTATION AUTHORITIES—NEW LAW

See.


Sec. 452. Allowable travel and transportation: general authorities.

Sec. 453. Allowable travel and transportation: specific authorities.

Sec. 454. Travel and transportation pilot programs.

Sec. 455. Appropriations for travel; may not be used for attendance at certain meetings.
"Subchapter II—Administrative Provisions"

Sec. 461. Relationship to other travel and transportation authorities.
Sec. 462. Travel and transportation expenses paid to members that are unauthorized or in excess of authorized amounts: requirement for repayment.
Sec. 463. Regulations.

"Subchapter III—Travel and Transportation Authorities—Old Law"

Sec. 471. Travel authorities transition expiration date.
Sec. 472. Definitions and other incorporated provisions of chapter 7.
Sec. 474. Travel and transportation allowances: general.
Sec. 474a. Travel and transportation allowances: temporary lodging expenses.
Sec. 474b. Travel and transportation allowances: payment of lodging expenses at temporary duty location during authorized absence of member.
Sec. 475. Travel and transportation allowances: per diem while on duty outside the continental United States.
Sec. 475a. Travel and transportation allowances: departure allowances.
Sec. 476a. Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified.
Sec. 476b. Travel and transportation allowances: members of the uniformed services attached to a ship overhauling or inactivating.
Sec. 476c. Travel and transportation allowances: members assigned to a vessel under construction.
Sec. 477. Travel and transportation allowances: dislocation allowance.
Sec. 478. Travel and transportation allowances: travel within limits of duty station.
Sec. 478a. Travel and transportation allowances: inactive duty training outside of the normal commuting distances.
Sec. 479. Travel and transportation allowances: house trailers and mobile homes.
Sec. 480. Travel and transportation allowances: miscellaneous categories.
Sec. 481. Travel and transportation allowances: administrative provisions.
Sec. 481a. Travel and transportation allowances: travel performed in connection with convalescent leave.
Sec. 481b. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours.
Sec. 481c. Travel and transportation allowances: travel performed in connection with rest and recuperative leave from certain stations in foreign countries.
Sec. 481d. Travel and transportation allowances: transportation incident to personal emergencies for certain members and dependents.
Sec. 481e. Travel and transportation allowances: transportation incident to certain emergencies for members performing temporary duty.
Sec. 481f. Travel and transportation allowances: transportation for survivors of deceased member to attend the member’s burial ceremonies.
Sec. 481g. Travel and transportation allowances: transportation incident to voluntary extensions of overseas tours of duty.
Sec. 481h. Travel and transportation allowances: transportation of family members incident to illness or injury of members.
Sec. 481i. Travel and transportation allowances: parking expenses.
Sec. 481j. Travel and transportation allowances: transportation of family members incident to the repatriation of members held captive.
“Sec. 481k. Travel and transportation allowances: non-medical attendants for members determined to be very seriously or seriously wounded, ill, or injured.

“Sec. 484. Travel and transportation: dependents of members in a missing status; household and personal effects; trailers; additional movements; motor vehicles; sale of bulky items; claims for proceeds; appropriation chargeable.

“Sec. 488. Allowance for recruiting expenses.

“Sec. 489. Travel and transportation allowances: minor dependent schooling.

“Sec. 490. Travel and transportation: dependent children of members stationed overseas.

“Sec. 491. Benefits for certain members assigned to the Defense Intelligence Agency.

“Sec. 492. Travel and transportation: members escorting certain dependents.

“Sec. 494. Subsistence reimbursement relating to escorts of foreign arms control inspection teams.

“Sec. 495. Funeral honors duty: allowance.

“SUBCHAPTER I—TRAVEL AND TRANSPORTATION—NEW LAW

§ 451. Definitions

“(a) Definitions relating to persons.—In this subchapter and subchapter II:

“(1) The term ‘administering Secretary’ or ‘administering Secretaries’ means the following:

“(A) The Secretary of Defense, with respect to the armed forces (including the Coast Guard when it is operating as a service in the Navy).

“(B) The Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy.

“(C) The Secretary of Commerce, with respect to the National Oceanic and Atmospheric Administration.
“(D) The Secretary of Health and Human Services, with respect to the Public Health Service.

“(2) The term ‘authorized traveler’ means a person who is authorized travel and transportation allowances when performing official travel ordered or authorized by the administering Secretary. Such term includes the following:

“(A) A member of the uniformed services.

“(B) A family member of a member of the uniformed services.

“(C) A person acting as an escort or attendant for a member or family member who is traveling on official travel or is traveling with the remains of a deceased member.

“(D) A person who participates in a military funeral honors detail.

“(E) A Senior Reserve Officers’ Training Corps cadet or midshipman.

“(F) An applicant or rejected applicant for enlistment.

“(G) Any other person whose employment or service is considered directly related to a Government official activity or function under regulations prescribed section 463 of this title.
“(3) The term ‘family member’, with respect to a member of the uniformed services, means the following:

“(A) A dependent, as defined in section 401(a) of this title.

“(B) A child, as defined in section 401(b)(1) of this title.

“(C) A parent, as defined in section 401(b)(2) of this title.

“(D) A sibling of the member.

“(E) A former spouse of the member.

“(F) Any person not covered by subparagraphs (A) through (E) who is in a category specified in regulations under section 463 of this title as having an association, connection, or affiliation with a member of the uniformed services or the family of such a member.

“(G) Any person not covered by subparagraphs (A) through (F) who is determined by the administering Secretary under regulations prescribed under section 463 of this title as warranting the status of being a family member for purposes of a particular travel incident.
“(b) Definitions Relating to Travel and Transportation Allowances.—In this subchapter and subchapter II:

“(1) The term ‘official travel’ means the following:

“(A) Military duty or official business performed by an authorized traveler away from a duty assignment location or other authorized location.

“(B) Travel performed by an authorized traveler ordered to relocate from a permanent duty station to another permanent duty station.

“(C) Travel performed by an authorized traveler ordered to the first permanent duty station, or separated or retired from uniformed service.

“(D) Local travel in or around the temporary duty or permanent duty station.

“(E) Other travel as authorized or ordered by the administering Secretary.

“(2) The term ‘actual and necessary expenses’ means expenses incurred in fact by a traveler as a reasonable consequence of official travel.

“(3) The term ‘travel allowances’ means the daily lodging, meals, and other related expenses, in-
including relocation expenses, incurred by an authorized traveler while on official travel.

“(4) The term ‘transportation allowances’ means the costs of temporarily or permanently moving an authorized traveler, the personal property of an authorized traveler, or a combination thereof.

“(5) The term ‘transportation-, lodging-, or meals-in-kind’ means transportation, lodging, or meals provided by the Government without cost to the traveler.

“(6) The term ‘miscellaneous expenses’ mean authorized expenses incurred in addition to authorized allowances during the performance of official travel.

“(7) The term ‘personal property’, with respect to transportation allowances, includes baggage, furniture, and other household items, clothing, privately owned vehicles, house trailers, mobile homes, and any other personal item that would not otherwise be prohibited by any other provision or law, or regulation prescribed under section 463 of this title.

“(8) The term ‘relocation allowances’ means the costs associated with relocating a member of the uniformed services or other authorized traveler be-
tween an old and new temporary or permanent duty assignment location or other authorized location.

“(9) The term ‘dislocation allowances’ means the costs associated with relocation of the household of a member of the uniformed services or other authorized traveler in relation to a change in the member’s permanent duty assignment location ordered for the convenience of the Government or incident to an evacuation.

“(10) The term ‘per diem’ means an amount established as a daily rate that is paid to an authorized traveler to cover lodging, meals, and other related travel expenses pursuant to regulations.

“§ 452. Allowable travel and transportation: general authorities

“(a) In general.—Except as otherwise prohibited by law, a member of the uniformed services or other authorized traveler—

“(1) shall be provided transportation-, lodging, or meals-in-kind, or actual and necessary travel and transportation expenses for, or in connection with, official travel; or

“(2) may be provided transportation and travel allowances under other circumstances as specified in regulations prescribed under section 463 of this title.
“(b) Specific Circumstances.—The authority under subsection (a) includes travel under or in connection with, but not limited to, the following circumstances, to the extent specified in regulations prescribed under section 463 of this title:

“(1) Temporary duty that requires en route travel between a permanent duty assignment location and another authorized temporary duty location, and travel in or around the temporary duty location.

“(2) Permanent change of station that requires en route travel between an old and new temporary or permanent duty assignment location or other authorized location.

“(3) Temporary duty or assignment relocation related to a consecutive overseas tour or in-place-consecutive overseas tour.

“(4) Recruiting duties for the armed forces.

“(5) Assignment or detail to another Government agency or department.

“(6) Rest and recuperative leave.

“(7) Convalescent leave.

“(8) Reenlistment leave.
“(9) Reserve component inactive-duty training performed outside the normal commuting distance of the member’s permanent residence.

“(10) Ready Reserve muster duty.

“(11) Unusual, extraordinary, hardship, or emergency circumstances.

“(12) Missing status, as determined by the Secretary concerned under chapter 10 of this title.

“(13) Attendance at or participation in international sports competitions described under section 717 of title 10.

“(c) Matters Included.—Travel and transportation allowances which may be provided under subsection (a) include the following:

“(1) Allowances for transportation, lodging, and meals.

“(2) Dislocation or relocation allowance paid in connection with a change in a member’s temporary or permanent duty assignment location.

“(3) Other related miscellaneous expenses.

“(d) Mode of Providing Travel and Transportation Allowances.—Any authorized travel and transportation may be provided—

“(1) as an actual expense;

“(2) as an authorized allowance;
“(3) in-kind; or
“(4) using a combination of the authorities under paragraphs (1), (2), and (3).
“(e) **Travel and Transportation Allowances**

**When Travel Orders Are Modified, Etc.**—A member of a uniformed service or other authorized person whose travel and transportation order or authorization is canceled, revoked, or modified may be allowed actual and necessary expenses or travel and transportation allowances.

“(f) **Advance Payments.**—A member of the uniformed services or other authorized person may be allowed advance payments for authorized travel and transportation allowances.

“(g) **Responsibility for Unauthorized Expenses.**—Any unauthorized travel or transportation expense is not the responsibility of the United States.

“(h) **Relationship to Other Authorities.**—The administering Secretary may not provide payment under this section for an expense for which payment may be provided from any other appropriate Government or non-Government entity.
§ 453. Allowable travel and transportation: specific authorities

(a) In General.—In addition to any other authority for the provision of travel and transportation allowances, the administering Secretaries may provide travel expenses and transportation expenses under this subchapter in accordance with this section:

(b) Authorized Absence From Temporary Duty Location.—A member of a uniformed service or other authorized traveler may be allowed travel expenses and transportation allowances incurred at a temporary duty location during an authorized absence from that location.

(c) Movement of Personal Property.—

(1) A member of a uniformed service or other authorized person may be allowed moving expenses and transportation allowances associated with the movement of personal property and household goods, including such expenses when associated with a self-move.

(2) The authority in paragraph (1) includes the movement and temporary and non-temporary storage of personal property, household goods, and privately-owned vehicles in connection with the temporary or permanent move between authorized locations.
“(3) For movement of household goods, the administering Secretaries shall prescribe weight allowances in regulations under section 463 of this title. The prescribed weight allowances may not exceed 18,000 pounds (including packing, crating, and household goods in temporary storage), except that the administering Secretary may authorize additional weight allowances as necessary.

“(4) The administering Secretary may prescribe the terms, rates, and conditions that authorize a member of the uniformed services to ship or store a privately owned vehicle.

“(5) No carrier, port agent, warehouseman, freight forwarder, or other person involved in the transportation of property may have any lien on, or hold, impound, or otherwise interfere with, the movement of baggage and household goods being transported under this section.

“(d) UNUSUAL OR EMERGENCY CIRCUMSTANCES.—A member of the uniformed services or other authorized person may be provided travel and transportation allowances under this section for unusual, extraordinary, hardship, or emergency circumstances, including under circumstances warranting evacuation from a permanent duty assignment location.
“(e) PARTICULAR SEPARATION PROVISIONS.—The administering Secretary may provide travel and transportation in kind for the following persons in accordance with regulations prescribed under section 463 of this title:

“(1) A member who is retired, or is placed on the temporary disability retired list, under chapter 61 of title 10.

“(2) A member who is retired with pay under any other law or who, immediately following at least eight years of continuous active duty with no single break therein of more than 90 days, is discharged with separation pay or is involuntarily released from active duty with separation pay or readjustment pay.

“(3) A member who is discharged under section 1173 of title 10.

“(f) ATTENDANCE AT MEMORIAL CEREMONIES AND SERVICES.—A family member or member of the uniformed services who attends a deceased member’s repatriation, burial, or memorial ceremony or service may be provided travel and transportation allowances to the extent provided in regulations prescribed under section 463 of this title.

“§ 454. Travel and transportation pilot programs

“(a) PILOT PROGRAMS.—Except as otherwise prohibited by law, the Secretary of Defense may conduct pilot
programs to evaluate alternative travel and transportation programs, policies, and processes for Department of Defense authorized travelers. Such pilot programs shall be conducted so as to evaluate one or more of the following:

“(1) Alternative methods for performing and reimbursing travel.

“(2) Means for limiting the need for travel.

“(3) Means for reducing the environmental impact of travel.

“(b) WAIVER AUTHORITY.—Subject to subsection (c), the administering Secretary may waive any otherwise applicable provision of law to the extent determined necessary by the Secretary for the purposes of carrying out a pilot program under subsection (a).

“(c) LIMITATION.—The authority to carry out a program under subsection (a) is subject to the availability of appropriated funds.

“SUBCHAPTER II—ADMINISTRATIVE PROVISIONS

“§ 461. Relationship to other travel and transportation authorities

“A member of a uniformed service or other authorized traveler may not be paid travel and transportation allowances or receive travel and transportation-in-kind, or a combination thereof, under both subchapter I and sub-
chapter III for Government official travel and transportation performed under a single or related travel and transportation order or authorization by the administering Secretary.

§ 462. Travel and transportation expenses paid to members that are unauthorized or in excess of authorized amounts: requirement for repayment

(a) REPAYMENT REQUIRED.—Except as provided in subsection (b), a member of the uniformed services or other person who is paid travel and transportation allowances under subchapter I shall repay to the United States any amount of such payment that is determined to be unauthorized or in excess of the applicable authorized amount.

(b) EXCEPTION.—The regulations prescribed to administer this subchapter shall specify procedures for determining the circumstances under which a repayment exception may be granted.

(c) EFFECT OF BANKRUPTCY.—An obligation to repay the United States under this section is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after the date on which the debt was incurred.
§ 463. Regulations

“This subchapter and subchapter I shall be administered under terms, rates, conditions, and regulations prescribed by the Secretary of Defense in consultation with the other administering Secretaries for members of the uniformed services. Such regulations shall be uniform for the Department of Defense and shall be apply as uniformly as practicable to the uniformed services under the jurisdiction of the other administering Secretaries.

§ 471. Travel authorities transition expiration date

“In this subchapter, the term ‘travel authorities transition expiration date’ means the last day of the 10-year period beginning on the first day of the first month beginning after the date of the enactment of this section.

§ 472. Definitions and other incorporated provisions of chapter 7

“(a) DEFINITIONS.—The provisions of section 401 of this title apply to this subchapter.

“(b) OTHER PROVISIONS.—The provisions of sections 421 and 423 of this title apply to this subchapter.”.

(c) TRANSFER OF SECTIONS.—

(1) TRANSFER TO SUBCHAPTER I.—Section 412 of title 37, United States Code, is transferred to chapter 8 of such title, as added by subsection (b),
inserted after section 454, and redesignated as section 455.

(2) **TRANSFER OF CURRENT CHAPTER 7 AUTHORITIES TO SUBCHAPTER III.**—Sections 404, 404a, 404b, 405, 405a, 406, 406a, 406b, 406c, 407, 408, 408a, 409, 410, 411, 411a through 411k, 428 through 432, 434, and 435 of such title are transferred (in that order) to chapter 8 of such title, as added by subsection (b), inserted after section 472, and redesignated as follows:

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(3) Transfer of section 554.—Section 554 of such title is transferred to chapter 8 of such title, as added by subsection (b), inserted after section 481k (as transferred and redesignated by paragraph (2)), and redesignated as section 484.

(d) Sunset of Old-Law Authorities.—Provisions of subchapter III of chapter 8 of title 37, United States Code, as transferred and redesignated by paragraphs (2) and (3) of subsection (c), are amended as follows:

(1) Section 474 is amended by adding at the end the following new subsection:

“(h) Termination.—No travel and transportation allowance or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(2) Section 474a is amended by adding at the end the following new subsection:

“(f) Termination.—No payment or reimbursement may be provided under this section with respect to a change of permanent station for which orders are issued after the travel authorities transition expiration date.”.

(3) Section 474b is amended by adding at the end the following new subsection:

“(e) Termination.—No payment or reimbursement may be provided under this section with respect to an au-
authorized absence that begins after the travel authorities transition expiration date.”.

(4) Section 475 is amended by adding at the end the following new subsection:

“(f) TERMINATION.—During and after the travel authorities expiration date, no per diem may be paid under this section for any period.”.

(5) Section 475a is amended by adding at the end the following new subsection:

“(c) TERMINATION.—During and after the travel authorities expiration date, no allowance under subsection (a) or transportation or reimbursement under subsection (b) may be provided with respect to an authority or order to depart.”.

(6) Section 476 is amended by adding at the end the following new subsection:

“(n) TERMINATION.—No transportation, reimbursement, allowance, or per diem may be provided under this section—

“(1) with respect to a change of temporary or permanent station for which orders are issued after the travel authorities transition expiration date; or

“(2) in a case covered by this section when such orders are not issued, with respect to a movement of
(7) Section 476b is amended by adding at the end the following new subsection:

“(e) TERMINATION.—No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(8) Section 476c is amended by adding at the end the following new subsection:

“(e) TERMINATION.—No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(9) Section 477 is amended by adding at the end the following new subsection:

“(i) TERMINATION.—No dislocation allowance may be paid under this section for a move that begins after the travel authorities transition expiration date.”.

(10) Section 478 is amended by adding at the end the following new subsection:

“(e) TERMINATION.—No travel and transportation allowance, payment, or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(11) Section 479 is amended by adding at the end the following new subsection:
“(e) **TERMINATION.**—No transportation of a house trailer or mobile home, or storage or payment in connection therewith, may be provided under this section for transportation that begins after the travel authorities transition expiration date.”.

(12) Section 481 is amended by adding at the end the following new subsection:

“(e) **TERMINATION.**—The regulations prescribed under this section shall cease to be in effect as of the travel authorities transition expiration date.”.

(13) Section 481a is amended by adding at the end the following new subsection:

“(e) **TERMINATION.**—No travel and transportation allowance may be provided under this section for travel that is authorized after the travel authorities transition expiration date.”.

(14) Section 481b is amended by adding at the end the following new subsection:

“(h) **TERMINATION.**—No travel and transportation allowance may be provided under this section for travel that is authorized after the travel authorities transition expiration date.”.

(15) Section 481c is amended by adding at the end the following new subsection:
“(c) TERMINATION.—No transportation may be provided under this section after the travel authorities transition expiration date, and no payment may be made under this section for transportation that begins after that date.”.

(16) Section 481d is amended by adding at the end the following new subsection:

“(d) TERMINATION.—No transportation may be provided under this section after the travel authorities transition expiration date.”.

(16) Section 481e is amended by adding at the end the following new subsection:

“(e) TERMINATION.—No travel and transportation allowance or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(17) Section 481f is amended by adding at the end the following new subsection:

“(h) TERMINATION.—No travel and transportation allowance or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(18) Section 481h is amended by adding at the end the following new subsection:
“(e) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(19) Section 481i is amended by adding at the end the following new subsection:

“(e) TERMINATION.—No reimbursement may be provided under this section for expenses incurred after the travel authorities transition expiration date.”.

(20) Section 481j is amended by adding at the end the following new subsection:

“(e) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(21) Section 481k is amended by adding at the end the following new subsection:

“(e) TERMINATION.—No transportation, allowance, or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(22) Section 484 is amended by adding at the end the following new subsection:

“(k) TERMINATION.—No transportation, allowance, or reimbursement may be provided under this section for
a move that begins after the travel authorities transition expiration date.”.

(23) Section 488 is amended—

(A) by inserting “(a) AUTHORITY.—” before “In addition”; and

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

“(b) TERMINATION.—No reimbursement may be provided under this section for expenses incurred after the travel authorities transition expiration date.”.

(24) Section 489 is amended—

(A) by inserting “(a) AUTHORITY.—” before “In addition”; and

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

“(e) TERMINATION.—No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(25) Section 490 is amended by adding at the end the following new subsection:

“(g) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be provided under this section for travel that begins after the travel authorities transition expiration date.”.
(26) Section 492 is amended by adding at the end the following new subsection:

“(c) TERMINATION.—No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.”.

(27) Section 494 is amended by adding at the end the following new subsection:

“(d) TERMINATION.—No reimbursement may be provided under this section for expenses incurred after the travel authorities transition expiration date.”.

(28) Section 495 is amended by adding at the end the following new subsection:

“(c) TERMINATION.—No allowance may be paid under this section for any day after the travel authorities transition expiration date.”.

(e) TECHNICAL AND CLERICAL AMENDMENTS.—

(1) CHAPTER HEADING.—The heading of chapter 7 of such title is amended to read as follows:

“CHAPTER 7—ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES”.

(2) TABLE OF CHAPTERS.—The table of chapter preceding chapter 1 of such title is amended by striking the item relating to chapter 7 and inserting the following:
“7. Allowances Other Than Travel and Transportation Allowances .......... 401
“8. Travel and Transportation Allowances ............................................... 451”.

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 7 of such title is amended by striking the items relating to sections 404 through 412, 428 through 432, 434, and 435.

(4) CROSS REFERENCES.—(A) Any section of title 10 or 37, United States Code, that includes a reference to a section of title 37 that is transferred and redesignated by subsection (c) is amended so as to conform the reference to the section number of the section as so redesignated.

(B) Any reference in a provision of law other than a section of title 10 or 37, United States Code, to a section of title 37 that is transferred and redesignated by subsection (c) is deemed to refer to the section as so redesignated.

SEC. 612. TRANSITION PROVISIONS.

(a) IMPLEMENTATION PLAN.—The Secretary of Defense shall develop a plan to implement subchapters I and II of chapter 8 of title 37, United States Code, as added by section 611, and to transition all of the travel and transportation programs for members of the uniformed services under chapter 7 of title 37, United States Code, solely to provisions of those subchapters by the end of the transition period.
(b) Authority for Modifications to Old Law

Authorities During Transition Period.—During the
transition period, the Secretary of Defense and the Secre-
taries concerned, in using the authorities under sub-
chapter III of chapter 8 of title 37, United States Code,
as added by section 611(b), may apply those authorities
subject to the terms of such provisions and such modifica-
tions as the Secretary of Defense may include in the im-
plementation plan required under subsection (a) or in any
subsequent modification to that implementation plan.

(c) Coordination.—The Secretary of Defense shall
prepare the implementation plan under subsection (a) and
any modification to that plan under subsection (b) in co-
ordination with—

(1) the Secretary of Homeland Security, with
respect to the Coast Guard;

(2) the Secretary of Health and Human Serv-
ices, with respect to the commissioned corps of the
Public Health Service; and

(3) the Secretary of Commerce, with respect to
the National Oceanic and Atmospheric Administra-

(d) Transition Period.—In this section, the term
“transition period” means the 10-year period beginning
on the first day of the first month beginning after the date
of the enactment of this Act.

TITLE VII—HEALTH CARE
PROVISIONS

SEC. 701. RESERVE COMPONENT MENTAL HEALTH STUDENT STIPEND.

(a) Reserve Component Mental Health Student Stipend.—Section 16201 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) Mental Health Professionals in Critical Wartime Specialties.—(1) Under the stipend program under this chapter, the Secretary of the military department concerned may enter into an agreement with a person who—

“(A) is eligible to be appointed as an officer in a reserve component;

“(B) is enrolled or has been accepted for enrollment in an institution in a course of study that results in a degree in clinical psychology or social work;
“(C) Signs an agreement that, unless sooner separated, the person will—

“(i) complete the educational phase of the program;

“(ii) accept a reappointment or redesignation within the person’s reserve component, if tendered, based upon the person’s health profession, following satisfactory completion of the educational and intern programs; and

“(iii) participate in a residency program if required for clinical licensure; and

“(D) if required by regulations prescribed by the Secretary of Defense, agrees to apply for, if eligible, and accept, if offered, residency training in a health profession skill which has been designated by the Secretary of Defense as a critically needed wartime skill.

“(2) Under the agreement—

“(A) the Secretary of the military department concerned shall agree to pay the participant a stipend, in the amount determined under subsection (g), for the period or the remainder of the period that the student is satisfactorily progressing toward a degree in clinical psy-
chology or social work while enrolled in a school accredited in the designated mental health discipline;

“(B) the participant shall not be eligible to receive such stipend before appointment, designation, or assignment as an officer for service in the Ready Reserve;

“(C) the participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve; and

“(D) the participant shall agree to serve, upon successful completion of the program, one year in the Ready Reserve for each six months, or part thereof, for which the stipend is provided, to be served in the Selected Reserve or in the Individual Ready Reserve as specified in the agreement.”.

(b) CROSS-REFERENCE AMENDMENTS.—Such section is further amended by striking “subsection (f)” in subsections (b)(2)(A), (c)(2)(A), and (d)(2)(A) and inserting “subsection (g)”. 
SEC. 702. TRANSITION ENROLLMENT OF UNIFORMED SERVICES FAMILY HEALTH PLAN MEDICARE-ELIGIBLE RETIREES TO TRICARE FOR LIFE.

Section 724(e) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended—

(1) by striking “If a covered beneficiary” and inserting “(1) Except as provided in paragraph (2), if a covered beneficiary”; and

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

“(2) After September 30, 2011, a covered beneficiary (other than a beneficiary under section 1079 of title 10, United States Code) who is also entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act due to age may not enroll in the managed care program of a designated provider unless the beneficiary was enrolled in that program on September 30, 2011.”.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

SEC. 801. REVISION TO LAW RELATING TO DISCLOSURES TO LITIGATION SUPPORT CONTRACTORS.

(a) IN GENERAL.—
(1) Revised authority to cover disclosures under litigation support contracts.—
Chapter 3 of title 10, United States Code, is amended by inserting after section 129c the following new section:

"§ 129d. Disclosure to litigation support contractors

"(a) Disclosures.—An officer or employee of the Department of Defense may disclose confidential commercial, financial, or proprietary information, technical data, or other privileged or sensitive information to a litigation support contractor if—

"(1) the disclosure is within the scope of the official duties of the officer or employee;

"(2) the disclosure is solely to enable the litigation support contractor to perform the services required under its contract with the Government; and

"(3) the litigation support contractor has executed an agreement with the Department prohibiting disclosure or use of the information except as authorized pursuant to its contract, the violation of which is itself a basis for the Government to exercise its right to terminate the contract.

"(b) Definition.—In this section, the term ‘litigation support contractor’ means a contractor or individual (including an expert or technical consultant) under con-
tract with the Department of Defense to provide litigation
support in the form of administrative, technical, or profes-
sional services during or in anticipation of litigation.”.

(2) Clerical Amendment.—The table of sec-
tions at the beginning of such chapter is amended
by inserting after the item relating to section 129c
the following new item:

“129d. Disclosure to litigation support contractors.”.

(b) Repeal of Superseded Provisions Enacted
in Public Law 111–383.—Section 2320 of such title is
amended—

(1) in subsection (c)(2)—

(A) by striking “subsection (a)” and all
that follows through “a covered Government”
and inserting “subsection (a), allowing a cov-
ered Government”; and

(B) by striking subparagraph (B); and

(2) by striking subsection (g).

SEC. 802. CLARIFICATION OF DEPARTMENT OF DEFENSE
AUTHORITY TO PURCHASE RIGHT-HAND
DRIVE PASSENGER SEDAN VEHICLES AND IN-
CREASE IN COST LIMITATION.

Section 2253(a)(2) of title 10, United States Code,
is amended by striking “at a cost of not more than
$30,000 each” and inserting “, but at a cost of not more
than $45,000 each for passenger sedans”.

S 981 IS
SEC. 803. INCREASE IN DOLLAR thresholds for au-
thorities for acquisition of low-cost
interests in land and unspecified
minor construction projects for anti-
terrorism and force protection pur-
poses.

(a) Acquisition of low-cost interests in
land.—Section 2663(c)(2)(A) of title 10, United States
Code, is amended—

(1) by striking “needed solely” and inserting
“needed—
“(i) solely”;
(2) by striking “; and” and inserting “; or”;
and
(3) by adding at the end the following new
clause:
“(ii) for anti-terrorism and force protection require-
ments; and”.

(b) Unspecified minor construction.—Section
2805 of such title is amended—

(1) in subsection (a)(2), by inserting “or for
anti-terrorism and force protection requirements,”
after “safety-threatening,”; and
(2) in subsection (e)(1)(a)—
(A) by striking “intended solely” and in-
serting “intended—
“(i) solely”; and

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

“(ii) for anti-terrorism and force protection requirements; or”.

SEC. 804. REPEAL OF PROVISION OF LAW RELATING TO ACQUISITION POLICY WHEN DEPARTMENT OF DEFENSE IS OBTAINING CARRIAGE BY VESSEL.


SEC. 805. INVESTMENT THRESHOLD INCREASE FOR CONTINGENCY OPERATIONS.

(a) ENHANCED AUTHORITY FOR OVERSEAS CONTINGENCY OPERATIONS.—Funds made available to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost greater than the amount specified in section 2254a of title 10, United States Code, but not greater than $750,000, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a commander of a combatant command engaged in contingency operations overseas. The authority in the preceding sentence may not be used in the case of a purchase
of an item that is centrally managed or an item that is
part of a program of record.

(b) Expiration of Authority.—The authority
provided in subsection (a) shall expire on September 30,
2012.

SEC. 806. LIMITED ADDITIONAL AUTHORITY FOR DELEGATION TO MAKE DETERMINATIONS THAT CO- OPERATIVE RESEARCH AND DEVELOPMENT PROJECTS WILL IMPROVE CONVENTIONAL DEFENSE CAPABILITIES.

Section 2350a(b)(2) of title 10, United States Code, is amended—

(1) by inserting “, to the Under Secretary of Defense for Acquisition, Technology, and Logistics,” after “the Deputy Secretary of Defense”; and

(2) by inserting “who is appointed by the President, by and with the advice and consent of the Senate” before the period at the end.

SEC. 807. EXTENSION TO ALL CONTRACTOR EMPLOYEES OF APPLICABILITY OF THE SENIOR EXECUTIVE BENCHMARK COMPENSATION AMOUNT FOR PURPOSES OF ALLOWABLE COST LIMITATIONS UNDER GOVERNMENT CONTRACTS.

(a) Allowable Costs Under Defense Con- tracts.—
(1) Certain compensation not allowable.—Subsection (e)(1)(P) of section 2324 of title 10, United States Code, is amended by striking “senior executives” and inserting “employees”.

(2) Conforming amendment.—Subsection (l) of such section is amended by striking paragraph (5).

(b) Allowable Costs Under Non-Defense Contracts.—

(1) Certain compensation not allowable.—Subsection (a)(16) of section 4304 of title 41, United States Code, is amended by striking “senior executives” and inserting “employees”.

(2) Conforming amendment.—Section 4301 of such title is amended by striking paragraph (4).

(e) Effective Date.—The amendments made by this section—

(1) shall be implemented in the Federal Acquisition Regulation within 180 days after the date of the enactment of this Act; and

(2) shall apply with respect to costs of compensation incurred after January 1, 2012, under covered contracts entered into before, on, or after the date of the enactment of this Act.
SEC. 808. TREATMENT OF CRITICAL COST GROWTH IN
MAJOR DEFENSE ACQUISITION PROGRAMS
WHEN COST GROWTH IS PRIMARILY DUE TO
QUANTITY CHANGES.

Section 2433a of title 10, United States Code, is amended—

(1) in subsection (b)(1), by inserting “(except as provided under subsection (e))” after “the Secretary shall”; and

(2) by adding at the end the following new subsection:

“(e) INAPPLICABILITY IN THE EVENT OF QUANTITY
CHANGES.—(1) If after conducting the reassessment re-
quired by subsection (a) with respect to a major defense
acquisition program, the Secretary makes the determina-
tions specified in paragraph (2), then upon submission to
Congress of the statement specified in paragraph (3), the
provisions of subsection (b) shall not apply with respect
to that program by reason of the increase in unit cost that
resulted in the reassessment being conducted.

“(2) The determinations specified in this para-
graph are the following:

“(A) A determination by the Secretary,
taking into consideration the results of the root
cause analysis conducted pursuant to paragraph
(1) of subsection (a) as part of the reassessment—

“(i) that the increase in unit cost was due primarily to variation in the quantity of items to be purchased under the program; and

“(ii) that such variation in quantity was not made as a result of that increase in unit cost.

“(B) A further determination by the Secretary, taking into consideration the results of the cost assessment conducted pursuant to paragraph (2) of subsection (a) as part of the reassessment, that it is in the best interests of the Government not to terminate the program, notwithstanding the increase in unit cost.

“(3) A statement under this paragraph with respect to an increase in unit cost is a written statement submitted by the Secretary to Congress—

“(A) that is submitted before the end of the 60-day period beginning on the day the Selected Acquisition Report containing the information described in section 2433(g) of this title relating to that increase in unit cost is required
to be submitted under section 2432(f) of this title; and

“(B) in which the Secretary states—

“(i) that the increase in unit cost is primarily attributable to variation in quantity; and

“(ii) that it is in the best interests of the Government not to terminate the program notwithstanding the increase in unit cost.”.

SEC. 809. EXTENSION OF AVAILABILITY OF FUNDS IN THE DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.

(a) Availability.—Section 1705(e)(6) of title 10, United States Code, is amended by striking “under subsection (d)(2)” and inserting “(whether by credit in accordance with subsection (d)(2), by transfer pursuant to subsection (d)(3), by direct appropriation, or by deposit)”.

(b) Effective Date.—The amendment made by subsection (a) shall not apply to funds in the Department of Defense Acquisition Workforce Development Fund as of the date of the enactment of this Act.

(e) Clarifying Amendment.—Such section is further amended by striking “expenditure” and inserting “obligation”.

S 981 IS
SEC. 810. AUTHORITY TO DESIGNATE INCREMENTS OR BLOCKS OF SPACE VEHICLES AS MAJOR SUB-
PROGRAMS.

Section 2430a(a)(1) of title 10, United States Code, is amended—

(1) by inserting “(A)” before “If the Secretary of Defense determines”; and

(2) by adding at the end the following new sub-
paragraph:

“(B) If the Secretary of Defense determines that a major defense acquisition program to purchase space vehicles requires the delivery of two or more increments or blocks of space vehicles, the Secretary may designate each such increment or block as a major subprogram for the purposes of acquisition reporting under this chapter.”.

SEC. 811. SPECIAL EMERGENCY PROCUREMENT AUTHORITY.

(a) LIMITED AUTHORITY FOR USE OF OUTSIDE-THE-
UNITED-STATES THRESHOLDS.—Subject to subsection (b), the Under Secretary of Defense for Acquisition, Technology, and Logistics may authorize the head of a contracting activity located in the United States, when awarding a contract or making a purchase in direct support of Operation Enduring Freedom or Operation New Dawn, to
use the overseas increased micro-purchase threshold and
the overseas increased simplified acquisition threshold in
the same manner as if the contract were to be to be award-
ed and performed, or the purchase was to be made, outside
the United States.

(b) LIMITATIONS.—

(1) ONLY ONE CONTRACTING ACTIVITY AT A
time.—The authority of the Under Secretary under
subsection (a) may be exercised with respect to only
one contracting activity at any time.

(2) NON-DELEGATION.—The authority of the
Under Secretary under subsection (a) may not be
delegated.

(c) DEFINITIONS.—In this section:

(1) OVERSEAS INCREASED MICRO-PURCHASE
THRESHOLD.—The term “overseas increased micro-
purchase threshold” means the amount specified in
paragraph (1)(B) of section 1903(b) of title 41,
United States Code.

(2) OVERSEAS INCREASED SIMPLIFIED ACQUISI-
TION THRESHOLD.—The term “overseas increased
simplified acquisition threshold” means the amount
specified in paragraph (2)(B) of section 1903(b) of
title 41, United States Code.
SEC. 812. REPEAL OR REVISION OF CERTAIN ACQUISITION-
RELATED PROVISIONS ENACTED IN FISCAL
YEAR 2011 NATIONAL DEFENSE AUTHORIZA-
TION ACT.

(a) ENHANCEMENT OF REVIEW OF ACQUISITION
PROCESS FOR RAPID FIELDING OF CAPABILITIES IN RE-
SPONSE TO URGENT OPERATIONAL NEEDS.—Subsection
(b)(3) of section 804 of the Ike Skelton National Defense
Authorization Act for Fiscal Year 2011 (Public Law 111–
383; 124 Stat. 4256; 10 U.S.C. 2302 note) is amended—
(1) by inserting “and” at the end of subpara-
graph (B);
(2) by striking “; and” at the end of subpara-
graph (C) and inserting a period; and
(3) by striking subparagraph (D).

(b) REPEAL OF DUPLICATIVE REQUIREMENT FOR
SECRETARY OF DEFENSE GUIDANCE CONCERNING MAN-
AGEMENT OF MANUFACTURING RISK IN MAJOR DEFENSE
ACQUISITION PROGRAMS.—Section 812 of such Act (Pub-
is repealed.

(c) REPEAL OF DEFENSE RESEARCH AND DEVELOP-
MENT RAPID INNOVATION PROGRAM.—Section 1073 of
such Act (Public Law 111–383; 124 Stat. 4366; 10 U.S.C.
2359a note) is repealed.
SEC. 813. ACCESS TO CONTRACTOR AND SUBCONTRACTOR RECORDS FOR CONTRACTS WITH FOREIGN ENTITIES IN SUPPORT OF CONTINGENCY OPERATIONS IN THE UNITED STATES CENTRAL COMMAND AREA OF RESPONSIBILITY.

(a) REQUIREMENT.—In the case of any contract or purchase order to be awarded, or task or delivery order to be issued, by the Department of Defense for performance in support of a contingency operation in the United States Central Command area of responsibility, the contract or purchase order may be awarded, or the task or delivery order issued, only if—

(1) in the case of contract or purchase order to be awarded, or task or delivery order to be issued, to a foreign entity, the foreign entity agrees to provide access to the Secretary of Defense, acting through an authorized representative, to examine all records of such foreign entity relating to the contract or order; and

(2) the entity to be awarded the contract or purchase order, or to be issued the task or delivery order, agrees to require that, if any subcontract is to be awarded to a foreign entity under the contract or purchase order or the task or delivery order, the foreign entity must agree to provide access to the Secretary of Defense, acting through an authorized
representative, to examine all records of such foreign
entity relating to the subcontract.

(b) Combatant Commander Waiver Authority.—The commander of the United States Central Com-
mand may authorize a waiver of subsection (a) in any case
in which the commander determines that such a waiver
is in the best interest of the Government.

Sec. 814. Revision to Covered Programs Subject To
Certification Pursuant to Sections
2366A and 2366B of Title 10, United States
Code.

(a) Repeal of Application of Certification Re-
quirement to Ongoing Programs.—Section 204 of the
Weapon Systems Acquisition Reform Act of 2009 (Public
Law 111–23; 123 Stat. 1723), is amended by striking sub-
section (c).

(b) Key Decision Point Approval in Case of
Space Program.—

(1) Certification.—Subsection (a) of section
2366a of title 10, United States Code, is amended—

(A) by striking “or Key Decision Point A
approval in the case of a space program,”; and

(B) by striking “or Key Decision Point B
approval in the case of a space program,”.
(2) NOTIFICATION.—Subsection (b) of such section is amended—

(A) in paragraph (1), by striking “(or Key Decision Point A approval in the case of a space program)”; and

(B) in paragraph (2)(C)(ii), by striking “or Key Decision Point A approval in the case of a space program,”;

(3) CONFORMING AMENDMENT.—The heading of such section is amended by striking “or Key Decision Point A”.

(4) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by striking the item related to section 2366a and inserting the following new item:

“2366a. Major defense acquisition programs: certification required before Milestone A approval.”.

SEC. 815. FIVE-YEAR EXTENSION OF DEPARTMENT OF DEFENSE MENTOR-PROTEGE PILOT PROGRAM.


(1) in paragraph (1), by striking “September 30, 2010” and inserting “September 30, 2015”; and
(2) in paragraph (2), by striking “September 30, 2013” and inserting “September 30, 2018”.

(b) Extension of Requirement for Annual Report.—Subsection (l)(3) of such section is amended by striking “2010” and inserting “2015”.

SEC. 816. RESTRICTION ON CONTRACTING AND VOIDING CONTRACTS AND SUBCONTRACTS IN SUPPORT OF CONTINGENCY OPERATIONS IN THE UNITED STATES CENTRAL COMMAND THEATER OF OPERATIONS.

(a) During a contingency operation, the Secretary of Defense, through the commander of a combatant command, may determine, based upon credible evidence, that a foreign entity or individual is supporting an insurgency or otherwise opposing United States or coalition forces. The commander of the combatant command shall notify the responsible head of the contracting activity in writing of all such adverse entity determinations.

(b) Upon notification from the commander of a combatant command of an adverse entity determination made pursuant to subsection (a), the head of the contracting activity shall review all contracts and subcontracts issued under the authority of that contracting activity to determine whether any such adverse entity is currently performing under contract or subcontract with the con-
tracting activity. The head of the contracting activity shall notify the commander if any adverse entity is performing under a contract or subcontract.

(c) With respect to any contract or subcontract identified pursuant to subsection (b), the head of the contracting activity may void any such contract or direct the prime contractor to void any such subcontract in accordance with applicable regulations prescribed pursuant to this section.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Intelligence-Related Matters

SEC. 901. APPROPRIATIONS FOR DEFENSE INTELLIGENCE ELEMENTS.

(a) IN GENERAL.—Chapter 21 of title 10, United States Code, is amended by inserting after section 428 the following new section:

“§ 429. Appropriations for Defense intelligence elements

“(a) ACCOUNTS FOR APPROPRIATIONS FOR DEFENSE INTELLIGENCE ELEMENTS.—Notwithstanding any other provision of law and in addition to any other transfer authority available to the Department of Defense, the Sec-
Secretary of Defense may transfer appropriations of the Department of Defense which are available to the Department of Defense for intelligence, intelligence-related activities and communications, to an account or accounts established by the Secretary of the Treasury for receipt of such transfers. Such an account or accounts may also receive transfers from the Director of National Intelligence, and transfers and reimbursements arising from transactions, as authorized by law, between the Defense intelligence elements and other entities. Appropriation balances in such an account or accounts may be transferred back to the account or accounts from which they originated as appropriation refunds.

“(b) Availability of Appropriations.—Appropriations transferred pursuant to subsection (a) shall remain available for the same time period, and shall be available for the same purposes, as the appropriations from which they were transferred.

“(c) Defense Intelligence Elements Defined.—In this section, the term ‘Defense intelligence elements’ means the Department of Defense agencies, offices, and elements included within the definition of ‘intelligence community’ under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).’.”
(b) Clerical Amendment.—The table of sections at the beginning of subchapter I of such chapter is amended by adding at the end the following new item:

“429. Appropriations for Defense intelligence elements.”.

SEC. 902. AUTHORITY TO CREDIT MILITARY GRADUATES OF THE NATIONAL DEFENSE INTELLIGENCE COLLEGE WITH COMPLETION OF JOINT PROFESSIONAL MILITARY EDUCATION PHASE I.

(a) Joint Professional Military Education Phase I.—Section 2154(a)(1) of title 10, United States Code, is amended by inserting “or at a joint intermediate level school” before the period at the end.

(b) Joint Intermediate Level School Defined.—Section 2151(b) of such title is amended by adding at the end the following new paragraph:

“(3) The term ‘joint intermediate level school’ includes the National Defense Intelligence College.”.

SEC. 903. BROADENING OF AUTHORITY FOR EXCHANGES OF MAPPING, CHARTING, AND GEODETIC DATA TO INCLUDE NONGOVERNMENTAL ORGANIZATIONS AND ACADEMIC INSTITUTIONS.

(a) Broadening of Authority.—Section 454 of title 10, United States Code, is amended—

(1) by inserting “(a) Foreign Countries and International Organizations.—” before “The Secretary of Defense”; and
(2) by adding at the end the following new sub-
section:

“(b) NONGOVERNMENTAL ORGANIZATIONS AND Aca-
demic INSTITUTIONS.—The Secretary may authorize the
National Geospatial-Intelligence Agency to exchange or
furnish mapping, charting, and geodetic data, supplies and
services relating to areas outside of the United States to
a nongovernmental organization or an academic institu-
tion engaged in geospatial information research or produc-
tion of such areas pursuant to an agreement for the pro-
duction or exchange of such data.”.

(b) CONFORMING AMENDMENTS.—

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

§ 454. Exchange of mapping, charting, and geodetic
data with foreign countries, international
organizations, nongovernmental organi-
izations, and academic institutions”.

(2) TABLE OF SECTIONS.—The item relating to
such section in the table of sections at the beginning
of subchapter II of chapter 22 of such title is
amended to read as follows:

“454. Exchange of mapping, charting, and geodetic data with foreign countries,
international organizations, nongovernmental organizations,
and academic institutions.”
SEC. 904. FACILITIES FOR INTELLIGENCE COLLECTION OR SPECIAL OPERATIONS ACTIVITIES ABROAD.

Section 2682 of title 10, United States Code, is amended—

(1) by inserting “(a) MAINTENANCE AND REPAIR.—” before “The maintenance and repair”; 

(2) by designating the second sentence as subsection (b) and, as so designated, by inserting “JURISDICTION.—” before “A real property facility”; and 

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

“(c) FACILITIES FOR INTELLIGENCE COLLECTION OR FOR SPECIAL OPERATIONS ABROAD.—The Secretary of Defense may maintain and repair, and may exercise jurisdiction over, a real property facility if necessary to provide security for authorized intelligence collection or special operations activities abroad undertaken by the Department of Defense.”.

Subtitle B—Space Activities

SEC. 911. REVISIONS TO POLICY ON DEVELOPMENT AND PROCUREMENT OF UNMANNED SYSTEMS.

(a) REVISION TO REQUIRED POLICY.—Subsection (a) of section 941 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2083) is amended—
(1) by striking “on” and inserting “for the conduct of”;

(2) by striking “procurement, and operation” and inserting “and for the conduct of procurement,”;

(3) by inserting “manned and” before “unmanned systems”; and

(4) by inserting “in a manner that is fiscally responsible and enhances warfighter capability” before the period at the end.

(b) MODIFICATION TO ELEMENTS OF POLICY.—Subsection (b) of such section is amended—

(1) by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) An identification of those Department of Defense capabilities for which manned and unmanned systems may address potential needs.

“(2) A thorough and objective consideration of the acquisition of manned and unmanned systems whenever a new system is to be acquired to meet a capability requirement.”;

(2) in paragraph (5), by striking “, including” and all that follows through “on unmanned systems”; and
(3) in paragraph (6), by striking “missions” and inserting “capabilities”.

(c) ROADMAP.—Such section is further amended—

(1) by striking subsection (d);

(2) by redesignating subsection (c) as subsection (d);

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

“(c) ROADMAP.—The Secretary of Defense shall prepare and update periodically a roadmap for the policy required by subsection (a) that includes—

“(1) goals for the development of unmanned system technologies to address capabilities identified pursuant to subsection (b)(1); and

“(2) plans to address technical, operational, and production challenges, and gaps in capabilities, with respect to unmanned systems.”; and

(4) in subsection (d), as redesignated by paragraph (2), by inserting “, and implement the roadmap required by subsection (c),” after “subsection (a)”.

(d) CONFORMING AMENDMENT.—The heading of such section is amended by inserting “MANNED AND” before “UNMANNED”.
SEC. 912. COMMERCIAL SPACE LAUNCH COOPERATION.

(a) Commercial Space Launch Cooperation Authority.—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 and the Administrator of the National Aeronautics and Space Administration may, to assist the Secretary of Transportation in carrying out responsibilities set forth in titles 49 and 51 with respect to private sector involvement in commercial space transportation activity and public-private partnerships pertaining to space transportation infrastructure, take such actions as each considers to be in the best interest of the Government to—

“(1) maximize the use of the capacity of Department of Defense or National Aeronautics and Space Administration space transportation infrastructure by the United States private sector;

“(2) maximize the effectiveness and efficiency of Department of Defense or National Aeronautics and Space Administration space transportation infrastructure;

“(3) reduce the cost of services provided by the Department of Defense or National Aeronautics and Space Administration at launch support facilities and space recovery support facilities;
“(4) encourage commercial space activities by enabling investment in Department of Defense or National Aeronautics and Space Administration space transportation infrastructure by United States non-federal entities; and

“(5) foster cooperation between the Department of Defense or the National Aeronautics and Space Administration and United States non-federal space transportation entities.

“(b) Contributions.—The Secretary of Defense and the Administrator of the National Aeronautics and Space Administration may each enter into agreements with United States non-federal entities on a cooperative and voluntary basis to accept contributions of funds, property, and services to carry out this section. Any funds, property, or services accepted under this subsection shall be used only for the objectives specified in this section in accordance with terms of use to be determined by agreement between the contributor and the Secretary or Administrator, and shall be managed by the Secretary or Administrator in accordance with, respectively, Department of Defense and National Aeronautics and Space Administration regulations. Any such agreement shall address terms of use, ownership, and disposition of resources, as well as
possible benefits accruing to non-federal entities that are
not a party to the agreement.

“(c) INCLUSION OF COMMERCIAL REQUIREMENTS IN
CONTRACTS.—The Secretary of Defense and the Adminis-
trator of the National Aeronautics and Space Administra-
tion may each include, upon request by a United States
commercial launch entity, commercial space launch and
support requirements in Department of Defense or Na-
tional Aeronautics and Space promise Administration
space launch and reentry range support requirements if—

“(1) the Secretary or the Administrator, as the
case may be, determines that the inclusion of such
commercial space launch and support require-
ments—

“(A) is in the best interest of the Govern-
ment;

“(B) does not interfere with the require-
ments of, respectively, the Department of De-
fense or the National Aeronautics and Space
Administration; and

“(C) does not compete with the commercial
space activities of United States commercial
space entities unless otherwise in furtherance of
national security; and
“(2) any commercial requirement included in a
Department of Defense or National Aeronautics and
Space Administration contract has full non-federal
funding before the execution of such contract.

“(d) DEFENSE COOPERATION SPACE LAUNCH AC-
COUNT.—

“(1) ESTABLISHMENT.—There is established in
the Treasury of the United States a special account
to be known as the ‘Defense Cooperation Space
Launch Account’.

“(2) CREDITING OF FUNDS.—Funds received
by the Secretary of Defense under subsection (b)
shall be credited to the Defense Cooperation Space
Launch Account and shall be available until ex-
pended without further authorization or appropria-
tion only for the objectives specified in this section.

“(3) INVESTMENT OF FUNDS.—The Secretary
of Defense may request the Secretary of the Treas-
ury to invest such portion of the Defense Cooper-
tion Space Launch Account that is not, in the judg-
ment of the Secretary of Defense, required to meet
the current needs of the account. Such investments
shall be made by the Secretary of the Treasury in
public debt obligations, with maturities suitable to
the needs of the fund, as determined by the Sec-
retary of Defense, and bearing interest at rates de-
determined by the Secretary of the Treasury, taking
into consideration current market yields on out-
standing marketable obligations of the United States
of comparative maturities.

“(4) ANNUAL REPORT.—Not later than January 31 of each year, the Secretary of Defense shall submit to the congressional defense committees a re-
port on the funds accepted and expended by the Sec-
retary under this section during the previous fiscal
year.

“(e) DEFINITIONS.—In this section:

“(1) LAUNCH SUPPORT FACILITIES.—The term ‘launch support facilities’ has the meaning given that term in section 50501(7) of title 51.

“(2) SPACE RECOVERY SUPPORT FACILITIES.—The term ‘space recovery support facilities’ has the meaning given that term in section 50501(11) of title 51.

“(3) SPACE TRANSPORTATION INFRASTRUC-
TURE.—The term ‘space transportation infrastruc-
ture’ has the meaning given that term in section
50501(12) of title 51.”.
(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2275. Commercial space launch cooperation.”.

(c) REGULATIONS.—The Secretary of Defense shall prescribe regulations relating to the activities of the Department of Defense under section 2275 of title 10, United States Code, as added by subsection (a).

TITLE X—GENERAL PROVISIONS

SEC. 1001. REPEAL OF REQUIREMENT FOR ANNUAL JOINT REPORT FROM OFFICE OF MANAGEMENT AND BUDGET AND CONGRESSIONAL BUDGET OFFICE ON SCORING OF OUTLAYS IN DEFENSE BUDGET FUNCTION.

(a) REPEAL.—Section 226 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by striking the item relating to section 226.

SEC. 1002. REVISION TO CONDITIONS ON STATUS OF RETIRED AIRCRAFT CARRIER EX-JOHN F. KENNEDY.

Section 1011(c)(2) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2374) is amended by striking “shall require” and all that follows and inserting “may, notwith-
standing paragraph (1), demilitarize the vessel in preparation for the transfer.”

SEC. 1003. AUTHORITY TO PROVIDE INFORMATION FOR MARITIME SAFETY OF FORCES AND HYDROGRAPHIC SUPPORT.

(a) Authority.—Part IV of subtitle C of title 10, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 669—MARITIME SAFETY OF FORCES

“§ 7921. Safety and effectiveness information; hydrographic information

“(a) SAFETY AND EFFECTIVENESS INFORMATION.—

(1) The Secretary of the Navy shall maximize the safety and effectiveness of all maritime vessels, aircraft, and forces of the armed forces by means of—

“(A) marine data collection;

“(B) numerical weather and ocean prediction;

and

“(C) forecasting of hazardous weather and ocean conditions.

“(2) The Secretary may extend similar support to forces of the North Atlantic Treaty Organization, and to coalition forces, that are operating with the armed forces.

“See. 7921. Safety and effectiveness information; hydrographic information.
“(b) HYDROGRAPHIC INFORMATION.—The Secretary of the Navy shall collect, process, and provide to the Director of the National Geospatial-Intelligence Agency hydrographic information to support preparation of maps, charts, books, and geodetic products by that Agency.”.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle C of such title, and the table of chapters at the beginning of part IV of such subtitle, are each amended by inserting after the item relating to chapter 667 the following new item:

“669. Maritime Safety of Forces ................................................... 7921”.

SEC. 1004. DEPOSIT OF REIMBURSED FUNDS UNDER RECIPROCAL FIRE PROTECTION AGREEMENTS.

Section 5(b) of the Act of May 27, 1955 (42 U.S.C. 1856d(b)) is amended to read as follows:

“(b) Notwithstanding subsection (a), all sums received as reimbursement for costs incurred by any Department of Defense activity for fire protection rendered pursuant to this Act shall be credited to the same appropriation or fund from which the expenses were paid or, if the period of availability for obligation for that appropriation has expired, to the appropriation or fund that is currently available to the activity for the same purpose. Amounts so credited shall be subject to the same provisions and restrictions as the appropriation or account to which credited.”.
SEC. 1005. REPEAL OF STRATEGIC AIRLIFT AIRCRAFT INVENTORY REQUIREMENT.

(a) REPEAL.—Section 8062 of title 10, United States Code, is amended by striking subsection (g).

(b) CONFORMING AMENDMENTS.—Subsection (d)(3) of section 137 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2221) is amended—

(1) By striking “that—” and all that follows through “(A) the retirement” and inserting “that the retirement”;

(2) by striking “Strategy; and” and inserting “Strategy.”; and

(3) by striking subparagraph (B).

SEC. 1006. CHANGE IN NAME OF THE INDUSTRIAL COLLEGE OF THE ARMED FORCES TO THE DWIGHT D. EISENHOWER SCHOOL FOR NATIONAL SECURITY AND RESOURCE STRATEGY AT THE NATIONAL DEFENSE UNIVERSITY.

(a) CHANGE IN NAME.—The Industrial College of the Armed Forces is hereby renamed the “Dwight D. Eisenhower School for National Security and Resource Strategy”.

(b) CONFORMING AMENDMENT.—Section 2165(b)(2) of title 10, United States Code, is amended by striking “Industrial College of the Armed Forces” and inserting

(c) REFERENCES.—Any reference to the Industrial College of the Armed Forces in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Dwight D. Eisenhower School for National Security and Resource Strategy.

SEC. 1007. ESTABLISHMENT OF THE JOINT URGENT OPERATIONAL NEEDS FUND TO RAPIDLY MEET URGENT OPERATIONAL NEEDS.

(a) Establishment of Fund.—

(1) NEW TRANSFER ACCOUNT.—Chapter 131 of title 10, United States Code, is amended by inserting after section 2216 the following new section:

§ 2216a. Rapidly meeting urgent needs: Joint Urgent Operational Needs Fund

“(a) Establishment.—There is established in the Treasury an account to be known as the ‘Joint Urgent Operational Needs Fund’.

“(b) Use of Funds.—Funds in the Joint Urgent Operational Needs Fund shall be available to the Secretary of Defense for the purpose of providing equipment, supplies, services, training, and facilities to facilitate the
resolution of urgent operational needs as determined by
the Secretary.

“(c) Transfer Authority.—

“(1) Transfers Authorized.—Amounts in
the Joint Urgent Operational Needs Fund may be
transferred by the Secretary of Defense from the
Joint Urgent Operational Needs Fund to any of the
following accounts and funds of the Department of
Defense to accomplish the purpose stated in sub-
section (b):

“(A) Operation and maintenance accounts.
“(B) Procurement accounts.
“(C) Research, development, test, and eval-
uation accounts.

“(2) Additional Authority.—The transfer
authority provided by paragraph (1) is in addition to
any other transfer authority available to the Depart-
ment of Defense.

“(3) Transfers back to the Fund.—Upon
determination by the Secretary of Defense that all
or part of the funds transferred from the Joint Ur-
gent Operational Needs Fund under paragraph (1)
are not necessary for the purpose for which trans-
ferred, such funds may be transferred back to the
Joint Urgent Operational Needs Fund.
“(4) Effect on Authorization Amounts.—
A transfer of an amount to an account under the
authority in paragraph (1) shall be deemed to in-
crease the amount authorized for such account by an
amount equal to the amount transferred.”.

(2) Clerical Amendment.—The table of sec-
tions at the beginning of such chapter is amended
by inserting after the item relating to section 2216
the following new item:

“2216a. Rapidly meeting urgent needs: Joint Urgent Operational Needs Fund.”.

(b) Commencement of Fund.—No funds may be
appropriated for the Joint Urgent Operational Needs
Fund established under section 2216a of title 10, United
States Code, as added by subsection (a), for a fiscal year
before fiscal year 2012.

(c) Fiscal Year 2012 Authorization.—Funds are
hereby authorized to be appropriated for fiscal year 2012
for the Joint Urgent Operational Needs Fund established
under section 2216a of title 10, United States Code, as
added by subsection (a), in the amount of $200,000,000.

SEC. 1008. RATEMAKING PROCEDURES FOR CIVIL RESERVE
AIR FLEET CONTRACTS.

(a) In General.—Chapter 931 of title 10, United
States Code, is amended by inserting after section 9511
the following new section:
§ 9511a. Civil Reserve Air Fleet contracts: payment rate

(a) Authority.—The Secretary of Defense shall determine a fair and reasonable rate of payment for airlift services provided to the Department of Defense by air carriers who are participants in the Civil Reserve Air Fleet program. Such rate of payment shall be determined in accordance with—

(1) the methodology and ratemaking procedures in effect on the date of the enactment of this section; and

(2) such other procedures as the Secretary may prescribe by regulation.

(b) Regulations.—The Secretary of Defense shall prescribe regulations for purposes of subsection (a). Such regulations shall include a process for modifying the ratemaking methodology referred to in paragraph (1) of that subsection. The Secretary may exclude from the applicability of those regulations any airlift services contract made through the use of competitive procedures.

(c) Commitment of Aircraft as a Business Factor.—The Secretary may, in determining the quantity of business to be received under an airlift services contract for which the rate of payment is determined in accordance with subsection (a), use as a factor the relative
amount of airlift capability committed by each air carrier to the Civil Reserve Air Fleet.

“(d) **Inapplicable Provisions of Law.**—An airlift services contract for which the rate of payment is determined in accordance with subsection (a) shall not be subject to the provisions of section 2306a of this title or to the provisions of subsections (a) and (b) of section 1502 of title 41.”.

(b) **Clerical Amendment.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 9511 the following new item:

“9511a. Civil Reserve Air Fleet contracts: payment rate.”

(c) **Initial Regulations.**—Regulations shall be prescribed under section 9511a(b) of title 10, United States Code, as added by subsection (a), not later than 180 days after the date of the enactment of this Act.

**SEC. 1009. TWO-YEAR EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA AND OF NUMERICAL LIMITATION ON ASSIGNMENT OF UNITED STATES PERSONNEL IN COLOMBIA.**

section 1011 of the Ike Skelton National Defense Author-
ization Act for Fiscal Year 2011 (Public Law 111–343;
124 Stat. 4346), is further amended—
(1) in subsection (a)(1), by striking “2011” and
inserting “2013”; and
(2) in subsection (c), by striking “2010” and
inserting “2013”.
SEC. 1010. TWO-YEAR EXTENSION OF AUTHORITY FOR
JOINT TASK FORCES TO PROVIDE SUPPORT
TO LAW ENFORCEMENT AGENCIES CON-
DUCTING COUNTER-TERRORISM ACTIVITIES.
Section 1022(b) of the National Defense Authoriza-
tion Act for Fiscal Year 2004 (Public Law 108–136; 10
U.S.C. 371 note), as most recently amended by section
1012(a) of the Ike Skelton National Defense Authoriza-
tion Act for Fiscal Year 2011 (Public Law 111–383; 124
Stat. 4346), is further amended by striking “2011” and
inserting “2013”.
SEC. 1011. CLARIFICATION OF JURISDICTION OF THE
UNITED STATES DISTRICT COURTS TO HEAR
BID PROTEST DISPUTES INVOLVING MAR-
TIME CONTRACTS.
(a) EXCLUSIVE JURISDICTION.—Section 1491(b) of
title 28, United States Code, is amended by adding at the
end the following new paragraph:
“(6) Jurisdiction over any action described in paragraph (1) arising out of a maritime contract, or a solicitation for a proposed maritime contract, shall be governed by this section and shall not be subject to the jurisdiction of the district courts of the United States under the Suits in Admiralty Act (chapter 309 of title 46) or the Public Vessels Act (chapter 311 of title 46).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to any cause of action filed on or after the first day of the first month beginning more than 30 days after the date of the enactment of this Act.

SEC. 1012. MANAGEMENT OF DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) SECRETARY OF DEFENSE AUTHORITY.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2671 the following new section:

“§ 2672. Protection of property

“(a) IN GENERAL.—The Secretary of Defense shall protect the buildings, grounds, and property that are under the jurisdiction, custody, or control of the Department of Defense and the persons on that property.

“(b) OFFICERS AND AGENTS.—

“(1) DESIGNATION.—The Secretary may designate military or civilian personnel of the Depart-
ment of Defense as officers and agents to perform the functions of the Secretary under subsection (a), including, with regard to civilian officers and agents, duty in areas outside the property specified in that subsection to the extent necessary to protect that property and persons on that property.

“(2) POWERS.—Subject to subsection (f), while engaged in the performance of official duties pursuant to this section, an officer or agent designated under this subsection may—

“(A) enforce Federal laws and regulations for the protection of persons and property;

“(B) carry firearms;

“(C) make arrests—

“(i) without a warrant for any offense against the United States committed in the presence of the officer or agent; or

“(ii) for any felony cognizable under the laws of the United States if the officer or agent has reasonable grounds to believe that the person to be arrested has committed or is committing a felony;

“(D) serve warrants and subpoenas issued under the authority of the United States; and
“(E) conduct investigations, on and off the property in question, of offenses that may have been committed against property under the jurisdiction, custody, or control of the Department of Defense or persons on such property.

“(c) Regulations.—

“(1) In general.—The Secretary may prescribe regulations, including traffic regulations, necessary for the protection and administration of property under the jurisdiction, custody, or control of the Department of Defense and persons on that property. The regulations may include reasonable penalties, within the limits prescribed in paragraph (2), for violations of the regulations. The regulations shall be posted and remain posted in a conspicuous place on the property to which they apply.

“(2) Penalties.—A person violating a regulation prescribed under this subsection shall be fined under title 18, imprisoned for not more than 30 days, or both.

“(d) Facilities and Services of Other Agencies.—In implementing this section, when the Secretary determines it to be economical and in the public interest, the Secretary may utilize the facilities and services of Federal, State, tribal, and local law enforcement agencies,
with the consent of those agencies, and may reimburse
those agencies for the use of their facilities and services.

“(e) Authority Outside Federal Property.—
For the protection of property under the jurisdiction, cus-
tody, or control of the Department of Defense and persons
on that property, the Secretary may enter into agreements
with Federal agencies and with State, tribal, and local
governments to obtain authority for civilian officers and
agents designated under this section to enforce Federal
laws and State, tribal, and local laws concurrently with
other Federal law enforcement officers and with State,
tribal, and local law enforcement officers.

“(f) Attorney General Approval.—The powers
granted pursuant to subsection (b)(2) to officers and
agents designated under subsection (b)(1) shall be exer-
cised in accordance with guidelines approved by the Attor-
ney General.

“(g) Limitation on Statutory Construction.—
Nothing in this section shall be construed to—

“(1) preclude or limit the authority of any Fed-
eral law enforcement agency;

“(2) restrict the authority of the Secretary of
Homeland Security or of the Administrator of Gen-
eral Services to promulgate regulations affecting
property under the custody and control of that Secretary or the Administrator, respectively;

“(3) expand or limit section 21 of the Internal Security Act of 1950 (50 U.S.C. 797);

“(4) affect chapter 47 of this title; or

“(5) restrict any other authority of the Secretary of Defense or the Secretary of a military department.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2671 the following new item:

“2672. Protection of property.”.

SEC. 1013. AUTHORITY FOR USE OF AMOUNTS RECOVERED FOR DAMAGE TO GOVERNMENT PROPERTY.

(a) EXTENSION TO PERSONAL PROPERTY.—The first sentence of section 2782 of title 10, United States Code, is amended by striking “real property” both places it appears and inserting “Government property”.

(b) AVAILABILITY OF RECOVERED FUNDS.—The second sentence of such section is amended—

(1) by striking “In such amounts as are provided in advance in appropriation Acts, amounts” and inserting “Amounts”;

(2) by inserting “merged with, and” before “available for use”;
(3) by inserting “and for the same period” after “same purposes”; and

(4) by inserting a comma after “circumstances as”.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended by striking “real” and inserting “Government”.

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of chapter 165 of such title is amended to read as follows:

“2782. Damage to Government property; disposition of amounts recovered.”.

SEC. 1014. TREATMENT UNDER FREEDOM OF INFORMATION ACT OF CERTAIN DEPARTMENT OF DEFENSE CRITICAL INFRASTRUCTURE INFORMATION.

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

“§130e. Treatment under Freedom of Information Act of critical infrastructure information

“(a) EXEMPTION.—Department of Defense critical infrastructure information that, if disclosed, may result in the disruption, degradation, or destruction of Department of Defense operations, property, or facilities, shall be ex-
empt from disclosure pursuant to section 552(b)(3) of title 5.

“(b) INFORMATION PROVIDED TO STATE AND LOCAL GOVERNMENTS.—Department of Defense critical infrastructure information obtained by a State or local government from a Federal agency shall remain under the control of the Federal agency, and a State or local law authorizing or requiring such a government to disclose information shall not apply to such critical infrastructure information.

“(c) DEFINITION.—In this section, the term ‘Department of Defense critical infrastructure information’, as determined by the Secretary of Defense, means sensitive but unclassified information related to critical infrastructure or protected systems owned or operated by or on behalf of the Department of Defense, including vulnerability assessments prepared by or on behalf of the Department of Defense, explosives safety information (including storage and handling), and other site-specific information on or relating to installation security.”.

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

“130e. Treatment under Freedom of Information Act of certain critical infrastructure information.”.
SEC. 1015. EXEMPTION FROM FREEDOM OF INFORMATION ACT FOR DATA FILES OF THE MILITARY FLIGHT OPERATIONS QUALITY ASSURANCE SYSTEMS OF THE MILITARY DEPARTMENTS.

(a) Exemption.—Chapter 134 of title 10, United States Code, is amended by inserting after section 2254 the following new section:

“§ 2254a. Data files of Military Flight Operations Quality Assurance systems: exemption from disclosure under Freedom of Information Act

“(a) Authority To Exempt Certain Data Files From Disclosure Under FOIA.—

“(1) The Secretary of a military department may exempt data files of the Military Flight Operations Quality Assurance system of that military department from disclosure under section 552 of title 5. The preceding sentence shall be considered a statute described in paragraph (3) of section 552(b) of title 5.

“(2) In this section, the term ‘data files’ means files of the Military Flight Operations Quality Assurance system (in this section referred to as ‘MFOQA’) that contain the data acquired or generated by the MFOQA system, including data bases containing raw MFOQA data and all analysis and
reports generated by the MFOQA system or which are derived from MFOQA data.

“(3) The exempted status of information contained in data files exempt from disclosure pursuant to paragraph (1) shall be exempt from disclosure pursuant to section 552(b)(3)(B) of title 5 of the United States Code even when such information in contained in data files that are not exempt from disclosure in their entireties.

“(4) The provisions of paragraph (1) may not be superseded except by a provision of law which is enacted after the date of the enactment of this section and which specifically cites and repeals or modifies those provisions.

“(b) REGULATIONS.—The Secretary of each military department shall prescribe regulations for the administration of this section. Such regulations may not delegate the Secretary’s authority under this section to an officer or employee of that military department at a level lower than a member of the Senior Executive Service or to a member of the armed forces at a level below a general or flag officer.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of such chapter is
amended by inserting after the item relating to section 2254 the following new item:


SEC. 1016. ONE-YEAR EXTENSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTERDRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.


SEC. 1017. EXTENSION OF AUTHORITY OF DEPARTMENT OF DEFENSE TO PROVIDE ADDITIONAL SUPPORT FOR COUNTERDRUG ACTIVITIES OF OTHER GOVERNMENTAL AGENCIES.


(b) COVERAGE OF TRIBAL LAW ENFORCEMENT AGENCIES.—Such section is further amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “tribal,” after “local,”; and

(B) in paragraph (2), by striking “State or local” both places it appears and insert “State, local, or tribal”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “State or local” and inserting “State, local, or tribal”;

(B) in paragraph (4), by striking “State, or local” and inserting “State, local, or tribal”; and

(C) in paragraph (5), by striking “State and local” and inserting “State, local, and tribal”.

(e) CLARIFICATION OF AUTHORITY TO PROVIDE CERTAIN NONLETHAL EQUIPMENT OR SERVICES.—Subsection (b)(4) of such section is amended by inserting before the period at the end the following: “, including the provision of nonlethal equipment or services necessary for the operation of such bases or facilities, other than any equipment specifically identified in section 1033 of the

SEC. 1018. QUADRENNIAL LONG-TERM PLAN FOR THE PROCUREMENT OF AIRCRAFT FOR THE NAVY AND THE AIR FORCE.

(a) IN GENERAL.—Section 231a of title 10, United States Code, is amended to read as follows:

“§ 231a. Long-range plan for procurement of aircraft for the Navy and Air Force

“(a) QUADRENNIAL AIRCRAFT PROCUREMENT PLAN.—At the same time that the budget of the President is submitted under section 1105(a) of title 31 during each year in which the Secretary of Defense submits a quadrennial defense review, the Secretary of Defense shall submit to the congressional defense committees a long-range plan for the procurement of covered aircraft for the Department of the Navy and the Department of the Air Force that supports the aviation force structure recommendations of the quadrennial defense review.

“(b) MATTERS INCLUDED.—Each aircraft procurement plan under subsection (a) shall include the following:

“(1) A detailed schedule for procurement of covered aircraft for the Department of the Navy and the Department of the Air Force for the 10-year pe-
period beginning on the date on which the plan is submitted.

“(2) A notional procurement schedule for the 20-year period beginning on the date that is 10 years after the date on which the plan is submitted.

“(3) For the procurement schedules under paragraph (1)—

“(A) the estimated levels of annual funding necessary to carry out such schedule;

“(B) a determination by the Director of Cost Assessment and Program Evaluation of the level of funding necessary to carry out such schedules; and

“(C) an evaluation by the Director of the potential risk associated with such schedules, including detailed effects on operational plans, missions, deployment schedules, and fulfillment of the requirements of the commanders of the combatant commands.

“(e) Assessment When Aircraft Procurement Budget Is Insufficient.—If the budget for a fiscal year provides for funding of the procurement of covered aircraft for either the Department of the Navy or the Department of the Air Force at a level that is less than the level determined necessary by the Director of Cost Assess-
portunity and Program Evaluation under subsection (b)(3)(B), the Secretary of Defense shall include with the defense budget materials for that fiscal year an assessment that describes and discusses the risks associated with the budget, including the risk associated with a reduced force structure of aircraft that may result from funding covered aircraft procurement at such level.

"(d) CBO Evaluation.—Not later than 60 days after the date on which the congressional defense committees receive the plan under subsection (a), the Director of the Congressional Budget Office shall submit to such committees a report assessing the sufficiency of the estimated levels of annual funding included in such plan with respect to the budget submitted during the year in which the plan is submitted and the future-years defense program submitted under section 221 of this title.

"(e) Definitions.—In this section:

"(1) The term ‘covered aircraft’ means the following:

"(A) Fighter aircraft.

"(B) Attack aircraft.

"(C) Bomber aircraft.

"(D) Strategic lift aircraft.

"(E) Intratheater lift aircraft.
“(F) Intelligence, surveillance, and reconnaissance aircraft.

“(G) Tanker aircraft.

“(H) Any other major support aircraft designated by the Secretary of Defense for purposes of this section.

“(2) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

“(3) The term ‘defense budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.

“(4) The term ‘quadrennial defense review’ means the review of the defense programs and policies of the United States that is carried out every four years under section 118 of this title.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 9 of such title is amended by striking the item relating to section 231a and inserting the following new item:

“231a. Long-range plan for procurement of aircraft for the Navy and the Air Force.”.

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SEC. 1019. AUTHORIZATION FOR DEPARTMENT OF DEFENSE TO CARRY OUT PERSONNEL RECOVERY REINTEGRATION AND POST-ISOLATION SUPPORT ACTIVITIES.

(a) Authority.—

(1) The Secretary of Defense may carry out—

(A) reintegration activities for recovered Department of Defense personnel; and

(B) post-isolation support activities on behalf of any other recovered person who is a United States Government, allied, or coalition person or a private United States or foreign national citizen.

(2) As part of such activities, the Secretary may—

(A) provide food, clothing, and essential sundry items for the recovered person;

(B) pursuant to section 411j(d) of title 37, United States Code, provide transportation of not more than 3 family members or designated individuals, as determined by the attending physician or the commander or head of the military medical facility, to be appropriate for reintegration decompression of the recovered person and whose presence may contribute to the health and welfare of the recovered person; and
(C) provide funding for the recovered person’s attendance at events or functions determined by the attending physician or the commander or head of the military medical facility to contribute to the recovered person’s psychological health.

(3) The Secretary shall ensure that expenditure for activities under this section are in the best interest of the Government.

(b) DEFINITIONS.—For the purposes of this section:

(1) RECOVERED PERSON.—The term “recovered person” means an individual returned alive who was separated (as an individual or group) while participating in a United States-sponsored military activity or mission and who was in a situation of isolation, detention, or captivity by a hostile entity.

(2) REINTEGRATION.—The term “reintegration” means the process carried out by the Department of Defense with respect to any recovered Department of Defense personnel immediately following the termination of an isolating event to—

(A) debrief the recovered person;

(B) decompress the recovered person;

(C) provide for the physical and mental health of the recovered person; and
(D) return the recovered person to duty as expeditiously as possible.

(3) POST-ISOLATION SUPPORT.—The term “post-isolation support” means support provided by the Department of Defense to a recovered non-Department person immediately following the termination of an isolating event to—

(A) debrief the recovered person;

(B) decompress the recovered person;

(C) provide for the physical and mental health of the recovered person; and

(D) return the recovered person to the person’s normal life as expeditiously as possible.

SEC. 1020. PILOT PROGRAM TO PROVIDE INCREMENTAL SUPPORT TO NONGOVERNMENTAL ORGANIZATIONS PARTICIPATING IN HUMANITARIAN AND CIVIC ASSISTANCE ACTIVITIES IN THE AREA OF OPERATIONS OF UNITED STATES SOUTHERN COMMAND.

(a) PILOT PROGRAM.—During fiscal years 2012 and 2013, the Secretary of Defense may use funds available for operation and maintenance to provide incremental support to nongovernmental organizations participating with the Armed Forces in humanitarian and civic assistance activities in the area of operations of the United States Southern Command.
Southern Command under section 401 of title 10, United States Code, when providing such support is anticipated to add to the effectiveness of the Armed Forces in conducting the humanitarian and civic assistance activities or to add to the operational readiness skill levels of members of the Armed Forces participating in the humanitarian and civic assistance activities.

(b) LIMITATION.—The amount of funds obligated under this section may not exceed $500,000 during fiscal year 2012 and $600,000 during fiscal year 2013.

(c) AUTHORIZED EXPENSES.—Support provided to a nongovernmental organization under subsection (a) may include expenses for the reasonable and proper cost of lodging, subsistence, and transportation incurred by the nongovernmental organization as a direct result of that organization’s participation in humanitarian and civic assistance activities, but may not include pay, allowances, and other administrative costs of such organization.

(d) INDEPENDENT STUDY REQUIRED.—

(1) SELECTION OF INDEPENDENT STUDY ORGANIZATION.—No later than September 30, 2013, the Commander of the United States Southern Command shall select and enter into an agreement with an appropriate, independent, nonprofit organization
to conduct a study of the matters described in para-
graph (3).

(2) Qualifications of Organization Selected.—The organization selected shall be qual-
ified on the basis of having relevant expertise in the
provision of international humanitarian assistance
and the coordination between Federal agencies and
nongovernmental organizations in providing humani-
tarian assistance, and on the basis of other criteria
the Commander of the United States Southern Com-
mand may determine.

(3) Matters to be Covered.—The study re-
quired by paragraph (1) shall be completed no later
than March 31, 2014. The study shall include as-
sessments and descriptions of—

(A) how the pilot authority under sub-
section (a) was used;

(B) the impact of the use of the authority
on the provision of humanitarian assistance by
United States Southern Command under sec-
tion 401 of title 10, United States Code;

(C) the impact of the use of the authority
on the number of military personnel staffing
each humanitarian operation implemented by
United States Southern Command under section 401 of title 10, United States Code;

(D) the type of training provided to the nongovernmental organization personnel whose participation in humanitarian operations was supported by the use of the authority; and

(E) a description for each humanitarian operation implemented by United States Southern Command under section 401 of title 10, United States Code, and supported by the use of the authority, including, for each such operation, the following:

   (i) The purpose of the operation.
   (ii) The dates of the operation.
   (iii) The location of the operation.
   (iv) The number of military personnel supporting the operation, shown by component.
   (v) The names of the nongovernmental organizations that were funded to provide assistance with the operation.
   (vi) The number of nongovernmental organization personnel provided by each nongovernmental organization supported using this authority.
(vii) What support each nongovernmental organization provided to the operation.

(viii) The amount spent to support each nongovernmental organization staff member, listed by type of support (including air transportation, bus transportation, lodging, and food).

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. REVISIONS TO BENEFICIARY DESIGNATION PROVISIONS FOR DEATH GRATUITY PAYABLE UPON DEATH OF A UNITED STATES GOVERNMENT EMPLOYEE.

(a) Authority To Designate More Than 50 Percent of Death Gratuity to Unrelated Persons.—Paragraph (4) of section 8102a(d) of title 5, United States Code, is amended—

(1) in the first sentence, by striking “not more than 50 percent of the amount payable under this section” and inserting “an amount payable under this section”; and

(2) in the second sentence, by striking “up to the maximum of 50 percent”.

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(b) **NOTICE TO SPOUSE OF DESIGNATION OF ANOTHER PERSON TO RECEIVE PORTION OF DEATH GRATUITY.**—Such section is further amended by adding at the end the following new paragraph:

“(6) If a person covered by this section has a spouse, but designates a person other than the spouse to receive all or a portion of the amount payable under this section, the head of the agency, or other entity, in which that person is employed shall provide notice of the designation to the spouse.”.

**SEC. 1102. PLACEMENT OF NATIONAL GUARD NON-DUAL STATUS TECHNICIANS IN THE EXCEPTED SERVICE WITH ALL DUAL STATUS NATIONAL GUARD TECHNICIANS.**

Section 709(e) of title 32, United States Code, is amended in the second sentence—

(1) by striking “However, a position” and inserting “A position”; and

(2) by striking “if the” and all that follows and inserting a period.
SEC. 1103. EXPANSION OF PERSONS ELIGIBLE FOR EXPEDITED FEDERAL HIRING FOLLOWING COMPLETION OF NATIONAL SECURITY EDUCATION PROGRAM SCHOLARSHIP.

Section 802(k) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(k)) is amended to read as follows:

“(k) EMPLOYMENT OF PROGRAM PARTICIPANTS.—

“(1) APPOINTMENT AUTHORITY.—The Secretary of Defense, the Secretary of Homeland Security, the Secretary of State, or the head of a Federal agency or office identified by the Secretary of Defense under subsection (g) as having national security responsibilities—

“(A) may, without regard to any provision of title 5 governing appointments in the competitive service, appoint an eligible program participant—

“(i) to a position in the excepted service that is identified under clause (i) of subsection (b)(2)(A) as contributing to the national security; or

“(ii) subject to clause (ii) of such subsection, to a position in the excepted service in such Federal agency or office with national security responsibilities; and
“(B) may, upon satisfactory completion of two years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of subparagraph (A), convert the appointment of such individual, without competition, to a career or career conditional appointment.

“(2) ELIGIBLE PROGRAM PARTICIPANT.—For purposes of paragraph (1), the term ‘eligible program participant’ means an individual who—

“(A) has successfully completed an academic program for which a scholarship or fellowship under this section was awarded; and

“(B) at the time of the appointment of the individual to an excepted service position under paragraph (1)(A)—

“(i) under the terms of the agreement for such individual’s scholarship or fellowship that was awarded under this section, owes a service commitment to a Department or such Federal agency or office referred to in paragraph (1);

“(ii) is employed by the Federal Government under a non-permanent appointment to a position in the excepted service
that has national security responsibilities;
or

“(iii) is a former civilian employee of
the Federal Government who has less than
a one-year break of service from the indi-
vidual’s last period of Federal employment
in a non-permanent appointment in the ex-
cepted service with national security re-
 sponsibilities.

“(3) TREATMENT OF CERTAIN SERVICE.—In
the case of an individual described in paragraph
(2)(B)(ii) or (2)(B)(iii) who receives an appointment
under paragraph (1)(A), any period that the indi-
vidual served in a position with the Federal Govern-
ment may be counted towards satisfaction of the
service requirement under paragraph (1)(B) if that
service—

“(A) in the case of an appointment under
clause (i) of paragraph (1)(A), was in a position
that is identified under clause (i) of subsection
(b)(2)(A) as contributing to the national secu-
 rity; or

“(B) in the case of an appointment under
clause (ii) of paragraph (1)(A), was in the Fed-
eral agency or office in which the appointment under that clause is made.”.

SEC. 1104. AUTHORITY OF SERVICE SECRETARIES TO EMPLOY UP TO 10 PERSONS WITHOUT PAY.

Section 1583 of title 10, United States Code, is amended in the first sentence—

(1) by inserting “and the Secretaries of the military departments” after “the Secretary of Defense”; and

(2) by inserting “each” after “may”.

SEC. 1105. AUTHORITY FOR WAIVER OF RECOVERY OF CERTAIN PAYMENTS PREVIOUSLY MADE UNDER CIVILIAN EMPLOYEES VOLUNTARY SEPARATION INCENTIVE PROGRAM.

(a) Authority for waiver.—Subject to subsection (c), the Secretary of Defense may waive the requirement under subsection (f)(6)(B) of section 9902 of title 5, United States Code, for repayment to the Department of Defense of a voluntary separation incentive payment made under subsection (f)(1) of that section in the case of an employee or former employee of the Department of Defense described in subsection (b).

(b) Persons covered.—Subsection (a) applies to any employee or former employee of the Department of Defense—
(1) who during the period beginning on April 1, 2004, and ending on March 1, 2008, received a voluntary separation incentive payment under subsection (f)(1) of section 9902 of title 5, United States Code;

(2) who was reappointed to a position in the Department of Defense to support a declared national emergency related to terrorism or a natural disaster during the period beginning on June 1, 2004, and ending on March 1, 2008; and

(3) with respect to whom the Secretary determines (A) that the employee or former employee, before accepting the reappointment referred to in paragraph (2), received a representation from an officer or employee of the Department of Defense that recovery of the amount of the payment referred to in paragraph (1) would not be required or would be waived, and (B) that the employee or former employee reasonably relied on that representation when accepting reappointment.

(c) REQUIRED DETERMINATION.—The Secretary of Defense may grant a waiver under subsection (a) in the case of any individual only if the Secretary determines that recovery of the amount of the payment otherwise required would be against equity and good conscience be-
cause of the circumstances of that individual’s reemploy-
ment after receiving a voluntary separation incentive pay-
ment.

(d) TREATMENT OF PRIOR REPAYMENTS.—The Sec-
retary of Defense may, pursuant to a determination under
subsection (c) specific to an individual, provide for reim-
bursement to that individual for any amount the indi-
vidual has previously repaid to the United States for a
voluntary separation incentive payment covered by this
section. The reimbursement shall be paid either from the
appropriations into which the repayment was deposited,
if such appropriations remain available, or from appro-
priations currently available for the purposes of the appro-
priation into which the repayment was deposited.

(e) EXPIRATION OF AUTHORITY.—The authority to
grant a waiver under this section shall expire on December

SEC. 1106. EXTENSION OF ELIGIBILITY TO CONTINUE FED-
ERAL EMPLOYEE HEALTH BENEFITS FOR
CERTAIN FORMER EMPLOYEES OF THE DE-
PARTMENT OF DEFENSE.

(a) Extension for Department of Defense.—
Subparagraph (B) of section 8905a(d)(4) of title 5,
United States Code, is amended—
(1) in clause (i), by striking “December 31, 2011” and inserting “October 1, 2015”; and

(2) in clause (ii)—

(A) by striking “February 1, 2012” and inserting “February 1, 2016”; and

(B) by striking “December 31, 2011” and inserting “the date specified in clause (i)”.

(b) TECHNICAL AMENDMENT TO DELETE OBSOLETE AUTHORITY APPLICABLE TO DEPARTMENT OF ENERGY.—Subparagraph (A) of such section is amended by striking “, or the Department of Energy due to a reduction in force resulting from the establishment of the National Nuclear Security Administration”.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

SEC. 1201. EXTENSION OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

is amended by striking “$40,000,000” and inserting “$50,000,000”.

(b) Extension of Termination Provision.—Subsection (h) of such section is amended by striking “2013” and inserting “2017”.

(c) Clarification.—Subsection (g) of such section is amended—

(1) by striking “each fiscal year” and inserting “any fiscal year”; and

(2) by striking “pursuant to title XV of this Act” and inserting “for that fiscal year”.

SEC. 1202. ONE-YEAR EXTENSION OF COMMANDERS’ EMERGENCY RESPONSE PROGRAM AND EXTENSION OF DUE DATE FOR QUARTERLY REPORTS TO CONGRESS.

(a) One-Year Extension of CERP Authority.—

(A) in the subsection heading, by striking “FISCAL YEAR 2011” and inserting “FISCAL YEAR 2012”;

(B) by striking “fiscal year 2011, from” and inserting “fiscal year 2012”;

(C) by striking “operation and maintenance” and all that follows and inserting “operation and maintenance, not to exceed $425 million, may be used by the Secretary of Defense to provide funds for the Commanders’ Emergency Response Program in Iraq and Afghanistan.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2011.

(b) EXTENSION OF DUE DATE FOR QUARTERLY REPORTS.—Subsection (b)(1) of such section is amended by striking “30 days” and inserting “45 days”.

(c) AUTHORITY TO ACCEPT CONTRIBUTIONS.—Such section is further amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):
“(i) Authority To Accept Contributions.—The Secretary of Defense may accept cash contributions from any person, foreign government, or international organization for the purposes specified in subsection (a). Funds received by the Secretary may be credited to the operation and maintenance account from which funds are made available to carry out the authority in subsection (a), to remain available until expended, and may be used for such purposes in addition to the funds specified in that subsection”.

SEC. 1203. FIVE-YEAR EXTENSION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.


SEC. 1204. ONE-YEAR EXTENSION 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

(b) LIMITATION ON AMOUNT.—Subsection (d)(1) of such section is amended—

(1) by striking “fiscal year 2010 or 2011” and inserting “fiscal year 2012”; and

(2) by striking “$1,600,000,000” and inserting “$1,750,000,000”.

c) TECHNICAL AMENDMENT.—Subsection (c)(2) of such section is amended by inserting a comma after “Budget”.

SEC. 1205. DESIGNATION OF ADDITIONAL “HIGH INCOME” COUNTRIES PROHIBITED FROM RECEIVING INTERNATIONAL MILITARY EDUCATION AND TRAINING GRANT ASSISTANCE UNDER CHAPTER 5 OF THE FOREIGN ASSISTANCE ACT.

Section 546(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347e(b)) is amended by striking “and Spain” and inserting “Spain, Saudi Arabia, Kuwait, United Arab Emirates, Qatar, Brunei, Ireland, Sweden, Switzerland, and Taiwan”.

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SEC. 1206. THREE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO USE ACQUISITION AND CROSS-SERVICING AGREEMENTS TO LEND MILITARY EQUIPMENT FOR PERSONNEL PROTECTION AND SURVIVABILITY.


SEC. 1207. DEPARTMENT OF DEFENSE PARTICIPATION IN PROGRAMS RELATING TO MULTILATERAL EXCHANGE OF AIR AND SURFACE TRANSPORTATION CAPACITY.

(a) Participation Authorized.—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of the United States in multinational programs relating to the coordination or the exchange of air and surface transportation capacity. Such programs may include the reciprocal exchange or transfer of transportation services (which, for the purposes of this section, includes any conveyance of personnel or goods by air, land, or sea as well as the provision of air refueling services) on a reimbursable basis or by replacement-in-
kind or the exchange of transportation services of an equal
value. Such programs include—

(1) activities of the Movement Coordination
Centre Europe; and

(2) activities under the Technical Arrangement
known as the “Air Transport, Air-to-Air Refueling
and other Exchanges of Services”.

(b) Written Arrangements or Agreements.—

(1) The participation of the United States in a multi-
national program under subsection (a) shall be in accord-
ance with one or more written arrangements or agree-
ments entered into by the Secretary of Defense, with the
concurrence of the Secretary of State, and the foreign na-
tions or multinational organizations concerned.

(2) If Department of Defense facilities, equipment,
or funds are used to support a program under subsection
(a), the written arrangement or agreement under para-
graph (1) shall specify the details of any equitable cost
sharing or other funding arrangement.

(3) 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 and surface transportation capacity shall
be liquidated, not less than once every five years, by direct
payment to the party having provided the greater amount of air and surface transportation capacity.

(c) IMPLEMENTATION.—In carrying out any written arrangement or agreement entered into under subsection (b), the Secretary may—

(1) pay the United States’ equitable share of the operating expenses of the multinational organizations concerned from funds appropriated to the Department of Defense for operation and maintenance; and

(2) assign members of the Armed Forces or Department of Defense civilian personnel to duty at such multinational organizations as necessary to fulfill the United States’ obligations under the written arrangements or agreements authorized by this section.

(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) Applicability of Preference Statute.—Section 2631 of this title, regarding the preference for vessels of the United States or belonging to the United States in the transportation of supplies by sea, shall apply to sea-borne transportation acquired by the United States under the authority of this section.

SEC. 1208. ONE-YEAR EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF IRAQ AND AFGHANISTAN.


SEC. 1209. AUTHORIZATION OF APPROPRIATIONS FOR AFGHANISTAN SECURITY FORCES FUND.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal year
2012 for the Afghanistan Security Forces Fund in the amount of $12,800,000,000.

(b) LIMITATIONS.—Funds made available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2012 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).

SEC. 1210. TEMPORARY ACQUISITION AUTHORITY WITH RESPECT TO NORTHERN DISTRIBUTION NETWORK FOR SHIPMENT OF SUPPLIES TO AFGHANISTAN.

(a) EXTENSION OF AUTHORITY TO PURCHASES TO BE USED BY UNITED STATES FORCES.—Subsection (b)(1)(C) of section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399) is amended by inserting “or the United States” after “Afghanistan”.

(b) TECHNICAL AMENDMENT.—Subsection (f) of such section is amended by striking “on or after” and all that follows through “Act” and inserting “after October 27, 2012”.
SEC. 1211. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.


(1) in subsection (a), by striking “2011” and inserting “2012”; and

(2) in subsection (e), by striking “December 31, 2011” and inserting “December 31, 2012”.

SEC. 1212. ONE-YEAR AUTHORITY TO FUND OPERATIONS AND ACTIVITIES OF OFFICE OF SECURITY CO-OPERATION-IRAQ.

(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Defense may support United States Government transition activities in Iraq by providing funds for the operations and activities of the Office of Security Cooperation in Iraq and the operations and activities of security assistance teams in Iraq. Such support may include life support, transportation and personal security, and renovation and construction of facilities.

(b) SOURCE OF FUNDS.—Funds for the purposes of subsection (a) shall be derived from amounts available for operation and maintenance for the Air Force for fiscal year 2012.
SEC. 1213. EXPANSION OF SCOPE OF HUMANITARIAN DEMINING ASSISTANCE PROGRAM TO INCLUDE STOCKPILED CONVENTIONAL MUNITIONS.

Section 407 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “and stockpiled conventional munitions” after “demining”; and

(B) in paragraph (3)(A), by inserting “, stockpiled conventional munitions,” after “landmines”;

(2) in subsection (d)(2), by inserting “, and whether such assistance was primarily related to the humanitarian demining efforts under subsection (e)(1) or stockpiled conventional munitions assistance under subsection (e)(2)” after “paragraph (1)”; and

(3) by amending subsection (e) to read as follows:

“(e) DEFINITIONS.—In this section:

“(1) HUMANITARIAN DEMINING ASSISTANCE.—

The term ‘humanitarian demining assistance’, as it relates to training and support, means detection and
clearance of landmines and other explosive remnants of war.

“(2) Stockpiled conventional munitions assistance.—The term ‘stockpiled conventional munitions assistance’, as it relates to support of humanitarian assistance efforts, means training and support in the disposal, demilitarization, physical security, and stockpile management of potentially dangerous stockpiles of explosive ordnance.

“(3) Included activities.—Such terms include activities related to the furnishing of education, training, and technical assistance with respect to explosive safety, the detection and clearance of landmines and other explosive remnants of war, and the disposal, demilitarization, physical security, and stockpile management of potentially dangerous stockpiles of explosive ordnance.”.

SEC. 1214. ESTABLISHMENT OF A GLOBAL SECURITY CONTINGENCY FUND.

(a) Establishment.—There is established on the books of the Treasury of the United States under the Department of State a fund to be known as the “Global Security Contingency Fund”.

(b) Authority.—Amounts in the Fund shall be available to either the Secretary of State or the Secretary
of Defense, notwithstanding any other provision of law, to provide assistance to countries designated by the Secretary of State, with the concurrence of the Secretary of Defense, for purposes of this section, as follows:

(1) Assistance under this section may be provided to enhance the capabilities of military forces, and other security forces that conduct border and maritime security, internal security, and counterterrorism operations, as well as the government agencies responsible for such forces, in order to strengthen the foreign country’s national and regional security interests consistent with United States foreign policy and national security interests.

(2) Assistance may be provided for the justice sector (including law enforcement and prisons), rule of law programs, and stabilization efforts where the Secretary of State, in consultation with the Secretary of Defense, determines that conflict or instability in a region challenges the existing capability of civilian providers to deliver such assistance.

(c) FORMULATION AND APPROVAL OF ASSISTANCE PROGRAMS.—

(1) The Secretary of State and the Secretary of Defense shall jointly formulate assistance programs under subsection (b)(1). Assistance programs to be
carried out pursuant to subsection (b)(1) shall be approved by the Secretary of State, with the concurrence of the Secretary of Defense, prior to implementation.

(2) The Secretary of State, in consultation with the Secretary of Defense, shall formulate assistance programs under subsection (b)(2). Assistance programs to be carried out under the authority in subsection (b)(2) shall be approved by the Secretary of State, with the concurrence of the Secretary of Defense, prior to implementation.

(d) Relation to Other Authorities.—The authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations, and the administrative authorities of the Foreign Assistance Act of 1961 shall be available to the Secretary of State with respect to funds made available to carry out this section.

(e) Authorization of Appropriations.—For the purposes of providing assistance under the authority in subsection (b), $50,000,000 is hereby authorized to be appropriated to the Fund in each of fiscal years 2012, 2013, and 2014.

(f) Transfer Authority.—
(1) Funds available for foreign assistance or to the Department of Defense may be transferred to the Fund by the Secretary of State or the Secretary of Defense, respectively, and amounts so transferred shall be merged with funds made available under this section and remain available until expended for the purposes specified in subsection (b).

(2) The total amount of funds appropriated and transferred to the Fund in any fiscal year shall not exceed $500,000,000. This limitation does not apply to amounts contributed to the Fund under subsection (g).

(3) Funds made available to carry out assistance activities approved pursuant to subsection (c) may be transferred to the most appropriate agency or account to facilitate the provision of such assistance.

(4) The transfer authorities in paragraphs (1) and (3) are in addition to any other transfer authority available to the Department of State or the Department of Defense.

(g) AUTHORITY TO ACCEPT GIFTS.—The Secretary of State may use money, funds, property, and services accepted pursuant to the authority of section 635(d) of the
Foreign Assistance Act of 1961 to fulfill the purposes of subsection (b).

(h) AVAILABILITY OF FUNDS.—Amounts in the Fund remain available until expended.

(i) CONGRESSIONAL REPORTING.—In lieu of and not-withstanding the notification provisions of sections 634A and 653 of the Foreign Assistance Act of 1961 or similar provisions in any other Act, and any notification or certification provisions in law relating to the transfer of funds, the Secretary of State and the Secretary of Defense jointly shall provide a report quarterly to the specified congressional committees on obligations of funds or transfers into the Fund made during the preceding quarter.

(j) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees specified in this subsection are—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.

(k) EXPIRATION.—The authority provided under this section may not be exercised after September 30, 2014,
except with respect to amounts appropriated or transferred to the Fund prior to this date, which can continue to be obligated and expended pursuant to this section.

(l) **Administrative Expenses.**—Amounts in the Fund may be used for necessary administrative expenses.

(m) **Detail Authority.**—The head of any agency may detail personnel to the Department of State to carry out the purposes of this section with or without reimbursement for all or part of the costs of salaries and other expenses associated with such personnel.

**SEC. 1215. AUTHORITY FOR THE MINISTRY OF DEFENSE ADVISORS PROGRAM.**

(a) **Authority.**—The Secretary of Defense may, with the concurrence of the Secretary of State, assign civilian employees as advisors to a foreign country that is a partner nation with the United States in order to—

(1) provide institutional, ministerial-level advice and other training to personnel of ministries of defense, departments of defense, other defense agencies, and security agencies serving a similar function, of that country in support of stabilization efforts;

(2) build core institutional capacity, competencies and capabilities of partner nations to effectively manage defense-related processes; or
(3) support United States military operations in that country.

(b) TERMINATION OF AUTHORITY.—The authority of the Secretary of Defense under subsection (a) terminates at the close of September 30, 2014. Any assignment of civilian employees as advisors approved by the Secretary of Defense with the concurrence of the Secretary of State before that date may be completed, but only using funds available for fiscal year 2012, 2013 or 2014.

(c) INDEPENDENT EVALUATION.—The Secretary of Defense shall contract with an entity to conduct an independent evaluation of the effectiveness of the advisory services provided under subsection (a).

SEC. 1216. AFGHANISTAN INFRASTRUCTURE FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2012 for the Afghanistan Infrastructure Fund (hereinafter referred to as the “Fund”) in the amount of $475,000,000.

(b) USE OF FUNDS.—

(1) IN GENERAL.—Funds appropriated pursuant to subsection (a) shall be available, notwithstanding any other provision of law, for infrastructure projects in Afghanistan, which shall be undertaken by the Secretary of State, unless the Secretary
of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense.

(2) Types of Projects Authorized.—Projects authorized by this section are in support of the counterinsurgency strategy, requiring funding for facility and infrastructure projects, including, but not limited to, water, power and transportation projects, and related maintenance and sustainment costs.

(c) Authority in Addition to Other Authorities.—The authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations.

(d) Joint Formulation.—Any project funded under this section shall be jointly formulated and concurred in by the Secretary of State and the Secretary of Defense.

(e) Transfers.—

(1) Transfers from the Fund.—The Secretary of Defense may transfer funds to the Department of State for purposes of undertaking projects authorized by this section.

(2) Return of Unexpended Funds.—Any unexpended funds transferred to the Secretary of
State under this authority shall be returned to the
Fund if the Secretary of State, in coordination with
the Secretary of Defense, determines that the
project cannot be implemented for any reason, or
that the project no longer supports the counterinsur-
gency strategy in Afghanistan. Any funds returned
to the Secretary of Defense under this paragraph
shall be available for use under this authority and
shall be treated in the same manner as funds not
transferred to the Secretary of State.

(3) TRANSFERS TO THE FUND.—From funds
made available to the Department of Defense, the
Secretary of Defense may transfer up to
$200,000,000 into the Fund in fiscal year 2012.

(4) TRANSFERRED FUNDS.—Funds transferred
to the Fund under paragraph (3) shall be merged
with funds in the Fund and shall remain available
until September 30, 2013.

(5) TRANSFER AUTHORITY.—The authority to
transfer funds under paragraphs (1) and (3) shall be
in addition to any other authority available to the
Department of Defense to transfer funds.

(6) ADDITIONAL AUTHORITIES.—Funds trans-
ferred under paragraph (1) shall be considered to be
economic assistance under the Foreign Assistance
Act of 1961 for purposes of making available the ad-
ministrative authorities contained in that Act.

(f) Authority To Accept Contributions.—The
Secretary of State and Secretary of Defense may accept
contributions of amounts for the purposes provided in this
section from any person, foreign government, or inter-
national organization. Any such amount may be credited
to the Fund to remain available until expended and used
for purposes of this section.

(g) Congressional Notification.—

(1) TRANSFER NOTIFICATION.—The Secretary
of Defense shall, not fewer than 15 days prior to
making transfers to or from, or obligations from, the
Fund, notify the appropriate committees of Congress
in writing of the details of such transfer. Such noti-
fication shall include a description of any projects to
which the transfer or obligation relates, including—

(A) a plan for the sustainment of the
project; and

(B) a description of how the project sup-
ports the counterinsurgency strategy in Afghan-
istan.

(2) PROJECT COST INCREASE NOTIFICATION.—
The Secretary of Defense shall notify the appro-
priate congressional committees not less than five
days before making a transfer or obligation from the
Fund for a project cost increase where such increase
is in excess of 20 percent of a previously notified
project cost.

(h) APPROPRIATE COMMITTEES OF CONGRESS DE-
FINED.—In this section, the term “appropriate commit-
tees of Congress” means—

(1) the Committees on Armed Services, Foreign
Relations, and Appropriations of the Senate; and

(2) the Committees on Armed Services, Foreign
Affairs, and Appropriations of the House of Rep-
resentatives.

SEC. 1217. ONE-YEAR EXTENSION OF AUTHORITY FOR TASK
FORCE FOR BUSINESS AND STABILITY OPER-
ATIONS IN AFGHANISTAN.

Section 1535(a) of the Ike Skelton National Defense
Authorization Act for Fiscal Year 2011 (Public Law 111–
383; 124 Stat. 4426) is amended—

(1) in paragraph (4), by striking “The” and in-
serting “During each of fiscal years 2011 and 2012,
the”; and

(2) in paragraph (7), by striking “September
30, 2011” and inserting “September 30, 2012”.
TITLE XIII—OTHER AUTHORIZATIONS
Subtitle A—Military Programs

SEC. 1301. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for the Defense Working Capital Funds in the amount of $1,575,010,000.

SEC. 1302. NATIONAL DEFENSE SEALIFT FUND.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal year 2012 for the National Defense Sealift Fund in the amount of $1,126,384,000.

(b) Authorized Procurement.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) may be used to purchase an Offshore Petroleum Distribution System, and the associated tender for that system, that are under charter by the Military Sealift Command as of January 1, 2011.

SEC. 1303. JOINT URGENT OPERATIONAL NEEDS FUND.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the Joint Urgent Operational Needs Fund in the amount of $100,000,000.
SEC. 1304. 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 2012 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, in the amount of $1,554,422,000, of which—

(1) $1,147,691,000 is for Operation and Maintenance; and

(2) $406,731,000 is for Research, Development, Test, and Evaluation.

(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. 1305. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for Drug Interdiction
and Counter-Drug Activities, Defense-wide, in the amount of $1,156,282,000.

SEC. 1306. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, in the amount of $289,519,000, of which—

(1) $286,919,000 is for Operation and Maintenance;

(2) $1,600,000 is for Research, Development, Test, and Evaluation; and

(3) $1,000,000 is for Procurement.

SEC. 1307. DEFENSE HEALTH PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for the Defense Health Program, in the amount of $32,198,770,000, of which—

(1) $30,902,546,000 is for Operation and Maintenance;

(2) $663,706,000 is for Research, Development, Test, and Evaluation; and

(3) $632,518,000 is for Procurement.
(b) JOINT MEDICAL FACILITY DEMONSTRATION FUND.—

(1) AUTHORITY FOR TRANSFER OF FUNDS.—
The Secretary of Defense may transfer to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571), from funds appropriated pursuant to subsection (a)(1) of this section, such amounts as the Secretary determines to be appropriate for such purpose. For purposes of subsection (a)(2) of such section 1704, funds appropriated pursuant to subsection (a)(1) of this section shall be considered to be amounts authorized and appropriated specifically for the purpose of such a transfer.

(2) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under paragraph (1) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a

Subtitle B—Armed Forces Retirement Home

SEC. 1311. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2012 from the Armed Forces Retirement Home Trust Fund the sum of $67,700,000 for the operation of the Armed Forces Retirement Home.

TITLE XIV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS FOR FISCAL YEAR 2012

SEC. 1401. PURPOSE.

The purpose of this title is to authorize appropriations for the Department of Defense for fiscal year 2012 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.
SEC. 1402. ARMY PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement for the Army in amounts as follows:

(1) For aircraft procurement, $423,400,000.

(2) For missile procurement, $126,556,000.

(3) For weapons and tracked combat vehicles procurement, $37,117,000.

(4) For ammunition procurement, $208,381,000.

(5) For other procurement, $1,398,195,000.

SEC. 1403. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the Joint Improvised Explosive Device Defeat Fund in the amount of $2,577,500,000.

SEC. 1404. NAVY AND MARINE CORPS PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement for the Navy and Marine Corps in amounts as follows:

(1) For aircraft procurement, Navy, $730,960,000.

(2) For weapons procurement, Navy, $41,070,000.

(3) For ammunition procurement, Navy and Marine Corps, $317,100,000.
(4) For other procurement, Navy, $281,975,000.
(5) For procurement, Marine Corps, $1,260,996,000.

SEC. 1405. AIR FORCE PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement for the Air Force in amounts as follows:

(1) For aircraft procurement, $527,865,000.
(2) For ammunition procurement, $92,510,000.
(3) For missile procurement, $28,420,000.
(4) For other procurement, $3,204,641,000.

SEC. 1406. JOINT URGENT OPERATIONAL NEEDS FUND.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the Joint Urgent Operational Needs Fund in the amount of $100,000,000.

SEC. 1407. MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the Mine Resistant Ambush Protected Vehicle Fund in the amount of $3,195,170,000.

SEC. 1408. DEFENSE-WIDE ACTIVITIES PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the procurement account for Defense-wide activities in the amount of $469,968,000.
SEC. 1409. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $8,513,000.

(2) For the Navy, $53,884,000.

(3) For the Air Force, $142,000,000.

(4) For Defense-wide activities, $192,361,000.

SEC. 1410. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the use of the Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $44,302,280,000.

(2) For the Navy, $7,006,567,000.

(3) For the Marine Corps, $3,571,210,000.

(4) For the Air Force, $10,719,187,000.

(5) For Defense-wide activities, $9,269,411,000.

(6) For the Army Reserve, $217,500,000.

(7) For the Navy Reserve, $74,148,000.

(8) For the Marine Corps Reserve, $36,084,000.

(9) For the Air Force Reserve, $142,050,000.
(10) For the Army National Guard, $387,544,000.
(11) For the Air National Guard, $34,050,000.
(12) For the Afghanistan Security Forces Fund, $12,800,000,000.
(13) For the Afghanistan Infrastructure Fund, $475,000,000.

SEC. 1411. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2012 to the Department of Defense for military personnel accounts in the total amount of $11,111,324,000.

SEC. 1412. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2012 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 in the amount of $435,013,000.

SEC. 1413. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for the Defense Health Program in the amount of $1,228,288,000 for operation and maintenance.
SEC. 1414. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide in the amount of $486,458,000.

SEC. 1415. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense in the amount of $11,055,000.

TITLE XV—ARMED FORCES RETIREMENT HOME


Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Armed Forces Retirement Home Act of 1991 (title XV of Public Law 101–510; 24 U.S.C. 401 et seq.).
SEC. 1502. ANNUAL VALIDATION OF MULTIYEAR ACCREDITATION.

Section 1511(g) (24 U.S.C. 411(g)) is amended—

(1) by striking “ACCREDITATION.—” and inserting “ACCREDITATION AND ANNUAL VALIDATION.—(1)”; 

(2) by inserting “(1)” before “The Chief Operating Officer shall”; and 

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

“(2) If the Chief Operating Officer secures accreditation for a facility of the Retirement Home (or for any aspect of a facility of the Retirement Home) that is effective for a period of more than one year, then for each year after the first year for which such accreditation is in effect, the Chief Operating Officer shall seek to obtain, from the organization that awarded the accreditation, a validation of the accreditation. However, the requirement in the preceding sentence does not apply with respect to a facility of the Retirement Home for any year for which the Inspector General of the Department of Defense conducts an inspection of that facility under section 1518(b).

“(B) In carrying out subparagraph (A) with respect to validation of an accreditation,
the Chief Operating Officer may substitute another nationally recognized civilian accrediting organization if the organization that awarded the accreditation is not available.”.

SEC. 1503. CLARIFICATION OF RESPONSIBILITIES AND DUTIES OF SENIOR MEDICAL ADVISOR.

(a) Responsibilities.—Subsection (b)(1) of section 1513A (24 U.S.C. 413a) is amended by striking “and the Chief Operating Officer” and inserting “, the Chief Operating Officer, and the Advisory Council”.

(b) Duties.—Subsection (e) of such section is amended—

(1) in paragraph (3)—

(A) by striking “and inspect” after “Periodically visit”; and

(B) by inserting before the period “and review medical reports, inspections, and records audits to make sure appropriate follow-up has been made”; and

(2) by striking paragraphs (4) and (5).
SEC. 1504. REPLACEMENT OF LOCAL BOARDS OF TRUSTEES

FOR EACH FACILITY WITH SINGLE ADVISORY COUNCIL.

(a) Establishment of AFRH Advisory Council.—Section 1516 (24 U.S.C. 416) is amended to read as follows:

"SEC. 1516. ADVISORY COUNCIL.

"(a) Establishment.—The Retirement Home shall have an Advisory Council, to be known as the ‘Armed Forces Retirement Home Advisory Council’. The Advisory Council shall serve the interests of both facilities of the Retirement Home.

"(b) Duties.—(1) The Advisory Council shall provide to the Chief Operating Officer and the Administrator of each facility such observations, advice and recommendations regarding the Retirement Home as the Advisory Council considers appropriate.

"(2) Not less often than annually, the Advisory Council shall submit to the Secretary of Defense a report summarizing its activities during the preceding year and providing such observations and recommendations with respect to the Retirement Home as the Advisory Council considers appropriate.

"(3) In carrying out its functions, the Advisory Council shall provide for participation in its activities by a rep-
resentative of the resident advisory committee of each fa-

(c) COMPOSITION.—(1) The Advisory Council shall
consist of at least 11 members, each of whom shall be a
full or part-time Federal employee and at least one of
whom shall be from the Department of Veterans Affairs.
Members of the Advisory Council shall be designated by
the Secretary of Defense, except that a member who is
an employee of a department or agency outside of the De-
partment of Defense shall be designated by the head of
such department or agency in consultation with the Sec-
retary of Defense.

(2) The Secretary of Defense shall designate one
member of the Advisory Council to serve as the chairman
of the Advisory Council.

(d) TERM OF SERVICE.—(1) Except as provided in
paragraphs (2), (3), and (4), the term of service of a mem-
ber of the Advisory Council shall be two years. A member
may be designated to serve one additional term.

(2) Unless earlier terminated by the Secretary of
Defense, a person may continue to serve as a member of
the Advisory Council after the expiration of the member’s
term until a successor is designated.

(3) The Secretary of Defense may terminate the ap-
pointment of a member of the Advisory Council before the
expiration of the member’s term for any reason that the Secretary determines appropriate.”.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION.—Section 1502(2) (24 U.S.C. 401(2)) is amended to read as follows:

“(2) The term ‘Advisory Council’ means the Armed Forces Retirement Home Advisory Council established under section 1516.”.

(2) RESPONSIBILITIES AND DUTIES OF SENIOR MEDICAL ADVISOR.—Section 1513A(b)(2) (24 U.S.C. 413a(b)(2)) is amended by striking “to the Local Board” and all that follows through “the facility” and inserting “to the Advisory Council regarding all medical and medical administrative matters of each such facility”.

(3) RESPONSIBILITIES OF CHIEF OPERATING OFFICER.—Section 1515(c)(2) (24 U.S.C. 415(c)(2)) is amended by striking “, including the Local Boards of those facilities”.

(4) INSPECTION OF RETIREMENT HOME.—Section 1518 (24 U.S.C. 418) is amended by striking “Local Board for the facility” each place it appears and inserting “Advisory Council”.

SEC. 1505. ADMINISTRATORS, OMBUDSMEN, AND STAFF OF
FACILITIES.

(a) LEADERSHIP OF FACILITIES OF THE RETIREMENT HOME.—Section 1517 (24 U.S.C. 417) is amende—

(1) in subsection (a), by striking “a Director, a Deputy Director, and an Associate Director” and inserting “an Administrator and an Ombudsman”;

(2) in subsections (b) and (e)—

(A) by striking “DIRECTOR” in each subsection heading and inserting “ADMINISTRATOR”; and

(B) by striking “Director” each place it appears and inserting “Administrator”;

(3) by striking subsections (d) and (e) and redesignating subsections (f), (g), (h), and (i) as subsections (d), (e), (f), and (g), respectively;

(4) in subsection (d), as so redesignated—

(A) by striking “ASSOCIATE DIRECTOR” in the subsection heading and inserting “OMBUDSMAN”; and

(B) by striking “Associate Director” in paragraphs (1) and (2) and inserting “Ombudsman”;

(5) in subsection (e), as so redesignated—
(A) by striking “ASSOCIATE DIRECTOR” in
the subsection heading and inserting “OMBUDSMAN”;

(B) by striking “Associate Director” and
inserting “Ombudsman”;

(C) by striking “Director and Deputy Di-
rector” and inserting “Administrator”; and

(D) by striking “Director may” and insert-
ing “Administrator may”;

(6) in subsection (f), as so redesignated, by
striking “Director” each place it appears and insert-
ing “Administrator”; and

(7) in subsection (g), as so redesignated—

(A) by striking “DIRECTORS” in the sub-
section heading and inserting “ADMINISTRA-
TORS”;  

(B) by striking “Directors” in paragraph
(1) and inserting “Administrators”; and

(C) by striking “a Director” in paragraph
(2) and inserting “an Administrator”.

(b) CONFORMING AMENDMENTS.—

(1) The following provisions are amended by
striking “Director” each place it appears and insert-
ing “Administrator”: sections 1511(d)(2), 1512(c),
1514(a), 1518(b)(4), 1518(c)(2), 1518(d)(2), 1520, 1522, and 1523(b).

(2) Sections 1514(b) and 1520(c) (24 U.S.C. 414(b), 420(c)) are amended by striking “Directors” and inserting “Administrators”.

SEC. 1506. REVISION TO INSPECTION REQUIREMENTS.

Section 1518 (24 U.S.C. 418) is amended—

(1) in subsection (b)(1)—

(A) by striking “In any year in which a facility of the Retirement Home is not inspected by a nationally recognized civilian accrediting organization,” and inserting “Not less often than every three years,”;

(B) by striking “of that facility” and inserting “of each facility of the Retirement Home”;

(C) by inserting “long-term care,” after “assisted living,”; and

(D) by striking “or council”;

(2) in subsection (b)(3), by striking “or council”;

(3) in subsection (c)—

(A) by striking paragraph (2); and
(B) by designating the second sentence as
a new paragraph (2) and in that paragraph (as
so designated)—

(i) by striking “45 days” and insert-
ing “90 days”; and

(ii) by adding at the end the following
new sentence: “The report shall include the
Chief Operating Officer’s plan that ad-
dresses the recommendations and other
matters set forth in the report.”; and

(4) in subsection (e)(1)—

(A) by striking “45 days” and inserting
“60 days”;

(B) by striking “Director of the facility
concerned” and inserting “Chief Operating Of-
ficer”; and

(C) by striking “, the Chief Operating Of-
ficer,” after “Secretary of Defense”.

SEC. 1507. REPEAL OF OBSOLETE PROVISIONS.

Part B, relating to transitional provisions for the
Armed Forces Retirement Home Board and the Directors
and Deputy Directors of the facilities of the Armed Forces
Retirement Home is hereby repealed.
SEC. 1508. TECHNICAL, CONFORMING, AND CLERICAL

AMENDMENTS.

(a) Correction of Obsolete References to Retirement Home Board.—

(1) ARMED FORCES RETIREMENT HOME ACT.—Section 1519(a)(2) (24 U.S.C. 419(a)(2)) is amended by striking “Retirement Home Board” and inserting “Chief Operating Officer”.

(2) TITLE 10, U.S.C.—Section 2772(b) of title 10, United States Code, is amended by striking “Armed Forces Retirement Home Board” and inserting “Chief Operating Officer of the Armed Forces Retirement Home”.

(b) Section Headings.—

(1) SECTION 1501.—The heading of section 1501 is amended to read as follows:

“SEC. 1501. SHORT TITLE; TABLE OF CONTENTS.”.

(2) SECTION 1513.—The heading of section 1513 is amended to read as follows:

“SEC. 1513. SERVICES PROVIDED TO RESIDENTS.”.

(3) SECTION 1513A.—The heading of section 1513A is amended to read as follows:

“SEC. 1513A. OVERSIGHT OF HEALTH CARE PROVIDED TO RESIDENTS.”.

(4) SECTION 1517.—The heading of section 1517 is amended to read as follows:
“SEC. 1517. ADMINISTRATORS, OMBUDSMEN, AND STAFF OF FACILITIES.”.

(5) SECTION 1518.—The heading of section 1518 is amended to read as follows:

“SEC. 1518. PERIODIC INSPECTION OF RETIREMENT HOME FACILITIES BY DEPARTMENT OF DEFENSE INSPECTOR GENERAL AND OUTSIDE INSPECTORS.”.

(6) PUNCTUATION.—The headings of sections 1512 and 1520 are amended by adding a period at the end.

(c) PART A HEADER.—The heading for part A is repealed.

(d) TABLE OF CONTENTS.—The table of contents in section 1501(b) is amended—

(1) by striking the item relating to the heading for part A;

(2) by striking the items relating to sections 1513 and 1513A and inserting the following:

“Sec. 1513. Services provided to residents.
“Sec. 1513A. Oversight of health care provided to residents.”;

(3) by striking the items relating to sections 1516, 1517, and 1518 and inserting the following:

“Sec. 1516. Advisory Council.
“Sec. 1517. Administrators, Ombudsmen, and staff of facilities.
“Sec. 1518. Periodic inspection of Retirement Home facilities by Department of Defense Inspector General and outside inspectors.”; and
(4) by striking the items relating to part B (including the items relating to sections 1531, 1532, and 1533).

**TITLE XVI—REDUCTION IN DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS**

**Subtitle A—Repeal of Existing Report Requirements**

**SEC. 1601. REPEAL OF REPORTING REQUIREMENTS UNDER TITLE 10, UNITED STATES CODE.**

Title 10, United States Code, is amended as follows:

(1) Section 113 is amended—

(A) by striking subsection (j); and

(B) by striking subsection (m).

(2) Section 116 is repealed, and the table of sections at the beginning of chapter 2 is amended by striking the item relating to that section.

(3) Section 117 is amended by striking subsection (e).

(4) Section 127 is amended by striking subsection (d).

(5) Section 127a(a) is amended by striking paragraph (3).

(6) Section 129 is amended by striking subsection (f).
(7) Section 153 is amended by striking subsection (c).

(8) Section 184 is amended by striking subsection (h).

(9) Section 427 is repealed, and the table of sections at the beginning of subchapter I of chapter 21 is amended by striking the item relating to that section.

(10) Section 437 is amended by striking subsection (e).

(11) Section 483 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(12) Section 484 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(13) Section 485 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(14) Section 486 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(15) Section 487 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.
(16) Section 489 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(17) Section 490 is repealed, and the table of sections at the beginning of chapter 23 is amended by striking the item relating to that section.

(18) Section 652 is repealed, and the table of sections at the beginning of chapter 37 is amended by striking the item relating to that section.

(19) Section 983(e)(1) is amended—

(A) by striking the comma after “Secretary of Education” and inserting “and”; and

(B) by striking “, and to Congress”.

(20) Section 1130 by striking subsection (b).

(21) Section 1178 is amended—

(A) by striking “(a) REQUIREMENT TO ESTABLISH SYSTEM.—”; and

(B) by striking subsection (b).

(22) Section 1557 is amended by striking subsection (e).

(23) Section 1563 is repealed, and the table of sections at the beginning of chapter 80 is amended by striking the item relating to that section.

(24) Section 1597 is amended by striking subsections (c), (d), and (e).
(25) Section 1781b is amended by striking subsection (d).

(26) Section 2010 is amended by striking subsection (b).

(27) Section 2216 is amended by striking subsection (i).

(28) Section 2244a(c) is amended by striking the second sentence.

(29) Section 2281 is amended by striking subsection (d).

(30) Section 2282 is repealed, and the table of sections at the beginning of chapter 136 is amended by striking the item relating to that section.

(31) Section 2350a(g) is amended by striking paragraph (3).

(32) Section 2350b is amended by striking subsection (d).

(33) Section 2350j is amended by striking subsection (e).

(34) Section 2350m is amended by striking subsection (e).

(35) Section 2352 is repealed, and the table of sections at the beginning of chapter 139 is amended by striking the item relating to that section.
(36) Section 2410i(c) is amended by striking the last sentence.

(37) Section 2410m is amended by striking subsection (e).

(38) Section 2461 is amended by striking subsection (c).

(39) Section 2475 is repealed, and the table of sections at the beginning of chapter 146 is amended by striking the item relating to that section.

(40) Section 2493 is amended by striking subsection (g).

(41) Section 2504 is repealed, and the table of sections at the beginning of subchapter II of chapter 148 is amended by striking the item relating to that section.

(42) Section 2515 is amended by striking subsection (d).

(43) Section 2582 is repealed, and the table of sections at the beginning of chapter 153 is amended by striking the item relating to that section.

(44) Section 2684a is amended by striking subsection (g).

(45) Section 2688 is amended—

(A) by striking subsections (a)(2) and (f); and
(B) in subsection (h), by striking the last sentence.

(46) Section 2706 is repealed, and the table of sections at the beginning of chapter 160 is amended by striking the item relating to that section.

(47) Section 2815 is repealed, and the table of sections at the beginning of subchapter I of chapter 169 is amended by striking the item relating to that section.

(48) Section 2825(c)(1) is amended—

(A) by inserting “and” at the end of subparagraph (A);

(B) by striking the semicolon at the end of subparagraph (B) and inserting a period; and

(C) by striking subparagraphs (C) and (D).

(49) Section 2826 is amended—

(A) by striking “(a) LOCAL COM-PARABILITY.—”; and

(B) by striking subsection (b).

(50) Section 2827 is amended—

(A) by striking “(a) Subject to subsection (b), the Secretary” and inserting “The Sec-retary”; and

(B) by striking subsection (b).
(51) Section 2828 is amended by striking subsection (f).

(52) Section 2835 is amended—

(A) in subsection (a), by striking “Subject to subsection (b), the Secretary” and inserting “The Secretary”;

(B) by striking subsection (b); and

(C) by striking subsection (g).

(53) Section 2836 is amended—

(A) in subsection (a), by striking “Subject to subsection (b), the Secretary” and inserting “The Secretary”;

(B) by striking subsection (b); and

(C) by striking subsection (f).

(54) Section 2837 is amended—

(A) in subsection (c)—

(i) by striking “(1)” after “OPPORTUNITIES.—”; and

(ii) by striking paragraph (2); and

(B) by striking subsection (f).

(55) Section 2853(c) is amended by striking “by the Secretary concerned and—” and all that follows and inserting “by the Secretary concerned.”.

(56) Section 2854a is amended by striking subsection (c).
(57) Section 2861 is amended by striking subsection (d).

(58) Section 2866(c) is amended—

(A) by striking “(1)” before “The Secretary”; and

(B) by striking paragraph (2).

(59) Section 2875 is amended by striking subsection (e).

(60)(A) Section 2884 is amended—

(i) by striking subsection (b); and

(ii) in subsection (a)—

(I) by striking “PROJECT REPORTS.—(1)” and inserting “REPORTS.—”;

(II) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(III) by striking “(2) For each” and inserting “(b) CONTENT OF REPORTS.—(1) For each”.

(B) Such section is further amended—

(i) by redesignating paragraphs (3) and (4) of subsection (b) of such section

(as designated by subparagraph
(A)(ii)(III)) as paragraphs (2) and (3), respectively; and

(ii) in paragraph (2) of subsection (b), as so redesignated, by striking “contract described in paragraph (1)” and inserting “contract described in subsection (a)”.

(C)(i) The heading of such section is amended to read as follows:

“§ 2884. Project reports”.

(ii) The item relating to that section in the table of sections at the beginning of subchapter IV of chapter 169 is amended to read as follows:

“2884. Project reports.”.

(61) Section 2916 is amended by striking subsection (c).

(62) Section 7296 is repealed, and the table of sections at the beginning of chapter 633 is amended by striking the item relating to that section.

(63) Section 7310 is amended by striking subsection (c).

(64) Section 9356 is amended—

(A) in subsection (a), by striking “Subject to subsection (c), the Secretary” and inserting “The Secretary”; and

(B) by striking subsection (e).
(65) Section 10504 is repealed, and the table of sections at the beginning of chapter 1011 is amended by striking the item relating to that section.

(66) Section 12302(b) is amended by striking the last sentence.

(67) Section 16137 is repealed, and the table of sections at the beginning of chapter 1606 is amended by striking the item relating to that section.

SEC. 1602. REPEAL OF REPORTING REQUIREMENTS UNDER ANNUAL DEFENSE AUTHORIZATION ACTS.

(a) FISCAL YEAR 2011.—The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended as follows:

(1) Section 225 (124 Stat. 4170; 10 U.S.C. 223 note) is amended by striking subsection (d).

(2) Section 892 (124 Stat. 4310; 10 U.S.C. 2306a note) is repealed.

(b) FISCAL YEAR 2010.—The National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) is amended as follows:

(1) Section 219 (123 Stat. 2228) is amended by striking subsection (e).

(2) Section 1113(e)(1) (123 Stat. 2502) is amended by striking “, which information shall be” and all that follows through “semiannual basis”.

9 SEC. 1602. REPEAL OF REPORTING REQUIREMENTS UNDER ANNUAL DEFENSE AUTHORIZATION ACTS.

(a) FISCAL YEAR 2011.—The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended as follows:

(1) Section 225 (124 Stat. 4170; 10 U.S.C. 223 note) is amended by striking subsection (d).

(2) Section 892 (124 Stat. 4310; 10 U.S.C. 2306a note) is repealed.

(b) FISCAL YEAR 2010.—The National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) is amended as follows:

(1) Section 219 (123 Stat. 2228) is amended by striking subsection (e).

(2) Section 1113(e)(1) (123 Stat. 2502) is amended by striking “, which information shall be” and all that follows through “semiannual basis”.

9 SEC. 1602. REPEAL OF REPORTING REQUIREMENTS UNDER ANNUAL DEFENSE AUTHORIZATION ACTS.
(3) Section 1232 (123 Stat. 2531) is repealed.

(4) Section 1245 (123 Stat. 2542) is repealed.

(c) Fiscal Year 2009.—The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) is amended as follows:

(1) Section 354 (122 Stat. 4426; 10 U.S.C. 221 note) is repealed.

(2) Section 1504 (10 U.S.C. 2358 note) is amended by striking subsection (c).

(d) Fiscal Year 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended as follows:

(1) Section 885 (10 U.S.C. 2304 note) is amended—

(A) in subsection (a), by striking the last sentence of paragraph (2); and

(B) in subsection (b), by striking “the date of the enactment of this Act” both places it appears and inserting “January 28, 2008”.

(2) Section 911 (10 U.S.C. 2271 note) is amended by striking paragraph (2) of subsection (f).

(3) Section 2864 (10 U.S.C. 2911 note) is repealed.
(e) Fiscal Year 2007.—The John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) is amended as follows:

(1) Section 347 (10 U.S.C. 221 note) is repealed.

(2) Section 731 (10 U.S.C. 1095c note) is amended by striking subsection (d).

(3) Section 732 (10 U.S.C. 1073 note) is amended by striking subsection (d).

(4) Section 1104 (10 U.S.C. note prec. 711) is amended—

(A) by striking subsection (a); and

(B) in subsection (c), by striking “(a) or”.

(5) Section 1231 (22 U.S.C. 2776a) is repealed.

(6) Section 1402 (10 U.S.C. 113 note) is repealed.

(7) Section 2405 (120 Stat. 2460) is amended by striking subsection (d).


(g) Fiscal Year 2005.—The Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) is amended as follows:
(1) Section 731 (10 U.S.C. 1074 note) is amended by striking subsection (e).

(2) Section 1041 (118 Stat. 2048; 10 U.S.C. 229 note) is repealed.

(h) Fiscal Year 2004.—The National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136) is amended as follows:

(1) Section 812 (117 Stat. 1542) is amended by striking subsection (e).

(2) Section 1601 (10 U.S.C. 2358 note) is amended by striking paragraph (5) of subsection (d).

(i) Fiscal Year 2003.—The Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314) is amended as follows:

(1) Section 221 (10 U.S.C. 2431 note) is repealed.

(2) Section 817 (10 U.S.C. 2306a note) is amended by striking subsections (d) and (e)(2).

(j) Fiscal Year 2002.—The National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107) is amended as follows:

(1) Section 232 (10 U.S.C. 2431 note) is amended—

(A) by striking subsection (e);
(B) by striking subsection (d); and

(C) by striking paragraph (3) of subsection (h).

(2) Section 1008 (10 U.S.C. 113 note) is amended by striking subsection (a).

(k) Fiscal Year 2001.—The Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398) is amended as follows:

(1) Section 374 (10 U.S.C. 2851 note) is repealed.

(2) Section 1212 (114 Stat. 1654A–326) is amended—

(A) by striking subsection (c); and

(B) by striking subsection (d).

(3) Section 1213 (114 Stat. 1654A–327) is repealed.

(4) Section 1308 (22 U.S.C. 5959) is amended by striking paragraph (7) of subsection (c).

(l) Fiscal Year 2000.—The National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) is amended as follows:

(1) Section 1025 (10 U.S.C. 113 note) is repealed.

(3) Section 1201 (10 U.S.C. 168 note) is amended by striking subsection (d).


(n) Fiscal Year 1998.—The National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) is amended as follows:

(1) Section 234 (50 U.S.C. 2367) is repealed.

(2) Section 349 (10 U.S.C. 2702 note) is amended by striking subsection (e).


(p) Fiscal Year 1991.—The National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510) is amended as follows:
(1) Section 831 (10 U.S.C. 2302 note) is amended by striking subsection (l).

(2) Section 2921 (10 U.S.C. 2687 note) is amended—

(A) by striking subsections (e) and (f); and

(B) in subsection (g)—

(i) by striking paragraph (2); and

(ii) in paragraph (3), by striking “or (2)”.

(3) Section 4004(d) (10 U.S.C. 2391 note) is amended—

(A) by inserting “and” at the end of paragraph (1);

(B) by striking “; and” at the end of paragraph (2) and inserting a period; and

(C) by striking paragraph (3).

SEC. 1603. REPEAL OF REPORTING REQUIREMENTS UNDER OTHER LAWS.


(c) Title 37, United States Code.—Section 402a of title 37, United States Code, is amended by striking subsection (f).

(d) Title 38, United States Code.—Section 3020 of title 38, United States Code, is amended by striking subsection (l).

(e) Intelligence Reform and Terrorism Prevention Act of 2004.—Section 3002(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435c(c)) is amended by striking paragraph (4).

(f) Implementing Recommendations of the 9/11 Commission Act of 2007.—The Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53) is amended as follows:

1. Section 804 (42 U.S.C. 2000ee–3) is repealed.

2. Section 1821 (50 U.S.C. 2911) is amended by striking paragraphs (2) and (3) of subsection (b).

(g) Small Business Act.—Section 9(y) of the Small Business Act (15 U.S.C. 638(y)) is amended by striking paragraph (5).
The Foreign Assistance Act of 1961 is amended as follows:

1. Section 516(f)(1) (22 U.S.C. 2321j(f)(1)) is amended by striking “excess defense articles that are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or”.

2. Section 656 (22 U.S.C. 2416) is repealed.


Subtitle B—Modifications to Existing Report Requirements

SEC. 1611. MODIFICATION TO REPORTING REQUIREMENTS UNDER TITLE 10, UNITED STATES CODE.

Title 10, United States Code, is amended as follows:

1. (A) Section 115b is amended—

   (i) in subsection (a)—

      (I) by striking “ANNUAL” and inserting “BIENNIAL”; and

      (II) by striking “on an annual basis” and inserting “in every even-numbered year”; and
(ii) in subsection (b)(1)(A), by strik-
ing “during the seven-year period following
the year in which the plan is submitted’’
and inserting “during the five-year period
corresponding to the ongoing Future-Years
Defense Plan’’.

(B)(i) The heading of such section is amended
to read as follows:

“§115b. Biennial strategic workforce plan”.

(ii) The item relating to that section in the
table of sections at the beginning of chapter 2 is
amended to read as follows:

“115b. Biennial strategic workforce plan.”.

(2) Section 127b(f) is amended by striking
“December 1” and inserting “February 1”.

(3) Section 138c(e)(4) is amended by striking
“Not later than 10 days” and all that follows
through “title 31,” and inserting “Not later than
March 31 in any year,”.

(4) Section 408(f) is amended to read as fol-
lows:

“(f) CONGRESSIONAL OVERSIGHT.—Whenever the
Secretary of Defense provides assistance to a foreign coun-
try under this section, the Secretary shall submit to the
congressional defense committees a report on the assist-
ance provided. Each such report shall identify the country
to which the assistance was provided and shall include a
description of the type and amount of the assistance pro-
vided.”.

(5) Section 2401(h) is amended—

(A) by striking “only if—” and all that fol-
lows through “of the proposed” and inserting
“only if the Secretary has notified the congres-
sional defense committees of the proposed”;

(B) by striking paragraph (2);

(C) by redesignating subparagraphs (A),
(B), and (C) as paragraphs (1), (2), and (3),
respectively, and realigning those paragraphs so
as to be indented two ems from the left margin;
and

(D) by striking “; and” at the end of para-
graph (3), as so redesignated, and inserting a
period.

(6) Section 2482(d)(1) is amended by inserting
“in the United States” after “commissary store”.

(7) Section 2645(d) is amended by striking
“$1,000,000” and inserting “$10,000,000”.

(8) Section 2803(b) is amended by striking
“21-day period” and inserting “seven-day period”.

(9) Section 2804(b) is amended by striking
“14-day” and inserting “seven-day”.

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(10) Section 2811(d) is amended by striking “$7,500,000” and inserting “$10,000,000”.

(11) Section 2885(a)(3) is amended by striking “If a project” and inserting “In the case of a project for new construction, if the project”.

(12) Section 9514(c) is amended by striking “$1,000,000” and inserting “$10,000,000”.

(13) Section 10541(a) is amended by striking “February 15” and inserting “April 15”.

(14) Section 10543(c)(3) is amended by striking “not later than 15 days” and inserting “not later than 90 days”.

SEC. 1612. MODIFICATION TO REPORTING REQUIREMENTS UNDER ANNUAL DEFENSE AUTHORIZATION ACTS.

(a) FISCAL YEAR 2010.—Section 121(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2212) is amended by striking paragraph (5).

(b) FISCAL YEAR 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended as follows:

(1) Section 958 (122 Stat. 297) is amended—
(A) in subsection (a), by striking “240 days after the date of the enactment of this Act” and inserting “June 30, 2012”; and

(B) in subsection (d), by striking “December 31, 2013” and inserting “June 30, 2014”.

(2) Section 1074(b)(6) (10 U.S.C. 113 note) is amended—

(A) in subparagraph (A), by striking “The Secretary” and inserting “Except as provided in subparagraph (D), the Secretary”; and

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

“(D) EXCEPTIONS.—Subparagraph (A) does not apply in the case of—

“(i) an individual described in paragraph (2)(C) who is otherwise sponsored by the Secretary of Defense, the Deputy Secretary of Defense, the Chairman of the Joint Chiefs of Staff, or the Vice Chairman of the Joint Chiefs of Staff; or

“(ii) an individual described in paragraph (2)(E).”.

(3) Section 1107 (10 U.S.C. 2358 note) is amended—

(A) in subsection (d)—
(i) by striking “beginning with March 1, 2008,”; and

(ii) by inserting “a report containing” after “to Congress”; and

(B) in subsection (e)—

(i) in paragraph (1), by striking “Not later than” and all that follows through “the information” and inserting “The Secretary shall include in each report under subsection (d) the information”; and

(ii) in paragraph (2), by striking “under this subsection” and inserting “under subsection (d)’’.

(4) Section 1674(c) (122 Stat. 483) is amended—

(A) by striking “After submission” and all that follows through “that patients,” and inserting “Patients,”; and

(B) by striking “have not been moved or disestablished until” and inserting “may not be moved or disestablished until the Secretary of Defense has certified to the congressional defense committees that’’.

(c) FISCAL YEAR 2002.—Section 1008 of the National Defense Authorization Act for Fiscal Year 2002
(Public Law 107–107; 10 U.S.C. 113 note), as amended by section 1302, is further amended—

(1) by redesignating subsections (b), (c), (d), (e), and (f) as subsections (a), (b), (c), (d), and (e), respectively; and

(2) in subsection (c), as so redesignated, by striking “(b) or (e)” and inserting “(a) or (b)”.

SEC. 1613. MODIFICATION TO REPORTING REQUIREMENTS UNDER OTHER LAWS.

(a) Title 32, United States Code.—Section 908(a) of title 32, United States Code, is amended by striking “After the end of each fiscal year,” and inserting “After the end of any fiscal year during which any assistance was provided or activities were carried out under this chapter,”.

(b) Title 37, United States Code.—Section 316a(f) of title 37, United States Code, is amended by striking “January 1, 2010” and inserting “April 1, 2012”.

(c) Defense Base Closure and Realignment Act of 1990.—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) is amended as follows:

(1) Section 2906(c) is amended by striking paragraph (1).
(2) Section 2907 is amended—

(A) in subsection (a), by striking “fiscal year 2016” and inserting “fiscal year 2012”; and

(B) in subsection (b), by striking “fiscal year 2014” and inserting “fiscal year 2012”.

(d) UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.—The Uniformed and Overseas Citizens Absentee Voting Act is amended as follows:

(1) Section 102(c) (42 U.S.C. 1973ff–1(c)) is amended by striking “Election Assistance Commission (established under the Help America Vote Act of 2002)” and inserting “Presidential designee”.

(2) Section 105A(b) (42 U.S.C. 1973ff–4a(b)) is amended—

(A) in the subsection heading, by striking “Annual Report” and inserting “Biennial Report”;

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

(i) by striking “March 31 of each year” and inserting “September 30 of each odd-numbered year”; and

(ii) by striking “the following information” and inserting “the following information”—
tion with respect to the Federal election

held during the preceding calendar year”;

and

(C) in paragraph (3), by striking “In the
case of” and all that follows through “a de-
scription” and inserting “A description”.

(e) HELP AMERICA VOTE ACT.—The Help America
Vote Act (42 U.S.C. 15301 et seq.) is amended as follows:

(1) Section 241 (42 U.S.C. 15381) is amend-
ed—

(A) in subsection (a)(1), by striking “mem-
bers of the uniformed services and overseas vot-
ers,”; and

(B) in subsection (b)—

(i) by striking paragraph (16) and re-
designating paragraphs (17), (18), and
(19) as paragraphs (16), (17), and (18),
respectively; and

(ii) in paragraph (18), as redesignated
by clause (i), by striking the period at the
end and inserting “but not to include mat-
ters specifically focused on uniformed serv-
ices and overseas voters.”.

(2) Section 703 (42 U.S.C. 1973ff–1 note) is
amended by striking subsection (b).
(f) Arms Export Control Act.—Section 36(a) of the Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(1) by striking “end of each quarter” in the matter preceding paragraph (1) and inserting “end of each fiscal year”; 

(2) by striking “during the fiscal year in which” in paragraphs (2) and (3) and inserting “during the fiscal year for which”; 

(3) by striking “in the quarter of the fiscal year immediately following the quarter” in paragraph (5) and inserting “in the fiscal year”; 

(4) by striking paragraph (6); and 

(5) by striking “quarter” each place it appears in paragraphs (8), (9), and (10) and inserting “fiscal year”.
Subtitle C—Other Report-related Provisions to Further Efficient Management of the Department of Defense

SEC. 1621. BIENNIAL AUTHORITY FOR SECRETARY OF DEFENSE TO TERMINATE DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS DETERMINED BY THE SECRETARY TO BE UNNECESSARY OR INCOMPATIBLE WITH EFFICIENT MANAGEMENT OF THE DEPARTMENT OF DEFENSE.

(a) Termination of Report Requirements.—Unless otherwise provided by a law enacted after the date of the enactment of this Act, each provision of law requiring the submittal to Congress (or any committee of Congress) of any report specified in a list submitted under subsection (b) shall, with respect to that requirement, cease to be effective on the date that is two years after the date on which the list is submitted.

(b) Preparation of List of Reports To Be Terminated.—

(1) Authority to submit list.—The Secretary of Defense may, as provided in subsection (c), submit to Congress a list of each provision of law that, as of the date on which the list is submitted,
imposes upon the Secretary of Defense (or any other
officer of the Department of Defense) a reporting
requirement described in paragraph (2). The list of
provisions of law shall include a statement or de-
scription of the report required under each such pro-
vision of law.

(2) STANDARD FOR INCLUSION OF REPORTS ON
LIST.—Paragraph (1) applies to a requirement im-
posed by law to submit to Congress (or specified
committees of Congress) a report on a recurring
basis, or upon the occurrence of specified events, if
the Secretary determines that the continued require-
ment to submit that report is unnecessary or incom-
patible with the efficient management of the Depart-
ment of Defense.

(3) EXPLANATION.—The Secretary shall submit
with the list an explanation, for each report specified
in the list, of the reasons why the Secretary con-
siders the continued requirement to submit the re-
port to be unnecessary or incompatible with the effi-
cient management of the Department of Defense.

(c) BIENNIAL SUBMISSION OF LIST.—The Secretary
may submit a list under subsection (a) once in every odd-
numbered year. Any such report shall be submitted not
later than March 1 of the year in which submitted.
(d) Scope of Section.—For purposes of this section, the term “report” includes a certification, notification, or other characterization of a written communication.

(e) Interpretation of Section.—This section does not require the Secretary of Defense to review each report required of the Department of Defense by law.

(f) Initial Submission.—The first submission of a list under this section may not be made sooner than two years after the date of the enactment of this Act.

SEC. 1622. IMPROVED MANAGEMENT OF CONGRESSIONAL REPORTING REQUIREMENTS APPLICABLE TO DEPARTMENT OF DEFENSE.

(a) In General.—Chapter 23 of title 10, United States Code, is amended by inserting after section 480 the following new section:

“§ 480a. Reports to Congress: termination of statutory requirements after three years

“(a) Termination.—Subject to subsection (b), any provision of law enacted after the date of the enactment of this section that requires the Secretary of Defense (or any other officer or employee of the Department of Defense) to submit to Congress (or any committee of Congress) a periodic report shall cease to be effective, with respect to that requirement, three years after the date of the enactment of that provision of law.
“(b) EXCEPTIONS.—Subsection (a) does not apply to a provision of law containing a requirement for the submittal of a periodic report if that provision of law—

“(1) expressly states that the requirement is indefinite in nature; or

“(2) specifies a number of years (in excess of three) for which the report is required or states a specific termination date for the report requirement.

“(c) PERIODIC REPORT DEFINED.—In this section, the term ‘periodic report’ means a report required to be submitted on an annual, semiannual, or other regular periodic basis.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 480 the following new item:

“480a. Reports to Congress: termination of statutory requirements after three years.”.
TITLE XVII—REDUCTION IN DEPARTMENT OF ENERGY-RELATED REPORTING REQUIREMENTS

SEC. 1701. CONSOLIDATED REPORTING REQUIREMENTS RELATING TO NUCLEAR STOCKPILE STEWARDSHIP.

(a) PURPOSE.—The purpose of this section is to assemble together statutory requirements for plans and reports concerned with different aspects of United States nuclear stockpile stewardship and management efforts by the Department of Energy National Security Programs in order to consolidate and organize those provisions of law into a single integrated plan to be submitted to Congress, to be submitted as specified in the amendment made by subsection (d).

(b) REPEAL OF REQUIREMENT FOR BIENNIAL PLAN ON MODERNIZATION AND REFURBISHMENT OF THE NUCLEAR SECURITY COMPLEX.—Section 4203A of the Atomic Energy Defense Act (50 U.S.C. 2523A) is repealed.

(c) REPEAL OF REQUIREMENT FOR BIENNIAL REPORT ON STOCKPILE STEWARDSHIP CRITERIA.—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended by striking subsections (c) and (d).
(d) Consolidated Plan for Stewardship, Management, and Certification of Warheads in the Nuclear Weapons Stockpile.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended to read as follows:

“SEC. 4203. ANNUAL AND BIENNIAL REQUIREMENTS FOR A STOCKPILE STEWARDSHIP AND MANAGEMENT PLAN.

“(a) Plan Requirement.—The Secretary of Energy, acting through the Administrator for the National Nuclear Security Administration and in consultation with other appropriate officials of the executive branch, shall develop a plan for maintaining the nuclear weapons stockpile. The plan shall cover, at a minimum, stockpile stewardship, stockpile management, and program direction and shall be consistent with the programmatic and technical requirements of the most recent annual Nuclear Weapons Stockpile Memorandum.

“(b) Submission to Congress: Annual Plan Summary; Biennial Detailed Plan.—The Secretary of Energy shall submit to Congress a summary of the plan developed under subsection (a) not later than March 15 of each year. In each even-number year, but not later than March 15, the Secretary shall submit to Congress a detailed plan developed under subsection (d), in addition to
the summary of the plan developed under subsection (c).

The detailed plan shall be submitted in both classified and
unclassified form. The summary of the plan may be sub-
mitted in either classified or unclassified form, as nec-
essary.

“(c) ELEMENTS OF ANNUAL PLAN SUMMARY.—The
summary of the plan submitted annually under subsection
(b) shall set forth the following:

“(1) A summary of the current status of United
States nuclear security strategy and the impact of
that strategy on United States stockpile stewardship
and management plans.

“(2) A summary description of the United
States nuclear stockpile and the present status of
that stockpile.

“(3) A summary of the information needed to
determine that the nuclear weapons stockpile is safe
and reliable and the relationship of the science-base
tools to the collection of that information.

“(4) A summary description of the nuclear se-
curity enterprise, including current status, plans for
modernization, and associated budgets and sched-
ules.
“(d) ELEMENTS OF DETAILED BIENNIAL PLAN.—
The detailed plan and each biennial update under sub-
section (b) shall set forth the following:

“(1) The number of warheads (including active
and inactive warheads) for each warhead type in the
nuclear weapons stockpile.

“(2) The current age of each warhead type, and
any plans for stockpile lifetime extensions and modi-
fications or replacement of each warhead type.

“(3) The process by which the Secretary of En-
ergy is assessing the lifetime and requirements for
lifetime extension or replacement of the nuclear and
nonnuclear components of the warheads (including
active and inactive warheads) in the nuclear weapons
stockpile.

“(4) The process used in recertifying the safety,
security, and reliability of each warhead type in the
nuclear weapons stockpile.

“(5) Any concerns which would affect the abil-
ity of the Secretary of Energy to recertify the safety,
security, or reliability of warheads in the nuclear
weapons stockpile (including active and inactive war-
heads).
“(6) Mechanisms to provide for the manufacture, maintenance, and modernization of each weapon design in the nuclear stockpile, as needed.

“(7) Mechanisms to expedite the collection of information necessary for carrying out the program, including information relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials.

“(8) Mechanisms to ensure the appropriate assignment of roles and missions for each national security laboratory and production plant of the Department of Energy, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel.

“(9) Mechanisms to ensure that each national laboratory of the National Nuclear Security Administration has full and complete access to all weapons data to enable a rigorous peer review process to support the annual assessment of the condition of the nuclear weapons stockpile required under section 4205.
“(10) Mechanisms for allocating funds for activities under the program, including allocations of funds by weapon type and facility.

“(11) An identification of the funds needed, in the fiscal year in which the plan is developed and in each of the following five fiscal years, to carry out the program.

“(12) A description of the information needed to determine that the nuclear weapons stockpile is safe and reliable and the relationship of the science-based tools to the collection of that information.

“(13) A description of any updates to the criteria required by section 4202(a) to the extent they have been developed as of the date of the submission of the report.

“(14) For each science-based tool to collect information needed to determine that the nuclear weapons stockpile is safe, secure, and reliable that is developed or modified by the Department of Energy during the relevant period described in paragraph (13)—

“(A) a description of the relationship of the science-based tool to the collection of such information; and
“(B) a description of criteria for assessing the effectiveness of the science-based tool in collecting such information.

“(15) An assessment of the Stockpile Stewardship Program conducted by the Administrator in consultation with the directors of the national security laboratories, which shall set forth the following:

“(A) An identification and description of—

“(i) any key technical challenges to the Stockpile Stewardship Program; and

“(ii) the strategies to address such challenges without the use of nuclear testing.

“(B) A strategy for using the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory to ensure that the nuclear weapons stockpile is safe, secure, and reliable without the use of nuclear testing.

“(C) An assessment of the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory that exist at the time of the assessment compared with the science-based tools ex-
pected to exist during the period covered by the future-years nuclear security program.

“(D) An assessment of the core scientific and technical competencies required to achieve the objectives of the Stockpile Stewardship Program and other weapons activities and weapons-related activities of the Department of Energy, including—

“(i) the number of scientists, engineers, and technicians, by discipline, required to maintain such competencies; and

“(ii) a description of any shortage of such individuals that exists at the time of the assessment compared with any shortage expected to exist during the period covered by the future-years nuclear security program.

“(16) A description of the modernization and refurbishment measures the Administrator determines necessary to meet the requirements of the National Security Strategy of the United States or the most recent Quadrennial Defense Review, whichever is applicable, and the Nuclear Posture Review.

“(17) A schedule for implementing those measures determined necessary under the National Secu-
rity Strategy of the United States during the 10 years following the date of the plan.

“(18) The estimated levels of annual funds the Administrator determines necessary to carry out the program, including a discussion of the criteria, evidence, and strategies on which such estimated levels of annual funds are based.

“(19) For the due date of the plan and projected for 5, 10, 15, and 20 years after that date—

“(A) the number of nuclear weapons of each type in the active and reserve stockpiles; and

“(B) the past and projected future total direct lifecycle cost to the Administration of each type of nuclear weapon.

“(20) A year-by-year resource plan that shall cover a prospective 20-year span, beginning with the fiscal year for which the plan is submitted and extending through a fiscal year 20 years into the future for stockpile reduction, cost savings, and how achievement of such milestones aligns with long-term nuclear weapons complex transformation goals (specifically identifying the cost impacts of alternative strategies). This resource plan shall include a summary of dismantlement progress, against quantities
committed to in the most recently submitted report to Congress.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘nuclear security enterprise’ means the physical facilities, technology, and human capital of—

“(A) the national security laboratories;

“(B) the Pantex Plant;

“(C) the Y–12 National Security Complex;

“(D) the Kansas City Plant;

“(E) the Savannah River Site; and

“(F) the Nevada National Security Site.

“(2) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31, United States Code.

“(3) The term ‘nuclear security budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Administrator for the National Nuclear Security Administration in support of the budget for that fiscal year.

“(4) The term ‘Quadrennial Defense Review’ means the review of the defense programs and policies of the United States that is carried out every
four years under section 118 of title 10, United States Code.

“(5) The term ‘future-years nuclear security program’ means the program required by section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).

“(6) The term ‘national security laboratory’ has the meaning given such term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).

“(7) The term ‘weapons activities’ means each activity within the budget category of weapons activities in the budget of the National Nuclear Security Administration.

“(8) The term ‘weapons-related activities’ means each activity under the Department of Energy that involves nuclear weapons, nuclear weapons technology, or fissile or radioactive materials, including activities related to—

“(A) nuclear nonproliferation;

“(B) nuclear forensics;

“(C) nuclear intelligence;

“(D) nuclear safety; and

“(E) nuclear incident response.”.
(c) Repeal of Requirement for Annual Update to Stockpile Management Program Plan.—
Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—
(1) by striking subsections (c) and (d); and
(2) by redesignating subsection (e) as subsection (c).

SEC. 1702. REPEAL OF REQUIREMENT FOR ANNUAL REPORT ON THE SECURITY VULNERABILITIES OF THE COMPUTERS OF CERTAIN NATIONAL LABORATORIES OF THE DEPARTMENT OF ENERGY.


DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.
This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2012”.

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 author-
izations 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 therefore) shall expire on the later of—

(1) October 1, 2014; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015.

(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 Security Investment Program (and authorizations of appropriations therefore), for which appropriated funds have been obligated before the later of—

(1) October 1, 2014; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2015 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.
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 2104(1), 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Fort Rucker</td>
<td>$11,600,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Fort Wainwright</td>
<td>$114,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Presidio Monterey</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Irwin</td>
<td>$23,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Elmendorf-Richardson</td>
<td>$103,600,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$238,600,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$1,450,000</td>
</tr>
<tr>
<td></td>
<td>Fort Stewart</td>
<td>$2,600,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Fort Shafter</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley</td>
<td>$83,400,000</td>
</tr>
<tr>
<td></td>
<td>Forbes Air Field</td>
<td>$5,300,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$247,500,000</td>
</tr>
<tr>
<td></td>
<td>Fort Knox</td>
<td>$55,000,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Fort Polk</td>
<td>$70,100,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Aberdeen Proving Ground</td>
<td>$78,500,000</td>
</tr>
<tr>
<td></td>
<td>Fort Meade</td>
<td>$79,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Fort Leonard Wood</td>
<td>$49,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$13,300,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$136,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Sill</td>
<td>$184,600,000</td>
</tr>
<tr>
<td></td>
<td>McAlester Army Ammunition Plant</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson</td>
<td>$62,900,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>$149,500,000</td>
</tr>
<tr>
<td></td>
<td>Fort Hood</td>
<td>$132,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base San Antonio</td>
<td>$10,400,000</td>
</tr>
<tr>
<td></td>
<td>Red River Army Depot</td>
<td>$44,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Dugway Proving Ground</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>$83,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Langley Enstatis</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis McChord</td>
<td>$296,300,000</td>
</tr>
</tbody>
</table>
(b) Outside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(2), 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**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afghanistan</td>
<td>Bagram Air Base</td>
<td>$80,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Gernersheim</td>
<td>$37,500,000</td>
</tr>
<tr>
<td></td>
<td>Grafenwoehr</td>
<td>$38,000,000</td>
</tr>
<tr>
<td></td>
<td>Landstuhl</td>
<td>$63,000,000</td>
</tr>
<tr>
<td></td>
<td>Oberdachstetten</td>
<td>$12,200,000</td>
</tr>
<tr>
<td></td>
<td>Kelley Barracks</td>
<td>$12,200,000</td>
</tr>
<tr>
<td></td>
<td>Vilseck</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Honduras</td>
<td>Various</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Carroll</td>
<td>$41,000,000</td>
</tr>
<tr>
<td></td>
<td>Camp Henry</td>
<td>$48,000,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) Construction and Acquisition.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

**Army: Family Housing**

<table>
<thead>
<tr>
<th>Location</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>Brussels</td>
<td>10</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Grafenwoehr</td>
<td>26</td>
<td>$13,000,000</td>
</tr>
<tr>
<td></td>
<td>Illesheim</td>
<td>80</td>
<td>$41,000,000</td>
</tr>
<tr>
<td></td>
<td>Vilseck</td>
<td>22</td>
<td>$12,000,000</td>
</tr>
</tbody>
</table>
(b) **PLANNING AND DESIGN.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(5)(A), 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 $7,897,000.

**SEC. 2103. 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 2104(5)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $103,000,000.

**SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $3,917,746,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $2,583,850,000.
(2) For military construction projects outside the United States authorized by section 2101(b), $376,900,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $20,000,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $255,241,000.

(5) For military family housing functions:

   (A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $186,897,000.

   (B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $494,858,000.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2009 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658) for Fort Benning, Georgia, for construction of a Multipurpose Training Range at the installation, the Secretary of the Army may construct up
to 1,802 square feet of loading dock consistent with the Army’s construction guidelines for Multipurpose Training Ranges.

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) HAWAI'I.—In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4437) for Schofield Barracks, Hawaii, for renovations of buildings 450 and 452, the Secretary of the Army may renovate building 451 in lieu of building 452.

(b) NEW YORK.—In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4437) for Fort Drum, New York, for construction of an Aircraft Maintenance Hangar at the installation, the Secretary of the Army may construct up to 39,049 square yards of parking apron consistent with the Army’s construction guidelines for Aircraft Maintenance Hangars and associated parking aprons.

(e) GERMANY.—In the case of the authorization contained in the table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2011 (division
B of Public Law 111–383; 124 Stat. 4437) for Wiesbaden, Germany, for construction of an Information Processing Center at the installation, the Secretary of the Army may construct up to 9,400 square yards of vehicle parking garage consistent with the Army’s construction guidelines for parking garages, in lieu of renovating 9,400 square yards of parking area.

SEC. 2107. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

(a) Project Authorization.—The Secretary of the Army may carry out a military construction project to construct a water treatment facility for Fort Irwin, California, in the amount of $115,000,000.

(b) Use of Unobligated Prior-Year Army Military Construction Funds.—The Secretary may use available, unobligated Army military construction funds appropriated for a fiscal year before fiscal year 2012 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 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.

SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2008 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 503), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (122 Stat. 504), shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

Army: Extension of 2008 Project Authorizations

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Louisiana</td>
<td>Fort Polk</td>
<td>Child Care Facility</td>
<td>$6,100,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Fort Leonard Wood</td>
<td>Multipurpose Machine</td>
<td>$4,150,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gun Range</td>
<td></td>
</tr>
</tbody>
</table>

SEC. 2109. 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. 504), shall remain in effect until October 1, 2012, or the
date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Army: Extension of 2009 Project Authorizations**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Anniston Army Depot</td>
<td>Lake Yard Interchange ...</td>
<td>$1,400,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Schofield Barracks</td>
<td>Brigade Complex</td>
<td>$65,000,000</td>
</tr>
<tr>
<td></td>
<td>Schofield Barracks</td>
<td>Battalion Complex</td>
<td>$69,000,000</td>
</tr>
<tr>
<td></td>
<td>Schofield Barracks</td>
<td>Battalion Complex</td>
<td>$27,000,000</td>
</tr>
<tr>
<td></td>
<td>Schofield Barracks</td>
<td>Infrastructure Expansion</td>
<td>$76,000,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Picatinny Arsenal</td>
<td>Ballistic Evaluation Facility Phase I</td>
<td>$9,900,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Eustis</td>
<td>Vehicle Paint Facility ...</td>
<td>$3,900,000</td>
</tr>
</tbody>
</table>

5 **SEC. 2110. TECHNICAL AMENDMENTS TO CORRECT CERTAIN PROJECT SPECIFICATIONS.**


(1) in the project specification for the Army for “Entry Control Point and Access Roads” that appears immediately below the project specification for “Vet Clinic & Kennel” at Bagram Air Force Base, Afghanistan, by striking “Delaram II” and inserting “Delaram II”; and

(2) in the project specification for the Army that appears immediately below the project specification for “Electrical Utility Systems, Ph.2” at the “Shank” installation, Afghanistan, by striking the
entry in the column under the heading “Project Title” and inserting “Expand Entry Control Point 1 and Entry Control Point 2”.

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(1), 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:

Navy: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Marine Corps Air Station, Yuma</td>
<td>$162,785,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Base, Camp Pendleton</td>
<td>$335,080,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base, Coronado</td>
<td>$108,435,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Twentynine Palms</td>
<td>$67,109,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Logistics Base, Barstow</td>
<td>$8,590,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Mountain Warfare Training Center, Bridgeport</td>
<td>$19,238,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base Ventura County Point Mugu</td>
<td>$15,377,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Naval Air Station, Jacksonville</td>
<td>$36,552,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Mayport</td>
<td>$14,998,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Whiting Field (Eglin Air Force Base)</td>
<td>$20,620,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Naval Submarine Base, Kings Bay</td>
<td>$86,063,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Marine Corps Base, Kaneohe Bay</td>
<td>$57,704,000</td>
</tr>
<tr>
<td></td>
<td>Pacific Missile Range Facility, Barking Sands</td>
<td>$9,679,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$8,742,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Naval Station, Great Lakes</td>
<td>$91,042,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Naval Support Facility, Indian Head</td>
<td>$67,779,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Patuxent River</td>
<td>$45,844,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Base, Camp Lejeune</td>
<td>$200,482,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station, Cherry Point</td>
<td>$17,760,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station, New River</td>
<td>$78,930,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Air Station, Beaufort</td>
<td>$21,096,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Station, Norfolk</td>
<td>$81,304,000</td>
</tr>
<tr>
<td></td>
<td>Naval Support Activity, Norfolk</td>
<td>$26,924,000</td>
</tr>
</tbody>
</table>
Navy: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington</td>
<td>Naval Ship Yard, Portsmouth</td>
<td>$74,864,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Quantico</td>
<td>$183,690,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base Kitsap, Bremerton (Puget Sound Ship Yard).</td>
<td>$13,341,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base Kitsap, Bremerton (Bangor)</td>
<td>$758,842,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

### Navy: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>Naval Support Activity Bahrain/Southwest Asia</td>
<td>$100,204,000</td>
</tr>
<tr>
<td>Djibouti</td>
<td>Camp Lemonnier</td>
<td>$89,499,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$77,267,000</td>
</tr>
<tr>
<td>Diego Garcia</td>
<td>Naval Support Facility, Diego Garcia</td>
<td>$35,444,000</td>
</tr>
</tbody>
</table>

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204(5)(A), the Secretary of the Navy 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 $3,199,000.
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(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $97,773,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,930,382,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $1,974,622,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $302,414,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $21,495,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $84,362,000.

(5) For military family housing functions:
(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $100,972,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $367,863,000.

(6) For the construction of increment 2 of north ramp utilities at Andersen Air Force Base, Guam, authorized by section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2633), $78,654,000.

SEC. 2205. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2008 PROJECT.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 503), the authorization set forth in the table in subsection (b), as provided in section 2201(c) of that Act (122 Stat. 511) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4443), shall remain in effect until October 1, 2012, or the date of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.
(b) **TABLE.**—The table referred to in subsection (a) is as follows:

**Navy: Extension of 2008 Project Authorization**

<table>
<thead>
<tr>
<th>Location</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unspecified Worldwide.</td>
<td>Various ..................</td>
<td>Host Nation Infrastructure.</td>
<td>$2,700,000.</td>
</tr>
</tbody>
</table>

(c) **TECHNICAL AMENDMENT FOR CONSISTENCY IN PROJECT AUTHORIZATION DISPLAY.**—The table in section 2201(c) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 511) is amended to read as follows:

**“Navy: Unspecified Worldwide**

<table>
<thead>
<tr>
<th>Location</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unspecified Worldwide.</td>
<td>Various ..................</td>
<td>Wharf Utilities Upgrade</td>
<td>$8,900,000</td>
</tr>
<tr>
<td>Unspecified Worldwide.</td>
<td>Various ..................</td>
<td>Host Nation Infrastructure.</td>
<td>$2,700,000**</td>
</tr>
</tbody>
</table>

**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), shall remain in effect until October 1, 2012, or the date of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.
(b) **TABLE.—**The table referred to in subsection (a) is as follows:

**Navy: Extension of 2009 Project Authorizations**

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Marine Corps Base, Camp Pendleton.</td>
<td>Operations Assess Points, Red Beach.</td>
<td>$11,970,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Corps Air Station, Miramar.</td>
<td>Emergency Response Station.</td>
<td>$6,530,000</td>
</tr>
<tr>
<td>District of Columbia.</td>
<td>Washington Navy Yard.</td>
<td>Child Development Center</td>
<td>$9,340,000</td>
</tr>
</tbody>
</table>

**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(1), 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**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$45,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Joint Base Elmendorf-Richardson</td>
<td>$97,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Luke Air Force Base</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Travis Air Force Base</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Vandenberg Air Force Base</td>
<td>$14,200,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>U.S. Air Force Academy</td>
<td>$13,400,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>$2,800,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley, Kansas</td>
<td>$7,600,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Barksdale Air Force Base</td>
<td>$23,500,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Whiteman Air Force Base</td>
<td>$4,800,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>$56,400,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$35,850,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$22,598,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Holloman Air Force Base</td>
<td>$29,200,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Kirtland Air Force Base</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>
(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(2), the Secretary of the Air Force 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Carolina</td>
<td>Pope Air Force Base</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Minot Air Force Base</td>
<td>$67,800,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$110,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$23,300,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Base Langley Eustis</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fairchild Air Force Base</td>
<td>$27,600,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Ramstein Air Base</td>
<td>$34,697,000</td>
</tr>
<tr>
<td>Greenland</td>
<td>Thule Air Base</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$211,600,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Naval Air Station, Sigonella</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Osan Air Base</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>Qatar</td>
<td>Al Udeid Air Base</td>
<td>$37,000,000</td>
</tr>
</tbody>
</table>

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(5)(A), 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 $4,208,000.
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(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $80,596,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,854,423,000, as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $834,648,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $349,297,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $20,000,000.
(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $81,913,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $84,804,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $404,761,000.


**SEC. 2305. MODIFICATION OF AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.**

In the case of the authorization contained in the table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2010 (Division B of Public Law 111–84; 123 Stat. 2636) for Hickam Air Force Base, Hawaii, for construction of a Ground Control Tower at the installation, the Secretary of the Air Force may construct 43 vertical meters (141 vertical feet) in lieu of 111 square
meters (1,195 square feet), consistent with the Air Force’s construction guidelines for control towers, using amounts appropriated pursuant to authorizations of appropriations in prior years.

SEC. 2306. 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 subsection (b), as provided in section 2301(b) of that Act (122 Stat. 4676) shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later:

(b) Table.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Spangdahlem AB</td>
<td>Construct Child Development Center</td>
<td>$11,400,000.</td>
</tr>
</tbody>
</table>
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(1), 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

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Redstone Arsenal</td>
<td>$58,800,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Anchorage</td>
<td>$18,400,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Defense Distribution Depot Tracy</td>
<td>$15,500,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Camp Pendleton,</td>
<td>$12,141,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base, Coronado</td>
<td>$42,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base, Coronado (San Clemente)</td>
<td>$21,800,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>$140,932,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Bolling Air Force Base</td>
<td>$16,736,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$61,100,000</td>
</tr>
<tr>
<td></td>
<td>Macdill Air Force Base</td>
<td>$15,200,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Whiting Field</td>
<td>$3,800,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>$37,205,000</td>
</tr>
<tr>
<td></td>
<td>Fort Gordon</td>
<td>$11,340,000</td>
</tr>
<tr>
<td></td>
<td>Fort Stewart</td>
<td>$72,300,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$14,400,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Naval Station, Great Lakes</td>
<td>$16,900,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Port Campbell</td>
<td>$138,500,000</td>
</tr>
<tr>
<td></td>
<td>Fort Knox</td>
<td>$38,845,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Barksdale Air Force Base</td>
<td>$8,200,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>$860,579,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Andrews</td>
<td>$265,700,000</td>
</tr>
</tbody>
</table>
Defense Agencies: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Massachusetts</td>
<td>National Naval Medical Center, Bethesda</td>
<td>$18,000,000</td>
</tr>
<tr>
<td></td>
<td>Hanscom Air Force Base</td>
<td>$34,940,000</td>
</tr>
<tr>
<td></td>
<td>Westover Air Reserve Base</td>
<td>$23,300,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Columbus Air Force Base</td>
<td>$2,600,000</td>
</tr>
<tr>
<td></td>
<td>Construction Battalion Center, Gulfport</td>
<td>$34,700,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Arnold</td>
<td>$9,253,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$132,997,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$20,400,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$8,670,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$206,274,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station, New River</td>
<td>$22,687,000</td>
</tr>
<tr>
<td></td>
<td>Pope Air Force Base</td>
<td>$5,400,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Defense Supply Center Columbus</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Altus Air Force Base</td>
<td>$8,200,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Defense Distribution Depot New Cumberland</td>
<td>$46,000,000</td>
</tr>
<tr>
<td></td>
<td>Defense Supply Center Philadelphia</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Joint Base Charleston</td>
<td>$24,868,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$194,300,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Charlottesville</td>
<td>$10,805,000</td>
</tr>
<tr>
<td></td>
<td>Fort Belvoir</td>
<td>$54,625,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek-Story</td>
<td>$37,000,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Quantico</td>
<td>$46,727,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Oceana (Dam Neck)</td>
<td>$23,116,000</td>
</tr>
<tr>
<td></td>
<td>Dahlgren</td>
<td>$1,988,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon Reservation</td>
<td>$8,742,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$35,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Whidbey Island</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>West Virginia</td>
<td>Camp Dawson</td>
<td>$2,200,000</td>
</tr>
</tbody>
</table>

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(2), 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

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>Brussels</td>
<td>$24,118,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Ansbach</td>
<td>$11,672,000</td>
</tr>
<tr>
<td></td>
<td>Baumholder</td>
<td>$59,419,000</td>
</tr>
</tbody>
</table>
Defense Agencies: Outside the United States—Continued

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Grafenwoehr</td>
<td>$6,529,000</td>
</tr>
<tr>
<td></td>
<td>Rhine Ordnance Barracks</td>
<td>$1,196,650,000</td>
</tr>
<tr>
<td></td>
<td>Spangdalem Air Base</td>
<td>$129,943,000</td>
</tr>
<tr>
<td></td>
<td>Stuttgart-Patch Barracks</td>
<td>$2,434,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Vicenza</td>
<td>$41,864,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokota Air Base</td>
<td>$61,842,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Menwith Hill Station</td>
<td>$68,601,000</td>
</tr>
<tr>
<td></td>
<td>Royal Air Force Alconbury</td>
<td>$35,030,000</td>
</tr>
</tbody>
</table>

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(6), the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount of $135,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of $3,902,948,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $2,128,131,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $511,144,000.
(3) For unspecified minor military construction projects under section 2805 of title 10, United States Code, $39,329,000.

(4) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $10,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $454,602,000.

(6) For energy conservation projects under chapter 173 of title 10, United States Code, $135,000,000.

(7) For military family housing functions:
   (A) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $50,723,000.
   (B) For credits to the Department of Defense Family Housing Improvement Fund under section 2883 of title 10, United States Code, and the Homeowners Assistance Fund established under section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), $3,468,000.

(8) For the construction of increment 6 of the Army Medical Research Institute of Infectious Dis-
cases Stage I at Fort Detrick, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2457), $137,600,000.


(10) For the construction of increment 4 of the United States Army Medical Research Institute of Chemical Defense replacement facility at Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4689), $22,850,000.

(11) For the construction of increment 3 of a National Security Agency data center at Camp Williams, Utah, authorized as a Military Construction, Defense-Wide project by the Supplemental Appro-
appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1888), $246,401,000.

(12) For the construction of increment 3 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), $136,700,000.

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, 2011, for military construction and land acquisition for chemical demilitarization in the total amount of $75,312,000, as follows:

Construction Authorization Act for Fiscal Year 2003
(division B of Public Law 107–314; 116 Stat. 2698), and section 2413 of the Military Construc-
tion Authorization Act for Fiscal Year 2009 (divi-
sion B of Public Law 110–417; 122 Stat. 4697),
$15,338,000.

(2) For the construction of phase 12 of a muni-
tions 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 Construc-
tion Authorization Act for Fiscal Year 2003 (divi-
sion B of Public Law 107–314; 116 Stat. 2698),
section 2414 of the Military Construction Authoriza-
tion 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 Fis-
cal Year 2011 (division B Public Law 111–383;
124 Stat. 4450), $59,974,000.
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, 2011, 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, in the amount of $272,611,000.
TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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(1), 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**

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Fort McClellan</td>
<td>$16,500,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Papago Military Reservation</td>
<td>$17,800,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Fort Chaffee</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Roberts</td>
<td>$38,160,000</td>
</tr>
<tr>
<td></td>
<td>Camp San Luis Obispo</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Alamosa</td>
<td>$6,400,000</td>
</tr>
<tr>
<td></td>
<td>Aurora</td>
<td>$3,600,000</td>
</tr>
<tr>
<td></td>
<td>Fort Carson</td>
<td>$43,000,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Anacostia</td>
<td>$5,300,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Camp Blanding</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Atlanta</td>
<td>$11,000,000</td>
</tr>
<tr>
<td></td>
<td>Hinesville</td>
<td>$17,500,000</td>
</tr>
<tr>
<td></td>
<td>Macon</td>
<td>$14,500,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kalaeloa</td>
<td>$33,000,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Normal</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Camp Atterbury</td>
<td>$81,900,000</td>
</tr>
<tr>
<td></td>
<td>Indianapolis</td>
<td>$25,700,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Bangor</td>
<td>$15,600,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Brunswick</td>
<td>$23,000,000</td>
</tr>
<tr>
<td></td>
<td>Dunbar</td>
<td>$16,000,000</td>
</tr>
<tr>
<td></td>
<td>La Plata</td>
<td>$9,000,000</td>
</tr>
<tr>
<td></td>
<td>Westminster</td>
<td>$10,400,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Natick</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Camp Ripley</td>
<td>$8,400,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Camp Shelby</td>
<td>$64,600,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Grand Island</td>
<td>$22,000,000</td>
</tr>
<tr>
<td></td>
<td>Mead</td>
<td>$9,100,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Las Vegas</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Lakehurst</td>
<td>$49,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Santa Fe</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Greensboro</td>
<td>$3,700,000</td>
</tr>
</tbody>
</table>
Army National Guard: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oklahoma</td>
<td>Camp Gruber</td>
<td>$13,361,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>The Dalles</td>
<td>$13,800,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Allendale</td>
<td>$4,300,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Camp Williams</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Pickett</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>West Virginia</td>
<td>Buckhannon</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Camp Williams</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>Cheyenne</td>
<td>$8,900,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1), 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

<table>
<thead>
<tr>
<th>Country</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Puerto Rico</td>
<td>Fort Buchanan</td>
<td>$57,000,000</td>
</tr>
</tbody>
</table>

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(2), the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Fort Hunter Liggett</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Collins</td>
<td>$13,600,000</td>
</tr>
</tbody>
</table>
Army Reserve—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>Homewood</td>
<td>$16,000,000</td>
</tr>
<tr>
<td></td>
<td>Rockford</td>
<td>$12,800,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Fort Benjaman Harrison</td>
<td>$57,000,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Kansas City</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Attleboro</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Saint Joseph</td>
<td>$11,800,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Weldon Springs</td>
<td>$19,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Schenectady</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Greensboro</td>
<td>$19,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Orangeburg</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Fort McCoy</td>
<td>$27,300,000</td>
</tr>
</tbody>
</table>

1. **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

   Using amounts appropriated pursuant to the authorization of appropriations in section 2606(3), the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

   Navy Reserve and Marine Corps Reserve

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pennsylvania</td>
<td>Pittsburgh</td>
<td>$13,759,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Memphis</td>
<td>$7,949,000</td>
</tr>
</tbody>
</table>

2. **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

   Using amounts appropriated pursuant to the authorization of appropriations in section 2606(4), the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard
locations inside the United States, and in the amounts, set forth in the following table:

### Air National Guard

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Beale Air Force Base</td>
<td>$6,100,000</td>
</tr>
<tr>
<td></td>
<td>Moffett Field</td>
<td>$26,000,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$39,521,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Fort Wayne International Airport</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Martin State Airport</td>
<td>$4,900,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Otis Air National Guard Base</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Springfield Beekley-Municipal Airport</td>
<td>$6,700,000</td>
</tr>
</tbody>
</table>

### Air Force Reserve

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>March Air Force Base</td>
<td>$16,393,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Charleston Air Force Base</td>
<td>$9,593,000</td>
</tr>
</tbody>
</table>

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(5), 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

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>March Air Force Base</td>
<td>$16,393,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Charleston Air Force Base</td>
<td>$9,593,000</td>
</tr>
</tbody>
</table>

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, 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), in the following amounts:

(1) For the Department of the Army, for the Army National Guard of the United States, $773,592,000.

(2) For the Department of the Army, for the Army Reserve, $280,549,000.

(3) For the Department of the Navy, for the Navy and Marine Corps Reserve, $26,299,000.

(4) For the Department of the Air Force, for the Air National Guard of the United States, $116,246,000.

(5) For the Department of the Air Force, for the Air Force Reserve, $33,620,000.

SEC. 2607. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2008 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 503), the authorization set forth in the table in subsection (b), as provided in section 2601 and 2604 of that Act (122 Stat. 527–528), shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.
(b) TABLE.—The table referred to in subsection (a) is as follows:

**Army National Guard: Extension of 2008 Project Authorization**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pennsylvania</td>
<td>Coatesville</td>
<td>Readiness Center</td>
<td>$8,300,000.</td>
</tr>
</tbody>
</table>

SEC. 2608. 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 tables in subsection (b), as provided in sections 2601, 2602, and 2603 of that Act, shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

**Army National Guard: Extension of 2009 Project Authorizations**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indiana</td>
<td>Camp Atterbury</td>
<td>Multipurpose Machine Gun Range.</td>
<td>$5,800,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Elko</td>
<td>Readiness Center</td>
<td>$11,375,000.</td>
</tr>
</tbody>
</table>

**Army Reserve: Extension of 2009 Project Authorization**

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York</td>
<td>Staten Island</td>
<td>Army Reserve Center</td>
<td>$18,550,000.</td>
</tr>
</tbody>
</table>
Navy Reserve and Marine Corps Reserve: Extension of 2009 Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware</td>
<td>Wilmington</td>
<td>Armed Forces Reserve Center.</td>
<td>$11,530,000</td>
</tr>
</tbody>
</table>

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, 2011, for base closure and realignment 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, in the total amount of $323,543,000, as follows:

(1) For the Department of the Army, $70,716,000.

(2) For the Department of the Navy, $129,351,000.
(3) For the Department of the Air Force, $123,476,000.


Using amounts appropriated pursuant to the authorization of appropriations in section 2703, the Secretary of Defense may carry out base closure and realignment 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 2005 established by section 2906A of such Act, in the amount of $258,776,000.


Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for base closure and realignment 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 2005 established by section 2906A of such Act, in the total amount of $258,776,000, as follows:

(1) For the Department of the Army, $229,190,000.

(2) For the Department of the Navy, $25,829,000.

(3) For the Department of the Air Force, $1,966,000.

(4) For the Defense Agencies, $1,791,000.

SEC. 2704. AUTHORITY TO EXTEND DEADLINE FOR COMPLETION OF LIMITED NUMBER OF BASE Closure AND REALIGNMENT RECOMMENDATIONS.


(1) in subsection (a)(5), by striking “complete” and inserting “except in the case of a closure or realignment recommendation extended pursuant to subsection (c), complete”; and

(2) by adding at the end the following new subsection:
“(c) Limited Authority To Extend Implementation Period.—(1) In the case of the recommendations of the Commission contained in the report of the Commission transmitted by the President to Congress in accordance with section 2914(e) on September 15, 2005, the Secretary may extend the period for completing not more than 10 of the closure or realignment recommendations until the later of the following:

“(A) September 15, 2012.

“(B) The date of the enactment of an Act authorizing funds for military construction for fiscal year 2013.

“(2) To extend a closure or realignment recommendation under this subsection, the Secretary shall submit to the congressional defense committees a report containing the following:

“(A) A justification of the need for the extension of the closure or realignment recommendation.

“(B) A certification that the extension is necessary to ensure the operational readiness of units or functions being relocated as part of the implementation of the recommendation.

“(C) An explanation of the impact of the extension on communities in the vicinity of the affected installations.
“(D) An explanation of the impacts of not providing the extension on operational readiness.

“(E) An estimation of the costs to the Government associated with the extension.

“(F) A schedule for completing the closure or realignment recommendation in light of the extension.

“(3) The extension of a closure or realignment recommendation under this subsection shall take effect only after—

“(A) the end of the 21-day period beginning on the date on which the report required by paragraph (2) with respect to that recommendation is received by the congressional defense committees; or

“(B) if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

“(4) The authority of the Secretary under paragraph (1) may be exercised only by the Secretary or Deputy Secretary of Defense.”.
TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

SEC. 2801. CLARIFICATION OF AUTHORITY TO USE THE PENTAGON RESERVATION MAINTENANCE REVOLVING FUND FOR MINOR CONSTRUCTION AND ALTERATION ACTIVITIES AT THE PENTAGON RESERVATION.

Section 2674(e)(4) of title 10, United States Code, is amended—

(1) by striking “The authority” and inserting “(A) Except as provided in subparagraph (B), the authority”;

and

(2) by adding at the end the following new subparagraph:

“(B) The Secretary may use monies from the Fund to support construction or alteration activities at the Pentagon Reservation within the limits stated in section 2805 of this title.”.

SEC. 2802. INCREASE IN DOLLAR THRESHOLD FOR CERTAIN AUTHORITIES RELATING TO UNSPECIFIED MINOR CONSTRUCTION PROJECTS.

Section 2805(a)(2) of title 10, United States Code, is amended by striking “$3,000,000” in the second sentence and inserting “$4,000,000”.
SEC. 2803. ENHANCED AUTHORITY FOR USE OF OPERATION AND MAINTENANCE FUNDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS IN SUPPORT OF OPERATION ENDURING FREEDOM.

(a) INCREASED COST THRESHOLD.—Notwithstanding the cost limitations of section 2805 of title 10, United States Code, the Secretary concerned may use funds available for overseas contingency operations for operation and maintenance to carry out unspecified minor military construction projects in direct support of Operation Enduring Freedom costing not more than $3,000,000.

(b) SECRETARY CONCERNED.—For purposes of this section, the term “Secretary concerned” has the meaning applicable to such term under section 2805 of title 10, United States Code.

(c) APPROVAL AND CONGRESSIONAL NOTIFICATION.—The Secretary concerned shall meet the reporting requirements pursuant to subsection (b) of section 2805 of title 10, United States Code.

(d) EXPIRATION OF AUTHORITY.—The authority provided in subsection (a) shall expire on September 30, 2012.
SEC. 2804. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.


(1) in subsection (c)(2), by striking “fiscal year 2011” and inserting “fiscal year 2012”; and

(2) in subsection (h)—

(A) in paragraph (1), by striking “September 30, 2011” and inserting “September 30, 2012”; and

(B) in paragraph (2), by striking “fiscal year 2012” and inserting “fiscal year 2013”.

(b) Modification of Quarterly Reporting Requirement.—Subsection (g) of such section is amended

(1) by striking “QUARTERLY REPORTS OR” in the subsection heading;

(2) by striking “the report for a fiscal-year quarter under subsection (d) or”; and

(3) by striking “report or”.

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(c) TECHNICAL AMENDMENT.—Subsections (a) and (i) of such section are amended by striking “Combined Task Force-Horn of Africa” each place it appears and inserting “Combined Joint Task Force-Horn of Africa”.

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